

LIBERTY UNIVERSITY

**Genesis 9:6:**

**The Noahic Covenant and the Divine Blood Redeemer**

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## Chapter 1: Introduction

Among political theologians it is common to claim that in the Noahic covenant God ordains government with authority. Specifically, He ordains the government to prosecute any crimes up to and including capital punishment. One political theologian, David Van Drunen (and those following him), even construct an entire cultural engagement and political theology off this paradigm.<sup>1</sup> This system has been referred to as Escondido theology and claims heritage to the reformation doctrine of Two Kingdoms theology.<sup>2</sup> Some commentaries also propagate this interpretation (such as Reno,<sup>3</sup> Waltke,<sup>4</sup> Walton<sup>5</sup>). This position is also adopted in some systematic theologies (such as Wayne Grudem<sup>6</sup>) and biblical theologies (such as Gentry and Wellum<sup>7</sup>).

However, the problem with this reading is that the text does not say anything about government. Furthermore, there exists very little research on the Noahic covenant, which

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<sup>1</sup> David VanDrunen, *Politics after Christendom: Political Theology in a Fractured World* (Grand Rapids, MI: Zondervan Academic, 2020).

<sup>2</sup> For more information on the history of the two kingdoms doctrine see Matthew J. Tuininga, *Calvin's Political Theology and the Public Engagement of the Church: Christ's Two Kingdoms* (Cambridge: Cambridge University Press, 2017).

<sup>3</sup> As Reno puts it, “we are to exercise dominion over each other” and that this “signals the beginning of divinely mandated political authority.” R. R. Reno, *Genesis* (Brazos Press, 2017), 125.

<sup>4</sup> Waltke is even more explicit in his Old Testament theology. He writes, “God institutes the home before the fall to create a society where love can flourish. He institutes the state after the flood to prevent crime.” He draws this out further, “this authority is the foundation for organized government.” Bruce K. Waltke and Charles Yu, *An Old Testament Theology: An Exegetical, Canonical, and Thematic Approach*, 1st ed. (Grand Rapids, Mich: Zondervan, 2007), 304.

<sup>5</sup> John H. Walton, *Genesis: The NIV Application Commentary* (Grand Rapids, MI: Zondervan, 2001), 356–7.

<sup>6</sup> Wayne A. Grudem, *Systematic Theology: An Introduction to Biblical Doctrine* (Grand Rapids, Mich: Zondervan Academic, 1995), 661.

<sup>7</sup> Peter J. Gentry and Stephen J. Wellum, *Kingdom through Covenant: A Biblical-Theological Understanding of the Covenants*, Second. (Wheaton, IL: Crossway, 2018), 200.

contributes to this overreach. Instead, these political theologians draw inspiration from the rabbinic Noahide laws to interpret this text. While work on the Flood narrative in Genesis has been voluminous, it is almost the opposite concerning the covenant. For example, works on the Flood usually have only one chapter dedicated to the covenant. The result is a cursory glance with little research on the significant interpretive issues in the text and how this covenant might apply to readers. Textbooks on the biblical covenants follow the same pattern with little interaction with primary sources or journal articles. Overall, there is a need for more research on the Noahic covenant for its own sake and to bring clarification to the field of political theology.

While this thesis will look at various surrounding factors, the central issue is how one should translate Genesis 9:6. It is often rendered as “whoever sheds the blood of man, by man shall his blood be shed,” yet the phrase can also be rendered as “for man shall his blood be shed.” The difference revolves around a single letter, the *beth* preposition. The difference not only changes the meaning of the verse and its surrounding context but would impact our understanding of both political theology and divine activity. The interpretation would then shift to focus on God as the avenger of blood as stated in Gen 9:5 and leave his means unstated in Gen 9:6.

If God is the focus of this text and not humans carrying out capital punishment (or government), then this significantly impacts our understanding of God’s role in and principle for justice. Only once Gen 9:6 is properly interpreted can the Noahic covenant be incorporated into and develop a political theology or cultural engagement for Christians. This is then the central purpose of this thesis, to interpret Gen 9:6 within its immediate, wider, and then corpora context.

## Literature Review

Within the field of biblical studies there is no single published monograph on Gen 9:1-17, or the Noahic Covenant. This alone necessitates more work to be done on this topic. Outside of this, there has been two dissertations on this subject. The first is *Noahic Blessing And Covenant As Programmatic Divine Decrees In Genesis 9:1-17* by Mengistu Lemma. Here, Lemma seeks to understand the Noahic Covenant as a whole and within its ancient Near Eastern context. He concludes that this passage functions as a programmatic divine decree in which “its divine pronouncements of blessing and covenant construct the “world” in which future events of the Pentateuchal narrative will make coherent theological “sense.””<sup>8</sup> While helpful, he only spends about thirteen pages on Gen 9:4-6a, and sixty-six pages on Gen 9:1-7 as a whole. So even here, the work has been relatively little. Furthermore, it is somewhat dated as many new works have since been published in this area. There has also been one dissertation in German, *Segen, Einschränkung und Verheißung im Bund Gottes mit Noah* by Siegbert Riecker.<sup>9</sup>

Besides this there has been one thesis. First *The Importance of The Noahic Covenant and Its Function as The Basis of Creation Care* by Pei Tsai.<sup>10</sup> This work is more of a theological assessment of the Noahic Covenant and afterwards applies this to ecological ethics. As such he is not arguing for a specific understanding of the covenant, nor does he present exegetical work on it.

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<sup>8</sup> Mengistu Lemma, “Noahic Blessing and Covenant as Programmatic Divine Decrees in Genesis 9:1-17” (Union Presbyterian Seminary, 2012), 14.

<sup>9</sup> Siegbert Riecker, “Segen, Einschränkung Und Verheißung Im Bund Gottes Mit Noah” (Evangelische Theologische Faculteit European School of Evangelical Theology, 1998).

<sup>10</sup> Pei Tsai, “The Importance of the Noahic Covenant and Its Function as the Basis of Creation Care” (Reformed Theological Seminary, 2015).

While little extended work has been done on the Noahic covenant, there have been a few articles specifically on Gen 9:6. The first group argues for a “for” or *beth pretii* interpretation. In English, the most foundational has been J. Lust’s “For Man Shall His Blood be Shed” Gen 9:6 in Hebrew and Greek.<sup>11</sup> Lust further develops the work of A. Ernst and examines the Septuagint tradition as to its viability as a solid interpretation of the Hebrew. While not solely writing on this verse, Gideon R. Kotzé updates Lust’s work based on up-to-date syntax studies of the LXX.<sup>12</sup> While there has been work done outside of these, Lust’s work remains the most cited. Notably the only commentaries which advocate for this position are Bill Arnold, David Carr, and David Cotter.<sup>13</sup> This reading is also supported by the *New English Bible* translation.

In German, one of the first articles on the subject, although relatively brief, was A. Ernst.<sup>14</sup> Later Johannes Schnocks developed further arguments taking from both Lust and A. Ernst.<sup>15</sup> He then later replied to his and Ernst’s detractors in English.<sup>16</sup> This interpretation is also

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<sup>11</sup> Johan Lust, “‘For Man Shall His Blood Be Shed’: Gen 9:6 in Hebrew and in Greek,” in *Tradition of the Text: Studies Offered to Dominique Berthélemy in Celebration of His 70th Birthday*, OBO 109 (Göttingen: Vandenhoeck & Ruprecht, 1991), 91–102.

<sup>12</sup> Gideon Kotzé, “Greek Translations of Hebrew Left Dislocation Constructions in LXX Genesis,” in *Septuagint, Sages, and Scripture: Studies in Honour of Johann Cook*, Supplements to Vetus Testamentum 172 (Boston: Brill, 2016), 45–65.

<sup>13</sup> Bill T. Arnold, *Genesis*, New Cambridge Bible Commentary (Cambridge: Cambridge University Press, 2009); David M. Carr, *Genesis 1-11*, Book, Whole (Stuttgart: Kohlhammer Verlag, 2021); David W. Cotter, *Genesis*, Berit Olam (Collegeville, MN: Liturgical Press, 2003).

<sup>14</sup> Alexander Ernst, “‘Wer Menschenblut vergießt ...’. Zur Übersetzung von ‘adam’ [Hebrew] in Gen 9,6 (Book Review),” *Zeitschrift für die Alttestamentliche Wissenschaft* 102, no. 2 (January 1, 1990): 252–253.

<sup>15</sup> Johannes Schnocks, “Gen 9,6: ‘Einer, Der das Blut des Menschen Vergießt...,’” in *Das Alte Testament und die Gewalt: Studien zu göttlicher und menschlicher Gewalt in alttestamentlichen Texten und ihren Rezeptionen*, Wissenschaftliche Monographien zum Alten und Neuen Testament (Neukirchen-Vluyn: Neukirchener Theologie, 2014), 75–86.

<sup>16</sup> Johannes Schnocks, “When God Commands Killing: Reflections on Execution and Human Sacrifice in the Old Testament,” in *“You Shall Not Kill”: The Prohibition of Killing in Ancient Religions and Cultures*, ed. Hermut Lohr and J. Cornelis de Vos, Book, Whole (Göttingen, Germany: Vandenhoeck & Ruprecht, 2018), 100–124.



argued for in Ernst Jenni's work on the *beth* preposition<sup>17</sup> and Brokkelman's Hebrew syntax.<sup>18</sup> Overall, there are about twenty two scholars who argue for this position in various places.<sup>19</sup> This is also in addition to many who, while not arguing for a specific interpretation, argue against reading this as the institutionalization of government or argue that the means of punishment is unstated.<sup>20</sup>

The second group translates Gen 9:6a as 'by' or a *beth instrumenti*. This position is argued for by Victor Hamilton and Bruce Waltke.<sup>21</sup> Most Hebrew grammars also place Gen 9:6a in this category. Notably, there are no articles which specifically argue for this position, only those which build on or reinforce this position. These include Stephen M. Wilson, *Blood*

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<sup>17</sup> Ernst Jenni, *Die Praposition Beth*, vol. 1 (Stuttgart: Kohlhammer, 1992).

<sup>18</sup> Carl Brockelmann, *Hebräische Syntax* (Neukirchen: Kreis Moers, Verlag der Buchhandlung des Erziehungsvereins, 1956) §106e.

<sup>19</sup> J. P. Fokkelman, *Narrative Art in Genesis: Specimens of Stylistic and Structural Analysis* (Eugene, OR: Wipf & Stock, 1991), 34–5, 42; Jerome T. Walsh, *Style And Structure In Biblical Hebrew Narrative* (Collegeville, Minn: Liturgical Press, 2001), 18;27-28 (Follows Fokkelman); Joseph Blenkinsopp, *Creation, Un-Creation, Re-Creation: A Discursive Commentary on Genesis 1-11* (London ; New York: T&T Clark, 2011), 147; Jenni, *Die Praposition Beth*, 1:154 n. 260 (follows A. Ernst and Brockelmann); Ernst, “‘Wer Menschenblut vergießst ...’. Zur Übersetzung von ‘adam’ [Hebrew] in Gen 9,6”; Jacob Milgrom, *Leviticus 1-16* (Yale University Press, 1998), 705; Matthew J. Lynch, *Portraying Violence in the Hebrew Bible: A Literary and Cultural Study* (Cambridge: Cambridge University Press, 2020), 85–6 (follows Milgrom); Arnold, *Genesis*, 80; Lust, “‘For Man Shall His Blood Be Shed’”; Schnocks, “When God Commands Killing: Reflections on Execution and Human Sacrifice in the Old Testament”; Brockelmann, *Hebräische Syntax*, §106e; John William Wevers, *Notes on the Greek Text of Genesis* (Atlanta, Ga: Society of Biblical Literature, 1993), 115; Norbert Baumgart, *Die Umkehr des Schöpfergottes* (Freiburg ; New York: Herder, Freiburg, 1999), 656; Riecker, “Segen, Einschränkung Und Verheißung Im Bund Gottes Mit Noah,” 53 (follows Lust); Johannes Pedersen, *Israel, Its Life and Culture, Volumes 1-2* (Oxford University Press, 1926), 533–34; David Daube, *Studies in Biblical Law* (Cambridge;New York; Cambridge University Press, 2008), 129–30 n. 149; Susan Brayford, *Genesis*, Septuagint Commentary Series (Leiden ; Boston: BRILL, 2007), 272–3; Kotzé, “Greek Translations of Hebrew Left Dislocation Constructions in LXX Genesis,” 59–60; Cotter, *Genesis*, 89 (follows Walsh and Fokkelman); Peter Dubovský, *Genezis*, Komentáře k Starému zákonu (Trnava: Dobrá kniha, 2008); Carr, *Genesis 1-11*, 264; Lemma, “Noachic Blessing and Covenant as Programmatic Divine Decrees in Genesis 9,” 14.

<sup>20</sup> John Goldingay, *Genesis*, Baker commentary on the Old Testament: Pentateuch (Grand Rapids, MI: Baker Academic, 2020), 173. John Skinner, *Genesis*, International Critical Commentary on the Holy Scriptures of the Old and New Testaments (New York: Scribner, 1910), 171. H Holzinger, *Genesis*, Kurzer Handkommentar zum Alten Testament (Leipzig and Tübingen: Freiburg I.B., 1898), 73–74, <https://archive.org/details/genesiserklrt00holz/page/n5/mode/2up?ref=ol>.

<sup>21</sup> Victor P. Hamilton, *The Book of Genesis: Chapters 1-17* (Grand Rapids: Eerdmans, 1990); Bruce K. Waltke and Cathi J. Fredricks, *Genesis: A Commentary* (Grand Rapids, MI: Zondervan, 2001).

*Vengeance and the Imago Dei in the Flood Narrative (Genesis 9:6),*<sup>22</sup> and Jozef Jančovič, *Blood Revenge in Light of the Imago Dei in Genesis 9:6.*<sup>23</sup>

Finally, there is a minority category which does not follow into either camp. First and most notably, Markus Zehnder who translates this as both “by” and “for.” He argues that the author is deliberately ambiguous.<sup>24</sup> Second, in German, O. H. Steck has similarly argued that the verse is linguistically ambiguous and its interpretation must be determined by context.<sup>25</sup> However, he ultimately agrees with the *beth instrumenti*.

Overall, many commentaries simply do not address the issue (Mckeown, Longman, Kidner, Speiser), or simply assume it to be true and go from there (Walton, Brueggemann, Wenham, Cassuto). Both Alter and Sarna briefly comment on this issue, leaning in the direction of the *beth instrumenti* but concede that it can also be rendered as a *pretii*. Neither offer an argumentation for one over the other.<sup>26</sup> Westermann argues for a *beth instrumenti*, but incorrectly cites Brockelman to support his conclusion.

Within political theology there have been a few works on the Noahic Covenant. Among them, one of the foremost writers is David VanDrunen who has written the most and his

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<sup>22</sup> Stephen M. Wilson, “Blood Vengeance and the Imago Dei in the Flood Narrative (Genesis 9:6),” *Interpretation* 71, no. 3 (2017): 263–273.

<sup>23</sup> Jozef Jancovic, “Blood Revenge in Light of the Imago Dei in Genesis 9:6,” *The Biblical Annals* 10 (February 21, 2020): 191–206.

<sup>24</sup> Markus Zehnder, “Cause or Value? Problems in the Understanding of Gen 9,6a,” *Zeitschrift für die alttestamentliche Wissenschaft* 122, no. 1 (2010): 81–89.

<sup>25</sup> Odil Hannes Steck, “Der Mensch und die Todesstrafe: exegetisches zur Übersetzung der Präposition Beth in Gen 9, 6a,” *Theologische Zeitschrift* (1997): 118–130.

<sup>26</sup> Interestingly, only one of the verses he cites to support his conclusions contain a Niphal verb. Sarna seems more indebted to the Jewish tradition for his decision. Nahum M. Sarna, *Genesis: Be-Reshit*, First., The JPS Torah Commentary (Philadelphia: Jewish Publication Society, 1989), 62;356 n. 2. See also Robert Alter who also notes that it can be rendered this way. Robert Alter, *Genesis, Book, Whole* (New York: W.W. Norton, 1996), 38–9.

publications are too numerous to list here. This thesis will not be interacting with his work because it lies outside of biblical studies. However, his newest work building on the Noahic covenant and formulating a model of cultural engagement is *Politics After Christendom: Political Theology in a Fractured World*. Drawing on VanDrunen, Jonathan Leeman has developed this idea further as it regards the church.<sup>27</sup>

### Methodology

This thesis will take a broadly synchronic approach to the Bible. It will examine the text in its canonical shape and the text's final form as we have it today. This approach will lend more broadly to examining theological questions and proposals to see whether they assimilate into the surrounding text. Chapters one and three will be exegetical in nature. The first will compare and analyze the arguments of scholars on the text of Genesis 9:6 and then subsequently add new arguments to the current debate. The second chapter will take a Biblical Theological approach to Genesis 1-11. Specifically, it will take a thematic or "BT2" approach, which uses "an inductive analysis of key themes developing through both discrete corpora and the whole of Scripture."<sup>28</sup> The aim of this is to situate Gen 9:1-7, not just in its immediate context, but in the wider context of this etiology and the central themes which run concurrently through it.

### Chapter Divisions

Overall, the chapters of this thesis are arranged concentrically in order of context. The

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<sup>27</sup>For more on the idea that the Noahide laws began with the rabbinic tradition, see John Day, "The Covenant with Noah and the Noachic Commandments," in *From Creation to Abraham: Further Studies in Genesis 1-11*, vol. 726, The Library of Hebrew Bible/Old Testament Studies (New York: Bloomsbury Academic, 2021), 147-162.

<sup>28</sup>Edward W. Klink III and Darian R. Lockett, *Understanding Biblical Theology: A Comparison of Theory and Practice*, Book, Whole (Grand Rapids, MI: Zondervan, 2012), 60.

first chapter will be an exegesis of Genesis 9:1-7. This chapter is important as it examines the text itself to determine whether this supports a governmental reading. As such it will be exegetical in nature and have its own unique dialogue partners who have worked specifically on this text.

The second chapter will be “Themes of Genesis 1-11.” This chapter will detail the work done on the various themes within Genesis 1-11. Specifically it will focus on “life and death,” “poetic justice,” “seeds,” and “ruling.” These are important because the author has intentionally structured this text in such a way that the themes reveal meaning and to some extent determine the interpretation of the smaller units of text.

The third chapter will examine the Joseph narrative of Genesis 37-50. This section is the only part of Genesis which uses the specific language and terms of Gen 9:5-6 and thus is crucial for understanding the text. This is also then the first pre-Mosaic law interpretation of this passage, and so reveals an interpretation that does not default to understanding it in those terms.

The final chapter will be the conclusion. This will summarize all the above research and what conclusions each specific chapter has come to as well as bringing them together to show how a political or governmental reading of the text is unwarranted.

#### Limitations/Delimitations

This thesis will examine the text of Genesis in its final form through its literary context and limit itself solely to the book of Genesis. It will not take a diachronic approach to the flood narratives and thus will not base findings on whether a particular idea has come from the "P" or the "J" source. This is unnecessary because the text of Gen. 9:1-17, the entirety of the Noahic covenant, is ascribed to the Priestly source. It will not be able to examine the relationship between the Noahic covenant and eco-theology. Although this relationship is just as meaningful,

it is beyond the scope of this research.

This thesis will not examine the debate over whether there is a creation covenant in Genesis 1. While this directly impacts one's reading of the Noahic covenant (whether this is a new covenant or a re-affirmation of the creation covenant), there is too much literature on this, and it does not seem to bear upon ethics or political theology to a great extent. Instead, it will assume some sort of creation covenant according to Peter Gentry and Stephen Wellum,<sup>29</sup> Daniel I. Block,<sup>30</sup> and others.<sup>31</sup> Similarly, the issue of whether there is another Noahic covenant in Gen 6:18 is its own issue. For now, it will assume there is no covenant in Gen 6:18, but this statement is only anticipatory of the covenant in Gen 9.<sup>32</sup>

While this thesis will reference other ancient Near Eastern documents to which Genesis is similar and use them for the present study, it will not comment on the exact nature of their relationship. It will also not examine the history of interpretation although there is an interesting development in Christian interpretation.<sup>33</sup> While equally important, there will not be any work done on the Jewish interpretation of this passage since that would be beyond the ability of this paper. The expansion of the ethical ideas present will not be examined outside of Genesis as

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<sup>29</sup> Gentry and Wellum, *Kingdom through Covenant*, 211–58.

<sup>30</sup> Daniel I. Block, *Covenant: The Framework of God's Grand Plan of Redemption* (Grand Rapids, Michigan: Baker Academic, 2021), 13–26.

<sup>31</sup> Scholars differ on the categorization or naming of this covenant. It has been called “creation,” “cosmic,” and “familial.” For “familial” see Mark J. Boda, *The Heartbeat of Old Testament Theology: Three Creedal Expressions* (Grand Rapids, Michigan: Baker Academic, a division of Baker Publishing Group, 2017), 75–8.

<sup>32</sup> Day, “The Covenant with Noah and the Noachic Commandments,” 153; Scott W. Hahn, *Kinship by Covenant: A Canonical Approach to the Fulfillment of God's Saving Promises* (New Haven, CT: Yale University Press, 2019), 96.

<sup>33</sup> The “by man” interpretation of Gen 9:6 did not gain traction in Christianity until the Reformation, specifically in the writings of Luther and his counterparts. For more information see, John Lee Thompson, ed., *Genesis I-II*, Reformation Commentary on Scripture (Downers Grove, IL: IVP Academic, 2012).

these ideas are so broad that it would be a thesis unto itself.

## Chapter 2: An Exegesis of Genesis 9:1-7

After Noah's post-flood sacrifice, God establishes a covenant with him, his household, and all of creation. Gen 9:8-17 describes the creation of this covenant and its sign which binds God to it. In the previous section, Gen 9:1-7, God addresses humanity and their new role in this covenant. The central issue of the current chapter is to understand this expectation. Within rabbinic and post reformation Christian tradition, it is common to understand this expectation as referring to seven "noahide laws" that gentiles or non-Christians are to obey.<sup>34</sup> Most important for this discussion, is the administration of capital punishment by a governing entity in Gen 9:6. However, after thorough examination of the specific context, this interpretation is doubtful.

In order to understand humanity's new role, this chapter will exegete Genesis 9:1-7. Within this section are five significant issues. After all these issues are dealt with, the intent of this passage becomes clear. The first issue is the repeated blessing of fruitfulness and multiplication in verses 1 and 7. The second is whether verse 7 should include the phrase "and subdue it" following the LXX. The third issue is how Gen 9:1-3 parallels Gen 1:28. The fourth issue is how to understand God "requiring an accounting" or "seeking out" in Gen 9:5. Fifth, and most importantly, whether the *beth* preposition in Gen 9:6a should be translated as "by man" or "for man." Each section contains an exegesis and an analysis. In some verses, such as 9:6, more space will be devoted to interacting with the arguments surrounding these debates.

### Translation

A brief note on the translation. Throughout my translation I have tried to bring out the emphasis on "everything" (כָּל). This harmonizes with the theme of multiplication which this

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<sup>34</sup> This concept developed in early rabbinic Judaism. Day, "The Covenant with Noah and the Noachic Commandments," 159.

section is about: the flourishing of life and the minimizing of death. Parallelism has been incorporated to match what seems to be in the Hebrew text. Instead of “require a reckoning,” I have translated this phrase as “seek out,” which avoids the passive voice which is not in the text, and which also matches the Septuagint. “Animal” is translated as “beast” to bring out the theme of enmity. Certain lines have been broken up to achieve poetic effects in the English, such as putting an emphasis on “man” at the end lines in verses 5-6.

Genesis 9:1-7:

“And God blessed Noah and his sons  
And he said to them, be fruitful, multiply, and fill the earth

And fear of you all and dread of you all will be on every beast of the earth  
And on every bird of the sky  
And with everything that crawls on the land  
And with every fish of the sea  
Into your hand they are given  
Every creeper which is alive, for you it will be food  
Just as the green vegetation, I now give you all everything  
Yet, flesh with its blood of its life you shall not eat

Surely, your blood of your life I will seek out  
From the hand of every beast, I will seek it out  
And from the hand of man  
From the hand of every man’s brother, I will seek out  
The life of man  
Whoever sheds the blood of man, for man his blood will be shed  
For in the image of God, he made man

And you all, be fruitful, multiply,  
Swarm on the earth and multiply on it”

וַיְבָרֶךְ אֱלֹהִים אֶת־נֹחַ וְאֶת־בְּנָיו<sup>35</sup>  
<sup>36</sup>וַיֹּאמֶר לָהֶם פְּרוּ וּרְבוּ וּמְלֵאוּ אֶת־הָאָרֶץ  
וּמִוְרָאֲכֶם וּחִתְּכֶם יִהְיֶה עַל כָּל־חַיַּת הָאָרֶץ

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<sup>35</sup> I have broken the text up at parts to better show certain poetic features.

<sup>36</sup> This line and the next both end with “the land,” prefaced by the similar sounding direct object marker and “living animal.”



<sup>37</sup>: וְעַל כָּל־עוֹף הַשָּׁמַיִם בְּכָל אֲשֶׁר תִּרְמַשׁ הָאָדָמָה וּבְכָל־דְּגֵי הַיָּם בְּיַדְכֶם נִתְּנוּ  
 : כָּל־רֶמֶשׂ אֲשֶׁר הוּא־חַי לָכֶם יִהְיֶה לְאֹכְלָהּ כִּי־רָק עֲשׂוּב נִתְּתִי לָכֶם אֶת־פֶּלֶא<sup>38</sup>  
 : אֲדִי־בְּאֶשׁר בְּנִפְשׁוֹ דָּמוֹ לֹא תֹאכְלוּ<sup>39</sup>  
 וְאֵד אֶת־דַּמְּכֶם לְנִפְשׁוֹתֵיכֶם אֲדַרְשׁ<sup>40</sup>  
 מִיַּד כָּל־חַיָּה אֲדַרְשָׁנּוּ וּמִיַּד הָאָדָם  
 : מִיַּד אִישׁ אֶחָיו אֲדַרְשׁ אֶת־נַפְשׁ הָאָדָם  
 : וְשִׁפְךָ דַּם הָאָדָם בְּאָדָם דָּמוֹ יִשְׁפֹךְ  
 : כִּי בְּצֹלֶם אֱלֹהִים עָשָׂה אֶת־הָאָדָם  
 : וְאַתֶּם פָּרוּ וּרְבוּ שִׂרְצוּ בְּאֶרֶץ וּרְבוּ־בָהּ

### Preamble

Genesis 1 through 8 is crucial to understand Genesis 9. In particular, there needs to be a firm grasp of Genesis 4. This chapters depicts Cain’s murder of Abel. There are three important features to recall from this episode. First, while Genesis 4 does not use the verb “shed” it can be surmised that Cain shed Abel’s blood since it was on the ground. Second, Abel is called “Abel his brother” twice for emphasis. Altogether some form of this phrase, whether “his brother,” “your brother,” or “my brother” occurs six times in just four verses. Third, there is an emphasis on Cain’s hand as the source of responsibility and action. Fourth, after judging Cain, God protects him, declaring that he will avenge sevenfold anyone who kills him. These features will be brought to bear on the present text later, specifically for Gen 9:5-6.

### Genesis 9:1,7

Gen 9:1 reads, “And God blessed Noah and his sons, and he said to them, be fruitful, multiply, and fill the earth.” Verse 7 reads, “And you all, be fruitful, multiply, swarm on the earth and multiply on it.”

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<sup>37</sup> Notice each category of animal from each domain: sky, land, sea.

<sup>38</sup> This line begins and ends with “all.”

<sup>39</sup> This line and the next begin with “surely.”

<sup>40</sup> This verse begins and ends with the definite direct object marker with a similar combination each time, “blood and life” and “life and man.” Notice also the word play between “man” and “blood” throughout vv. 5-6.

Gen 9:1 and 7 as a pair are the first feature which begins Gen 9:1-7. This section will begin with an overview of these two verses and go into a deeper analysis of the text.

This section is bookended by God's blessing to be fruitful, multiply, and fill the earth, as he did in 1:28 (and to the animals in 8:17).<sup>41</sup> This passage also recalls Gen 6:11,13, where violence "filled the earth."<sup>42</sup> So now, God reestablishes this blessing to fill the earth, not with violence, but life. It is clear from this bookend structure that these should be read as one of, if not the main, emphasis of this passage. As such, it seems that however this passage is interpreted, it must be done through the lens of life and flourishing as God's foremost desire for humanity.

How should these blessings be understood and how do they function in the text? The form of these blessings are imperatives. Hamilton takes פָּרוּ וַיִּרְבוּ as a hendiadys, translating it as "be abundantly fruitful." While this might be a suitable translation, it is interesting that all three verbs are only found together here in 9:1 and in Gen 1:21, 28.<sup>43</sup> This suggests keeping all three verbs intact in translation.<sup>44</sup>

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<sup>41</sup> The occurrence in 8:17 does not seem to be directed at humans, *pace* Wenham, but to the animals alone. The form of the blessings are third person plurals, not second person. This makes sense given that God will bless humans to do the same in 9:1,7, and mirrors how God blessed animals and humans separately in Gen 1.

<sup>42</sup> Specifically, Steck notes that this section (v. 6) eliminates the ability of violence to fill the world again, while giving humanity to flourish once more. Steck, "Der Mensch und die Todesstrafe," 122.

<sup>43</sup> The two are found by themselves in 17:20, 28:3, 35:11, 47:27, 48:4, but they are not always found together either, frequently occurring alone. "Fruitful" is found only by itself at least three times in Genesis. Together, "fruitful" and "multiply" will only appear three times in the rest of the Hebrew Bible. Genesis 8:17 reads, "swarm," "fruitful," and "multiply."

<sup>44</sup> The only other time where this combination of three verbs occurs in the rest of the HB is Exodus 1:7 to describe Israel in Egypt. However, here the pattern is: fruitful, swarm, multiply, numerous/powerful, and fill. A few things are interesting about this pattern. First it disrupts the normal pattern, breaking Hamilton's hendiadys. Second it adds a new word, מְצַמֵּי meaning "to be powerful/countless." Furthermore, this pattern also occurs at the beginning of a book, at the outset of Israel's creation as a new nation. This helps tie together the creation story with Israel's story, yet with the addition of a new word it pushes the plot forward. There is something new happening. There are more inconsistencies with the LXX here. While Ex 1:7 reads, "פָּרוּ וַיִּשְׂרְצוּ וַיִּרְבוּ וַיִּצְמְצְמוּ בְּמִצְרַיִם מְאֹד וַתִּתְמַלֵּא הָאָרֶץ אֲתָמָּם." The LXX Swete reads, "ἠϋξήθησαν καὶ ἐπληθύνθησαν καὶ χυδαῖοι ἐγένοντο καὶ κατίσχυον σφόδρα σφόδρα· ἐπλήθησεν δὲ ἡ γῆ αὐτούς." The LXX seems to translate this inaccurately on two accounts. First, it regroups "fruitful" and "multiply" and translates "became numerous" for "swarm." Second, it translates "multiply" for "fill." This is curious because in Gen. 1:28, it does properly translate "fill."

Between verse 1 and 7 there are subtle differences. Whereas 1:28 and 9:1 read: “fruitful,” “multiply,” “fill,” 9:7 reads: “fruitful,” “multiply,” “swarm” (LXX: fill), “multiply on it.” The difference is that 9:7 adds “swarm” and restates “multiply.” Here it should be noted that 9:7 does not parallel 1:28, but the fourfold animal blessing in 1:22, which has the exact same wording and sequence, except for the third word which is “fill” in 1:22.<sup>45</sup> However, swarm is used in the next animal blessing in 8:17.

On closer inspection of these two verses, there is an important textual critical issue. This issue is whether the phrase “and subdue it” from Gen 1:28 (cf. 1:22) should be included in the text. Not only that, but where to include it as well. Neither the Samaritan Pentateuch, Targum Pseudo Jonathan, or the Vulgate include it.

The LXX includes the phrase “and subdue it,” κατακυριεύσατε αὐτῆς (Cf. Ralfs, Swete).<sup>46</sup> However, some MSS do not include it.<sup>47</sup> Origen thought it was doubtful.<sup>48</sup> Furthermore, this phrase changes location depending on the manuscript, between 9:1 and 9:7. Ultimately, the consensus is that it should be placed in 9:1. In addition to the above, because this reference does not include the other half (“and rule over it”) in the LXX, it might have been an addition on the part of the translator. Because the LXX translator ultimately veers from correctly

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<sup>45</sup> The two different words are synonymous and used interchangeably. See Carol M. Kaminski, *From Noah to Israel Realization of the Primaeval Blessing after the Flood*, Journal for the study of the Old Testament Supplement series 413 (London: T & T Clark International, 2004), 12–4. Even if one disagrees with the conclusions of Porten and Rappaport concerning the parallel between 1:22 and 9:7, the rest of the evidence still prohibits using the addition of “subdue.”

<sup>46</sup> There seems to be a confusion in whether this should be in 9:1 as Swete and Ralfs have it, or in 9:7 as Alter, and others read it.

<sup>47</sup> Bezalel Porten and Uriel Rappaport, “Poetic Structure in Genesis IX 7,” *Vetus Testamentum* 21, no. 3 (1971): 363–69.

<sup>48</sup> Wevers, *Notes on the Greek Text of Genesis*, 113.

translating “swarm” by opting to make it more congruous with 1:28, and 9:1, it seems this may be the reasoning for the addition “and subdue it” in some manuscripts in 9:1 as well.<sup>49</sup>

The MT is also involved in this issue. Here it is whether 9:7 should include the second “multiply,” or if there was a scribal error. Alter believes a Hebrew scribe may have made a transposition since the verbs in Hebrew are distinguished by only one letter, and sound very similar: “rule” וַיִּרְדּוּ and “multiply” וַיִּרְבוּ.<sup>50</sup> Many follow Alter (and some of the Greek MSS) such as Skinner, Gunkel, and Westermann.<sup>51</sup> Yet, there are several problems here. First, these authors are wanting to read “have dominion” (following the LXX) in the place of “rule,” two distinct words, translated differently in 1:28 LXX. Second, Most LXX manuscripts do not include this phrase in 9:7. Third, the phrase in 9:7 shifts around the verse in some of the MSS that do include it, deeming it an addition. Third, the element of “swarm” in the MT would suggest that something is different, and that the author is veering from the earlier path of 9:1. This lends support for following the MT. Finally, the poetic paradigm of A’ B’ C’ B’ is now understood as an established sequence, supporting the MT.<sup>52</sup> Overall, the omission of the phrase “and subdue it” is quite suggestive for authorial intent since this section parallels 1:28, as this paper shows below.

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<sup>49</sup> This specific verb, שָׂרַץ, is important because in Ex 1:7 it is used to describe Israel in Egypt. Interestingly it seems that there is an aversion to translating “swarming,” which the LXX only seems to translate in Gen. 7:20 and 8:21, which it does as “reptile moving,” but leaves it out of 9:7. The LXX also does not seem to translate it consistently in Ex. 1:7.

<sup>50</sup> Alter, *Genesis*, 39.

<sup>51</sup> Avraham Tal, ed., *Genesis*, Biblia Hebraica Quinta 1 (Stuttgart: Deutsche Bibelgesellschaft, 2015), 101.

<sup>52</sup> Porten and Rappaport provide a helpful history of how “rule” became the standard reading in our Septuagint only recently. Porten and Rappaport, “Poetic Structure in Genesis IX 7,” 364–66. Kselman writes, “The recovery of this pattern demonstrates the soundness of MT and prohibits the emendation of rbw to rdw.” John S. Kselman, “The Recovery of Poetic Fragments from the Pentateuchal Priestly Source,” *Journal of Biblical Literature* 97, no. 2 (June 1, 1978): 167. See also, John S. Kselman, “The ABCB Pattern: Further Examples,” *Vetus Testamentum* 32, no. 2 (1982): 224–229.

Whether the text of Gen 9 includes “subdue” and “rule” is important to specify what the author is trying to communicate. It is without a doubt peculiar that nowhere in this chapter does the word “rule” occur. Even in the Greek it does not occur. Some LXX translators added “subdue,” but that only refers to the earth in 1:28. Those who follow the LXX in their translation may be adopting the “recreation” paradigm too far and miss what differences the author may have intended.

Finally, v. 7 brings a stark contrast to v. 6. The importance is, as Victor Hamilton simply notes, “Noah and his sons are to be life producers, not life takers.”<sup>53</sup> Within the ancient Near East, God’s desire to bring more life into existence is a surprising contrast to the god(s) of the Atrahasis flood account who does not want humanity to populate the earth after the flood.<sup>54</sup> Overall, verse 7 is a crescendo of life, underscoring its importance and lasting emphasis. Indeed, this double blessing is indicative of the fact that, as Turner argues, “every episode [of Genesis 1-11] can be related to the announcement of 1:28 in one way or another.”<sup>55</sup> The following section will examine the parallel of Gen 1:28-29 and 9:1-3 more closely.

### Genesis 9:1-3

As mentioned above, Genesis 9:1-3 parallels Gen. 1:28-29. In this section God now grants animals as a food source to humans. In doing so, He alters their previous relationship. However, the question is whether this change is positive or negative. Below is a chart comparing

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<sup>53</sup> Hamilton, *The Book of Genesis*, 316.

<sup>54</sup> John Day, *From Creation to Babel: Studies in Genesis 1-11* (Bloomsbury T&T Clark, 2015), 101.

<sup>55</sup> Laurence A. Turner, *Announcements of Plot in Genesis*, Supplement Series 96 (Sheffield, England: Journal for the study of the Old Testament, 1990), 48.

the two passages, which uses colors to show matching parts. From this, certain features of the text will be noted to help answer our primary question.

Gen 1:28-29

פָּרוּ וּרְבוּ וּמְלֵאוּ אֶת-הָאָרֶץ, וּכְבַשְׁתֶּהּ; וּרְדוּ בְּדֹגַת הַיָּם, וּבְעוֹף הַשָּׁמַיִם, וּבְכָל-חַיָּה, הַרְמֵשֶׁת עַל-הָאָרֶץ.  
וַיֹּאמֶר אֱלֹהִים, הִנֵּה נֹתְתִי לָכֶם אֶת-כָּל-עֵשֶׂב זֶרַע זָרַע אֲשֶׁר עַל-פְּנֵי כָל-הָאָרֶץ, וְאֶת-כָּל-הָעֵץ אֲשֶׁר-בּוֹ פְרִי-עֵץ,  
זֶרַע זָרַע: לָכֶם יִהְיֶה, לְאֹכְלָהּ.

Gen 9:1-3

פָּרוּ וּרְבוּ, וּמְלֵאוּ אֶת-הָאָרֶץ  
וּמִוֹרְאֵיכֶם וּחַמֹּתְכֶם, יִהְיֶה, עַל כָּל-חַיַּת הָאָרֶץ, וְעַל כָּל-עוֹף הַשָּׁמַיִם  
בְּכָל אֲשֶׁר תִּרְמַשׁ הָאָדָמָה וּבְכָל-דְּגֵי הַיָּם, בְּיַדְכֶם נִתְּנוּ  
כָּל-רֶמֶשׂ אֲשֶׁר הוּא-חַי, לָכֶם יִהְיֶה לְאֹכְלָהּ: כַּיְיָרֵק עֵשֶׂב, נֹתְתִי לָכֶם אֶת-כָּל-

As most commentators note, this parallel contributes to chapter 9's new creation or re-creation theme.<sup>56</sup> Both passages begin with the same blessing, “be fruitful, multiply, and fill the earth.”<sup>57</sup> Naturally, a reader might assume that it continues similarly. Yet right where the reader expects “and subdue it and rule over...,” the author inserts the new word pair, “fear and dread.” This seems to be an intentional switch, which would likely have some rhetorical effect.<sup>58</sup> Where one might expect the former positive command, now there is the latter negative depiction.

<sup>56</sup> For more on this theme see Waltke and Yu, *An Old Testament Theology*.

<sup>57</sup> Since the blessings of 9:1 have been treated above, they will not be done here.

<sup>58</sup> Walton interprets this as a replacement. He comments, “Rule is not taken away, but neither is it reiterated.” Walton, *Genesis: The NIV Application Commentary*, 341. However in *The Lost World of the Flood*, Walton and Longman do seem to see a loss of rule. They write, “The covenant with Noah after the flood does not repeat “subdue and rule.” In Genesis 1 this served as the expression for the human role in extending order. Now, however, extending order based on sacred space and God's presence is no longer possible, but humans are called to maintain social order, which is still a responsibility (e.g., judging capital crimes [Gen 9:6]).” This is quite

Gen 9:1-3 continues paralleling Gen 1:28-29, listing all the same animal categories. However, once again, there is a noticeable difference. The order of the animals is inverted.<sup>59</sup> This recalls the covenant curses as part of the Garden exile in which the roles are inverted.<sup>60</sup>

The parallels continue with 9:2 reading “into your hand they are given,” in the same spot as 1:29 which reads “I am giving to you.” The obvious addition to this new section is “into your hand,” which can denote responsibility or power over something. Note too that Gen 1:29’s phrase is repeated almost verbatim at the end of 9:3 as well, although the placement of “vegetation” is now fronted. Finally, the prepositions also shift from “over”  $\overline{\text{על}}$  in 1:28-29 to “on”  $\text{על}$  in 9:1-2. The last section does not exactly parallel each other but reuses key words and phrases.

Overall, these differences seem to imply something negative. While the re-creation paradigm is prevalent, it does not seem that it can override or obscure these distinctions, which give a different nuance and tone to this passage. This negative tone is also suggested by the obvious inclusion of eating living beings and the focus on death. With the differences sufficiently highlighted, we will now turn to an analysis of these verses.

When we analyze these verses, several observations arise. The first major difference is the added phrase “fear and dread.”<sup>61</sup> Wenham argues that this phrase, “implies that man has the

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suggestive, especially if one takes a “for man” interpretation of Gen 9:6. Tremper Longman and John H. Walton, *The Lost World of the Flood: Mythology, Theology, and the Deluge Debate* (Downers Grove, IL: IVP Academic, 2018), 137.

<sup>59</sup> Gen. 1:28’s pattern is “fish of the sea,” “bird of heaven,” “every animal moving on the earth.” This follows almost the same pattern of creating each category in Gen. 1:20-24. Gen. 9:2’s pattern is “every animal on the earth,” “bird of heaven,” “all that moves on the ground,” and “all the fish of the sea.” Noticeably, the pattern is inverted, with the addition of “all that moves on the ground,” in spot 3, and “moving” is absent from “animal on the earth.”

<sup>60</sup> See the section “poetic justice” in chapter two for more information on the garden curses.

<sup>61</sup> Both words are rare and each of them are not used again in Genesis.

power of life and death over them.”<sup>62</sup> Goldingay adds that the “giving” is a performative or declarative *qatal*, suggesting something new through a speech act, which could be understood as “I hereby give you.”<sup>63</sup> These observations are easy enough to pull from the text. However, there may be more to this language.

Wenham notes these are military terms used in reference to one’s enemies (cf. Deut 1:21; 11:25; 31:8).<sup>64</sup> However the terms used here in 9:2 do not fully match with any of those references.<sup>65</sup> The phrase “into your hand they are given” is also used in military contexts (Deut 20:13, Judg 7:7). David Carr notes that this phrase recalls, “divine salvation oracles announced to kings that their enemies are given into their hands.”<sup>66</sup>

Yet not all scholars are agreed that this language entails warfare elements. Schnocks, Zenger, and Seebass are critical of “war” language here.<sup>67</sup> They argue that this language is used in non-military contexts as well. Schnocks helpfully notes the distinction that mastery does not imply eradication or wonton killing.<sup>68</sup> As an example, Isa 22:21 speaks about the government “given into the hand” of the palace minister as being responsible for the kingdom.<sup>69</sup> He will be a “father” to Jerusalem. Both Lynch and Seebass note that putting a “fear” upon someone is an act

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<sup>62</sup> G.J. Wenham, *Genesis 1-15, Volume 1*, Word Biblical Commentary (Zondervan Academic, 2017), 192.

<sup>63</sup> *Ibid.*, 156.

<sup>64</sup> *Ibid.*, 192.

<sup>65</sup> Only one of the words from 9:2 is used each time within the pairs in those references. While the first and last pairs match, the second reference uses two different words entirely.

<sup>66</sup> Carr, *Genesis 1-11*, 263.

<sup>67</sup> Schnocks, “When God Commands Killing: Reflections on Execution and Human Sacrifice in the Old Testament,” 108 n. 17.

<sup>68</sup> *Ibid.*, 115.

<sup>69</sup> Horst. Seebass, *Genesis, Genesis* (Neukirchen-Vluyn: Neukirchener, 1996), 222.



of protection by God.<sup>70</sup> Specifically, in Gen 35:5, God puts a “terror” תַּחֲתָם upon the cities around Bethel to protect Jacob and his family when traveling there.<sup>71</sup> It is noteworthy that this later occurrence does not include any hint of warfare. Furthermore, this “fear and dread” as protection may also correlate to God’s accounting for shed human life from the hand of an animal in 9:5 which also instills a terror on would be manslayers. Thus, these phrases are not *de facto* talk of war.

A reader can understand the language here in one of three ways. First, is the majority interpretation. As Wenham notes, this language “indicates a degree of enmity between man and the animal kingdom that was lacking in the original mandate “have dominion over them.””<sup>72</sup> This is a negative interpretation, for it usually understands this as a concession to humanity’s violent tendencies or a loss of Edenic harmony.<sup>73</sup> However, some interpret it positively as warfare victory language.<sup>74</sup> Overall, most believe that this new relationship with animals is in some way an extension of human’s earlier rule.<sup>75</sup>

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<sup>70</sup> This may also help to explain why they are used in a “military setting.”

<sup>71</sup> Lynch notes that the Gen 9:6 could allow for a protectionist reading or a military reading. Regardless, as he notes, “Clearly, humans and animals exist at odds with one another.” Lynch, *Portraying Violence in the Hebrew Bible*, 85. Similarly in Gen 31:42,53 there is reference to the “fear of Isaac,” יִרְאָה. In Exodus 15:16, God’s “fear and dread” are upon the many people which makes them “as still as stone,” and allows the Israelites to pass by. Note, there is no war with them.

<sup>72</sup> Wenham, *Genesis 1-15*, 156.

<sup>73</sup> Turner, labels it “despotic.” Turner, *Announcements of Plot in Genesis*, 47–8. Sarna believes this animal slaughter may be a “dehumanizing experience,” Sarna, *Genesis*, 61. Robert alter writes, “Vegetarian man of the Garden is now allowed a carnivore’s diet (this might conceivably be intended as an outlet for his violent impulses), and in consonance with that change, man does not merely rule over the animal kingdom but inspires it with fear.” Alter, *Genesis*, 38. See also Gerhard von Rad, *Genesis: A Commentary*, Revised. (Philadelphia: Westminster Press, 1972), 131.

<sup>74</sup> Riecker, “Segen, Einschränkung Und Verheißung Im Bund Gottes Mit Noah.”

<sup>75</sup> However, it seems that most simply assume that this is God’s reassertion of humanity’s rule over animals as Von Rad does, von Rad, *Genesis*, 131.. While the appeal of this is obvious, the fact remains that the text does not explicitly say this, and instead seems to swap “subdue and rule” for “fear and dread” as an intentional switch, not

A second option is to interpret this in accordance with 9:1,7 as the overarching theme of life, as David Carr and O. H. Steck do.<sup>76</sup> Both of the new elements here (allowance to eat meat and the “fear and dread”) are to enable the flourishing and spread of humans across the earth. They now have protection from the wild animals when there are no cities, and a new food source for sustenance where they may not be able to acquire green vegetation.<sup>77</sup> This would also make sense given the nomadic background which is common in the patriarchal narratives. Following Matthews, Lynch also offers this as a possible explanation.<sup>78</sup>

God’s directives in Genesis 9:2-5 then are not a random collection of laws, but His provision for humanity to follow in order to accomplish the central task of being fruitful. Here, Carr’s interpretation is persuasive. Yet the central fact remains, that while “recreation” has been established, it is certainly not Eden and does not have its harmony. This is not the same place and assumed similarities cannot be taken for granted.

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addition. For an alternative view that argues this rule was lost, see Annette Schellenberg, “Humankind as the «Image of God» On the Priestly Predication (Gen 1:26–27; 5:1; 9:6) and Its Relationship to the Ancient Near Eastern Understanding of Images.,” *Theologische Zeitschrift* 65, no. 2 (2009): 102. Annette’s thesis is plausible, and maybe even persuasive. It seems unlikely that, after being judged, humanity would receive a reward of greater or expanded responsibility. The fact that the animal/human relationship is now cast in warfare language (if one assumes this) would seem to corroborate this. Conversely, Gen 9:2-4 does not depict the ideal animal/human relationship, and thus is negative. A parallel might be found in the relationship between man and work. Outside Eden, human’s relationship to work has become difficult even though it was once ideal. Overall, I offer no final decisions on this as the text is not clear about it.

<sup>76</sup> Steck, who argues against a *beth pretii* interpretation of Gen 9:6, writes, “v. 3 again secures v. 1b in the further aspect of the food basis for the increase and spread of people as a common blessing and ensures that the killing of animals by people, including the regulation v. 4 for food purposes, is not a *hamas* crime” (Translation mine). Steck, “Der Mensch und die Todesstrafe,” 122.

<sup>77</sup> Carr, *Genesis 1-11*, 263.

<sup>78</sup> However, his ultimate conclusions seem tempered as he writes, “Gen 9:1–6 seems to include both possibilities.” He concludes, “I suggest instead that the permission to consume animals (but not their blood) in Genesis 9 signals a changed world. This is now a world where reverence for animal life still exists yet humans and animals do not relate as they did before.” Lynch, *Portraying Violence in the Hebrew Bible*, 86. See also Kenneth A. Matthews, *Genesis 1-11:26*, vol. 1A, New American Commentary (Nashville, TN: Broadman & Holman Publishers, 1995), 401.

These two approaches are not mutually exclusive. Steven Mason argues for a combined approach. He emphasizes both the war language, which he believes implies humanity's directive to rule and subdue, and humanity's ability to flourish and multiply. Both of these are common elements in God's covenant with Israel. Mason writes,

In Exod. 1.12, it is the Egyptians who grew to dread the Hebrew people who were fruitful and multiplied (Exod. 1.7-12). In Num. 22.3, it is the Moabites who were overcome with fear and dread because Israel had grown so numerous (22.3-6). In Deuteronomy 7 and 8, the idea of fruitfulness and multiplication in the land serves as warrant and reward for overcoming its enemies. These various expressions for subduing Israel's enemies are direct products, promises, and rewards of God's covenant with Israel. Israel's enemies are properly to fear them and be given over to their dominion in the same manner that Gen. 9.2-3 mandates for animals. This ensures fruitfulness and multiplication in the land, that is, the earth.<sup>79</sup>

Just as Israel's enemies pose a threat to their multiplication, animals do the same to the post-flood humanity who is to spread out on the Earth. Even later, Israel still faces this threat. Lev 26 connects their ability to fight off animals with being obedient to their covenant terms with God.<sup>80</sup> For Israel, "Both animals and human enemies represent threats and punishments."<sup>81</sup> In addition Lev 26:17 states that Israel's enemies will "rule over" her. Thus, for Mason, "the human to animal relationship in Genesis 9 characterizes and prefigures Israel's dominion over other nations," and "the images and ideas of fruitfulness and multiplication, and subduing threats to this mandate as expressed in Gen. 9.1-7, Leviticus 26, and other Old Testament covenant texts

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<sup>79</sup> Steven D. Mason, "Another Flood? Genesis 9 and Isaiah's Broken Eternal Covenant," *Journal for the Study of the Old Testament* 32, no. 2 (2007): 188.

<sup>80</sup> This theme is also found in Ezekiel 34. See also *Ibid.*, 189.

<sup>81</sup> *Ibid.*, 190.

noted above, demonstrate that these elements of Gen. 9.1-7 are intrinsically covenant ideas.”<sup>82</sup> Overall, Mason’s argument has merit but is vulnerable.<sup>83</sup>

Specifically, there should be caution about reading “backwards” too much. The latter could easily be building on the former, more concrete ideas. Prefiguring aside, this does not annul the very real danger of animals in the wild for the post-flood population nor is it an injunction to wage war against animals. Yet, Mason’s explanation is most problematic in that it does not work for Lev 26 itself. There, both animals and humans are enemies. The former does not “prefigure” the latter. Both are unique threats which Israel faces. As an example of wild animals, God sends the vipers upon his people in Numbers 21:6-9. This distinction as separate threats endures through the Old Testament (see for example. Ezek 14:21, Jerm 15:3). In fact, once we examine the Pentateuch more closely, a pattern of promised divine protection (or curse) from both wild animals and human enemies occurs throughout the covenants. In noting the similarities between the Noahic and Mosaic covenants, Sailhamer writes, “the central provisions” are protection from wild animals (Ex 23:29) and human enemies (Ex 23:22).<sup>84</sup> In light of Mason’s emphasis on Lev 26, it becomes clear that both provisions are a staple of God’s

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<sup>82</sup> Ibid., 191.

<sup>83</sup> Mason goes on to argue similarly for 9:6, however he is less convincing there. He writes “Now humankind holds that (new) position of responsibility since God will restrain himself from destroying all life. This contrast can only be understood when one understands that the eternal covenant of Noah has two sides, vv. 1-7 and 8-17.” While this divide has been typical, I believe this division is reductionistic. For example, while this generally holds an overarching idea, within Gen 9:1-7, God is also describing what he is doing for and from them (such as now giving a new food to humanity and requiring a reckoning.) God is undeniably the chief actor and center character in all of Gen 9:1-18. As a corresponding case to his position, he references Ex 32, where Israel worships the golden calf, and then later the Levites kill three thousand people for their sin. However, the chief sin here is idolatry, not bloodshed. The Phineas account, while sharing certain elements, does not include bloodshed as a sin for which they are punished which draws into question why Mason brings attention to this. Ibid., 193. See further comments on 9:6b for more on his position which others have popularized.

<sup>84</sup> John H. Sailhamer, *The Pentateuch as Narrative: A Biblical-Theological Commentary* (Grand Rapids, Mich: Zondervan Academic, 1995), 128.

covenants in the Pentateuch.<sup>85</sup> Thus, Mason’s approach seems to suffer here. In alignment with Gen 9:5, the emphasis in Lev 26 is on God as the agent of the blessings and curses. This pattern, along with the emphasis on God as the one who promises to protect in the latter covenants, lends credibility to a “for man” or a divine agency reading of Gen 9:5-6.

In summary, Carr’s approach is the most convincing, while Mason’s approach suffers a few weaknesses. Carr seems to fit his ideas within the context of Genesis 1-11 itself, while Mason draws his interpretation from material after Genesis. Carr’s approach is simpler (in a positive way), while Mason’s approach is weakened by pulling too much from later chapters. Ultimately, Mason’s approach seems to collapse the universal Noahic covenant into a piece of Israelite history.<sup>86</sup> What can be said about 9:2-3 at least, is that because this is not the ideal between animals and humans, it thus represents something negative or an allowance at best to serve a greater good.

#### Genesis 9:4

Whereas Genesis 9:3 ends with God explicitly giving “everything,” 9:4 begins with a sharp contrast using the adverb  $\gamma\alpha\rho$ .<sup>87</sup> This parallel of Edenic provision continues with another

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<sup>85</sup> In the covenant blessings and curses of Deut 28, God only mentions the protection from enemies. The omission of wild animals makes sense given their context. For the first time the new generation of Israel is about to enter their own land and have their own protection. Therefore, Deut 28:52 emphasizes that the foreign nation will “besiege you in all your towns, until your high and fortified walls, in which you trusted, come down throughout your land” (ESV). During all the previous covenants (Gen 9, Ex 23, and Lev 26) God’s people were nomads wandering on the earth or wilderness, susceptible to wild animals. While animals or humans are not specifically a part of God’s covenant with Abraham in Gen 12 or 15, there is a promise of protection. In Gen 12:3, God will curse those who curse Abraham. In Gen 15:1, God declares that he will be his “shield.” Overall, throughout the covenants there is a general pattern. The theme of blessing, seed, and land are prominent in all the above covenants, which lends credibility to seeing an established pattern of divine protection from animal and human enemies. For more on the interweaving of these themes in the book of Genesis see, James McKeown, *Genesis*, Two horizons Old Testament commentary (Grand Rapids, MI: Eerdmans, 2008), 253–9.

<sup>86</sup> For the importance of the Noahic covenant in its own right in redemption history see, Boda, *The Heartbeat of Old Testament Theology*, 74–8.

<sup>87</sup> The LXX also interprets this as a contrast interpreting the adverb as  $\pi\lambda\eta\nu$ .

prohibition, just as in the Garden with the tree of the knowledge of good and evil (2:16-17).<sup>88</sup>

Here, humanity is prohibited from eating the “lifeblood” of animals. That is, they must drain the blood before eating the meat. Outside of the blessings to flourish, this is the only prohibition within this section. It is also directly in the middle of this section, with about four lines before and after.

The Bible does not specify the reason for this stipulation, what is meant,<sup>89</sup> or what the normal procedure may be. Goldingay and others reason that, “life and thus the blood issues from God, so that eating the blood would be consuming something that belongs to God and must be allowed to return to him.”<sup>90</sup> Skinner notes that later in the law, refraining from eating blood is not classified as a ceremonial law, but is grouped with the moral laws (Ezk 33:25).<sup>91</sup> This is important to understand that this is not necessarily about diet, but about the power of and respect for the blood within the ancient mind. As Skinner goes on to explain, “the blood is the life, and the life is sacred, and must be restored to God before the flesh can be eaten.”<sup>92</sup> While many cultures are known for blood consumption, the ideology behind this prohibition is still present

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<sup>88</sup> Hamilton, *The Book of Genesis*, 314. It is interesting, if not suggestive, that Noah’s Adam-like fall occurs when he “eats” the food symbolic of blood, wine. However, this may simply be a Christian retrojection. There does not seem to be many references between wine and blood in the Old Testament. Although there are a few which connect them. Gen 49:11, “blood of grapes.” Isa 49:45, “they shall be drunk with their own blood as with wine.” Isa 63:3, “I have trodden the wine press alone, and from the peoples no one was with me; I trod them in my anger and trampled them in my wrath; their lifeblood is sprinkled upon my garments, and I have stained all my raiment.” Zech 9:15, “and they shall drink their blood like wine.” Prov 4:17, “For they eat the bread of wickedness and drink the wine of violence.”

<sup>89</sup> Early rabbinic tradition has seen multiple possibilities here, such as not eating a freshly torn limb.

<sup>90</sup> Goldingay, *Genesis*, 162.

<sup>91</sup> Skinner, *Genesis*, 170.

<sup>92</sup> *Ibid.* See also Lev 17:11,14; Dt 12:23.

within middle eastern Bedouin societies today.<sup>93</sup> Once again, this is not separate from the overarching theme, but corresponds to the theme of producing life, not taking it. In short, blood has sanctity and power which must be respected. Gen 9:5-6 follows logically as it revolves around the even greater sanctity of human life.

#### Genesis 9:5

Gen 9:5 might be one of the most important verses in this chapter. But it has provided interpreters with some difficulties with what seems to be clunky and repetitive language. The nature of this verse stands out in comparison to the eloquence of the next verse. However, upon closer inspection of this verse important features begin to emerge.

Genesis 9:5 begins again with the adverb  $\text{כֵּן}$ .<sup>94</sup> Thus, both verses 4 and 5 should be interpreted as connected to the previous material, and in the same line of thought, namely the sanctity of blood.<sup>95</sup> Of particular importance is God's thrice repeated claim that he will "account/require/seek"  $\text{שָׁרַף}$  for murder. There are also three preposition phrases attached to each verb which are all introduced by  $\text{מִן}$ , and three synonymous terms to designate the object of the verb ("the blood of your lives", "it", and "the life of man").<sup>96</sup>

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<sup>93</sup> Clinton Bailey, *Bedouin Culture in the Bible* (New Haven: Yale University Press, 2018), 157.

<sup>94</sup> The LXX does not continue this repetition here. This pattern is also found in Num 22:20; Josh 22:19. Tal, *Genesis*, 57.

<sup>95</sup> "The whole passage 9:4-6 is seen as a restriction of the concession of 9:3 and this is underscored by the twice repeated *ak* (9:4, 5). 9:4-6 are not to be understood apart from 9:3. They are an integral part of the command to eat meat; man is not allowed to consume the whole animal but must abstain from the blood. As these verses fit their context, it is hard to demonstrate that they are secondary." P. J. Harland, *The Value of Human Life: A Study of the Story of the Flood (Genesis 6-9)*, Supplements to Vetus Testamentum v. 64 (Leiden ; New York: Brill, 1996), 153.

<sup>96</sup> Lloyd M. Barré, "The Poetic Structure of Genesis 9:5," *Zeitschrift für die alttestamentliche wissenschaft* 96, no. 1 (1984): 101–104.

What emerges becomes an entirely different poetic structure of this section. Lloyd Barre argues that if one follows the Samaritan Pentateuch, which has a slightly different reading,<sup>97</sup> a three-fold parallel clause structure appears: A, B, C, B', A', C', C'', B'', A''. This structure is due to the fact that the SP lacks a *waw* in 5b. Furthermore, following the SP (or even the MT as Barre argues) also brings the indirect objects into alignment, for there, הַיָּהוּה or “beast/living thing,” is יָהוּה, which he believes should be understood as “clan,” “community,” or “group,” which would then be in line with the other two parties “man” and “each man’s brother.”<sup>98</sup> This threefold pattern would then parallel the direct object’s threefold varying pattern, and move from the general to specific. Finally, a similar parallel clause structure is also found in Gen 1:27, which as we have already noted, is unsurprising given all the other parallels mentioned between the two sections.<sup>99</sup>

Regardless of how one determines the original text, the general idea remains the same. This paper will follow the MT to abstain from becoming overly complicated for now. Overall, God first tells Noah and his sons that he will account for their lifeblood, then he clarifies that he will account it “from the hand” of both beast and man.<sup>100</sup> This second iteration seems to be an all-inclusive category (not necessarily two distinct categories). He gives a final clarification that

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<sup>97</sup> The Samaritan Pentateuch reads “ואך את דמכם לנפשותיכם אדרש מיד כל חי אדרשנו מיד האדם מיד איש ואחיו אדרש את נפש האדם.”

<sup>98</sup> This reading based on the second root of הַיָּהוּה, BDB 312–313. See Barre’s article for his additional reasoning.

<sup>99</sup> While not new, Barre’s article has not received much attention. Siegbert Riecker in his dissertation does not find Barre’s proposals convincing. Riecker, “Segen, Einschränkung Und Verheißung Im Bund Gottes Mit Noah,” 51–2.

<sup>100</sup> Wevers comments on the Greek, “The first time it occurs absolutely; the statement is made that God will not allow your life to go unavenged. Of whom this is to be exacted is then detailed in the next two clauses. God will require an accounting for the spilling of human blood both at the hand of wild animals as well as that of brother man.” Wevers, *Notes on the Greek Text of Genesis*, 115.



he will account for their blood from every man's brother, which is the first time "brother" is used since the Cain episode.<sup>101</sup> It is here that "Cain's scornful question finds its answer."<sup>102</sup>

There are several points to examine here. First, the emphasis is on God's activity.<sup>103</sup> However, many scholars and translations do not seem to convey the full force of this passage. Regrettably, many do not mention this verse at all.<sup>104</sup> God specifically says he will avenge or reckon, or a put passively "require a reckoning," three times, from every group. Commenting on the NEB's translation "demand satisfaction," Michael Fishbane writes, "being more direct, such a translation is preferable here to RSV and NJPS 'require a reckoning'."<sup>105</sup> There is also good reason to do so. As Riecker notes, "This construction (phrased in deliberate contrast to verse 3) occurs only with God as agent."<sup>106</sup> Just as he gives (v. 3), so will he seek (v. 5). Second, what exactly does "account/require" signify, specifically when God is the agent? Third and relatedly, what does "from the hand" mean? These two latter questions will now be addressed.

### The God Who "Seeks Out"

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<sup>101</sup> Wenham argues this is a deliberate echo. Wenham, *Genesis 1-15*, 193.

<sup>102</sup> Cain is indeed his brother's keeper. Arthur Whitham, *Genesis, The Old Testament for Schools* (London: Rivingtons, 1928), 48, [https://biblicalstudies.org.uk/book\\_genesis-totfs\\_whitham.html](https://biblicalstudies.org.uk/book_genesis-totfs_whitham.html).

<sup>103</sup> Even David VanDrunen acknowledges in 9:5 that the emphasis is on God himself. He writes, "In the previous verse (9:5), God states that *he himself* will 'require a reckoning for the life of man,' but then in 9:6 states that he who sheds the blood of a man will receive retribution 'by man.'" David VanDrunen, *Divine Covenants and Moral Order: A Biblical Theology of Natural Law* (Grand Rapids, MI: Eerdmans, 2014), 509.

<sup>104</sup> For example, Reno, *Genesis*, 125; von Rad, *Genesis*, 132; Tremper Longman, *Genesis, The Story of God Bible Commentary* (Grand Rapids, MI: Zondervan, 2016), 126.

<sup>105</sup> Michael Fishbane, *Biblical Interpretation in Ancient Israel*, Reprint edition. (Oxford: Clarendon Press, 1989), 319 n. 710.

<sup>106</sup> Riecker goes on to note how Psalm 9:13 labels God as the  $\text{יְהוָה שֹׁמֵר דָּמִים}$ , or the avenger of blood. Riecker, "Segen, Einschränkung Und Verheißung Im Bund Gottes Mit Noah," 52.

Commenting on Gen 9:5, von Rad clearly states, “God himself will not avenge murder.”<sup>107</sup> But is this statement justified? This leads to an important question, how should the verb *דרש* be understood?<sup>108</sup> This word is most often used to denote people who should, who do, or fail to inquire or seek counsel from God. Within Deuteronomy, it is adopted as a legal term. There, it has the sense of “investigate” before rendering a verdict. In a few instances the verb means “to care for.” While the word is common for humans, it is rarely used of God.<sup>109</sup> The majority of occurrences associated with God are negative scenarios, specifically where God is “accounting” or “avenging.” In addition to Gen 9:6; 42:22, there is also Deut 18:19, “I will hold accountable whoever does not listen to my words that he speaks in my name” (CSB).<sup>110</sup> It also appears in Deut 23:21, “If you make a vow to the Lord your God, do not be slow to keep it, because he will require it of you, and it will be counted against you as sin” (CSB). The form here is emphatic, “he will surely require it.” Along the same line of thought is Job 10:6, where Job accuses God of being like a human trying to “discover his iniquity,” and “seek out his sin.” In this context it is connected to the judgment from God which Job has already experienced.

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<sup>107</sup> von Rad, *Genesis*, 122.

<sup>108</sup> G. Johannes Botterweck and Helmer Ringgren, eds., *Theological Dictionary of the Old Testament*, Vol. 3 (Grand Rapids, Mich: Eerdmans, 1975), 293–307.

<sup>109</sup> 1 Chron 28:9 seems to be the only neutral understanding when applied to God, “for the Lord searches all hearts and understands every plan and thought” (ESV). This is the basis on which, if a person seeks (positive) God, they will find him, but if they abandon God, he will reject them. Once it is used in the sense of God’s providential care of the land (Deut 11:12), which might also share the connotation of accounting for the land, making sure it is working properly. Jeffrey Tigay’s “looks after” might be a better translation. This verse is an illustration of the requirement in v. 8 of the obedience to which God calls Israel to in the land they are about to receive. The next verse has been debated as to whether it has positive or negative connotations. Tigay comments that the phrase “always keeps his eye on” alerts the ancient readers to the obedience that will be expected of them, and his judgment that will be against them if they do not obey. Jeffrey H. Tigay, *Deuteronomy* (Philadelphia: Jewish Publication Society, 2003), 112–3. Twice it is used as what God “requires” of man. In Micah 6:8 it is justice, and in Ezek 20:40 it is Israel’s contributions.

<sup>110</sup> Here the LXX translates it avenge, “ἐγὼ ἐκδικήσω ἐξ αὐτοῦ.”

There are also a number of cases where שָׁדַד specifically means “avenge.” In Psalm 9 the psalmist beseeches God for help from those who afflict him. Verses 12-13 read, “For he who avenges blood is mindful of them; he does not forget the cry of the afflicted. Be gracious to me, O Lord. See my affliction from those who hate me, O you who lift me up from the gates of death” (ESV). Continuing in verse 16, the Psalmist describes the irony of God’s justice. “The Lord has made himself known; he has executed judgment; the wicked are snared in the work of their own hands” (ESV). Here the Psalmist portrays God as a sovereign actor who sees distress, avenges blood, and petitions him to do so for him. He then recounts how God has executed justice against the wicked, by ironically using their own snares.<sup>111</sup>

In Psalm 10:10-15, שָׁדַד is likewise synonymous with God taking the required action against the wicked. Verse 15 exclaims, “Break the arm of the wicked and evildoer; call his wickedness to account till you find none” (ESV). Similarly in v. 13, the wicked think God will not “account” and so they continue their evil actions. Both psalm’s occurrences connect God to taking specific action through the verb שָׁדַד.

The Chronicler offers another example including humans as God’s instruments. When Joash kills Zechariah in 2 Chron. 24:22, the latter exclaims, “May the LORD see and avenge!”<sup>112</sup> Without moving on, the narrator recalls the fate of Joash to the reader. After time passes, God orchestrates a double divine judgment. First in v. 24, “Though the army of the Syrians had come with few men, the Lord delivered into their hand a very great army, because Judah had forsaken the Lord, the God of their fathers. Thus, they executed judgment on Joash.” Second in v. 25,

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<sup>111</sup> See chapter two of this thesis for more on the theme of God’s poetic justice.

<sup>112</sup> The LXX translates this “judge,” most likely in anticipation of v. 24, to mirror and draw out the connection of divine justice.

“When they had departed from him, leaving him severely wounded, his servants conspired against him because of the blood of the son of Jehoiada the priest, and killed him on his bed” (ESV). This is a prime example of the Chronicler’s theology of immediate retribution.<sup>113</sup> While humans are the instruments of God’s justice, the Lord is undoubtedly the active agent.<sup>114</sup>

Ezekiel adds another dimension to this discussion. In the parable of the watchman whose negligence leads to the death of others, Ezek 33:6 notes that God will hold the watchman accountable.<sup>115</sup> It literally reads, “his blood from the hand of the watchman I will seek.” Commenting on this verse, Block writes, “Failure on the part of the watchman to sound the warning renders him liable for the deaths of those who fall to the enemy.”<sup>116</sup> Only a little further, in Ezek 34:10, does the author use a similar metaphor. He proclaims, “Thus says the Lord GOD, Behold, I am against the shepherds, and I will require my sheep at their hand and put a stop to their feeding the sheep. No longer shall the shepherds feed themselves. I will rescue my sheep from their mouths, that they may not be food for them” (ESV).<sup>117</sup> While this verse does not include a reference to blood, it does depict God “seeking from the hand.” The passage goes on to

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<sup>113</sup> Raymond Dillard notes the larger irony of the context, “There is great irony in the passage: Zechariah, the son of the priest who had saved the throne for Joash, is murdered in the place where Joash was protected during the coup (see Comment at 23:9–11, 15–16); Jehoiada, who had preserved the sanctity of the temple from bloodshed, installed the king who would murder his own son there. Joash falls to treason (24:25), just as Athaliah (23:13) had before him.” Raymond B. Dillard, *2 Chronicles*, vol. Volume 15, Word Biblical Commentary (Zondervan, 2015), 193.

<sup>114</sup> Steck comments that “Gen 9.5f is similar to II Chr. 24 insofar as divine *darash* (v. 22) takes place through killing by human hands (v. 25), cf. also Gen 42.18-20.22.” Steck, “Der Mensch und die Todesstrafe,” 129. However, while Joash is killed by human hands, it is nevertheless a divine agent doing so and it is still God who is petitioned to avenge his blood. God could have killed Joash another way. Similarly with Gen 42, the emphasis is not on the manner but the agent, and the agent who the text wishes to highlight is not Joseph per se, but God’s divine agency working through all things.

<sup>115</sup> Ezek 34:9-12 also uses the same terminology.

<sup>116</sup> Daniel I. Block, *The Book of Ezekiel, Chapters 25–48* (Grand Rapids, Mich: Eerdmans, 1998), 240.

<sup>117</sup> Samuel L. Bray and John F. Hobbins, *Genesis 1-11: A New Old Translation For Readers, Scholars, and Translators* (Wilmore, KY: GlossaHouse, 2017), 175–6.

describe how he himself will seek or avenge his flock from these self-serving shepherds. Just as the emphasis in Gen 9:5 is on God, so is it here, as v. 19 relates, “I will seek the lost, and I will bring back the strayed, and I will bind up the injured, and I will strengthen the weak, and the fat and the strong I will destroy. I will feed them in justice.”

The discussion of דרש and divine justice for blood guilt is expanded when we include the synonym בקש, meaning to seek earnestly (usually for something). It is commonly used in the phrase, “seek the life of.”<sup>118</sup> In Ezek 33:6-9, בקש and דרש are used interchangeably for the same action. Verse 6 reads “and his blood, from the hand of the watchman I will seek” (דרש) and later v. 9 reads “but his blood from your hand I will seek” (בקש). Ezekiel 3:18 also repeats the latter phrase. The phrase “to seek from the hand of” seems to be a common expression, whether using דרש or בקש. It generally means to exact an equivalence or exact a penalty for something.<sup>119</sup> Interestingly, both phrases are used in Genesis, specifically in the Joseph narrative (see chapter four). In Genesis 43:9, Reuben says, “I will be a pledge of his safety. From my hand you shall require him (תבקשניו).<sup>120</sup> If I do not bring him back to you and set him before you, then let me bear the blame forever” (ESV).<sup>121</sup> This is also used in Ex 4:24 when God “sought” Moses’ “death.”<sup>122</sup>

This discussion of God as avenger is further expanded when we include “avenge” נקם or “repay” שוב. A few examples will suffice.<sup>123</sup> Deut 32:35 reads, “Vengeance is mine, and

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<sup>118</sup> G. Johannes Botterweck and Helmer Ringgren, eds., *Theological Dictionary of the Old Testament*, Vol. 2 (Grand Rapids, Mich: Eerdmans, 1975), 229–41.

<sup>119</sup> Francis Brown, S. R. Driver, and Charles A. Briggs, *The Brown-Driver-Briggs Hebrew and English Lexicon* (Peabody, Mass: Hendrickson Academic, 1994) s.v. “בקש.”

<sup>120</sup> This phrase is also used in Gen 31:39, emphasizing Jacob’s responsibility for any loss when he was shepherding Laban’s flocks.

<sup>121</sup> See chapter three of this thesis for a discussion of this text.

<sup>122</sup> The keyword “blood” is also used in this section twice.

<sup>123</sup> See also, 1 Sam 24:14, Nah 1:2, Ezek 24:18, Ps 99:8, Lev 26:5, 2 Kings 9:7, Jerm 51:36.

recompense, for the time when their foot shall slip; for the day of their calamity is at hand, and their doom comes swiftly” (ESV). A little later Deut 32:43 reads, “Rejoice with him, O heavens; bow down to him, all gods, for he avenges the blood of his children and takes vengeance on his adversaries. He repays those who hate him and cleanses his people’s land” (ESV). Finally, Psalm 79:9–12 reads,

“Help us, O God of our salvation, for the glory of your name; deliver us, and atone for our sins, for your name’s sake! Why should the nations say, “Where is their God?” Let the avenging of the outpoured blood of your servants be known among the nations before our eyes! Let the groans of the prisoners come before you; according to your great power, preserve those doomed to die! Return sevenfold into the lap of our neighbors the taunts with which they have taunted you, O Lord!” (ESV).

Each of the above Hebrew words are used similarly, and often in connection with a petition for God to “see” their plight and then do the necessary action in response. So von Rad’s early claim which began our discussion seems to seriously misrepresent a God who does indeed avenge blood.

Throughout Scripture God makes known that he will ensure justice wins out.

Commenting on Exodus 21, William Propp aptly summarizes God’s role in *talion*. He writes,

Yahweh, who boasts “Vengeance is mine!” and threatens “So I shall do to you (just) as you did” (Ezek 16:59), is the great dispenser of talion. Sometimes he punishes individuals, as when David, who took his neighbor’s wife, lives to see his own harem violated (2 Sam 12:11; 16:21-22) (Daube 1947:168), or as when Yahweh threatens Ahab, “In place of (?) the dogs lapping Naboth’s blood, the dogs will lap your blood, even yours too” (1 Kgs 21:19), or as when Samuel chastizes Agag, “As your sword bereaved women, so your mother shall be the most bereft of women” (1 Sam 15:33). The criminal can even be an entire nation, as when God says to Edom, “As you did shall be done to you; your payback will return upon your head. For as you drank upon my Holiness Mountain, all nations will drink always; and they will drink and swallow, and they (the Edomites) will be as if they had never been” (Obad 16), or as when God threatens Israel, “For you plundered many nations; all the rest of the peoples shall plunder you” (Hab 2:8). The fates of Haman, hanged on the very gallows he had prepared for Mordechai (Esth

7:10), and of Daniel's accusers, cast into the lion's den (Daniel 6), fully satisfy the reader's expectations.<sup>124</sup>

Overall, it is noteworthy that in Gen 9:6 the author does not use *avenge*, *repay*, or *seek* (בִּקֵּשׁ), which are used in Genesis, but *account/seek/inquire* (שָׁרַר). It seems then that the nuance when applied to God in this text is on the action before he judges, or more properly, his seeking an account of events which leads to a judgment which is usually negative.<sup>125</sup> This would fall in line with the general meaning of seeking information (or counsel). Specifically, he seeks an account of what has happened, and then takes the appropriate action. In the following cases this is what seems to be his order of operation. He investigates something that has happened, and then judges appropriately.

After the fall, God seeks out Adam and Eve to determine their culpability. He dialogues with them investigating what has happened, and only after does he issue his judgment. In the case of Cain, he acts similarly. He goes to Cain and inquires of him what has happened. Once again, after the defendant has given his testimony, he is then judged.<sup>126</sup> In the flood story God "sees" and then judges. At Babel, once again God "comes down" and issues a judgment. There is a similar pattern in the Sodom and Gomorrah story. First, he hears the outcry, which leads him to "go down" and "see" if it is truly as bad as the outcry he has received and then he will determine judgment. In Ex 3:7-8 God describes how he has "seen" the misery of his people and "comes

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<sup>124</sup> William H. C. Propp, *Exodus 19-40*, 1st Edition., The Anchor Yale Bible (Yale University Press, 2006), 230.

<sup>125</sup> Bray and Hobbins suppose the same. They write, "Throughout Genesis, there is a pattern in which God first investigates and takes evidence, and sometimes questions the accused, before he passes sentence." As examples they list: Gen 3:8-19, 4:9-12, 6:11-13, 11:5-9, 18:20-19:25. They note that a "for man" interpretation is also possible for Gen 9:6. However, it would seem based on this pattern that the emphasis is on God's judgment, not man's, before and after the Noahic covenant. Bray and Hobbins, *Genesis 1-11*, 177.

<sup>126</sup> Additionally, the word "avenge" נָקַם is used in this narrative.

down” to rescue them.<sup>127</sup> It seems that this context may be the best understanding of what is meant by “I will seek.” If God has already been doing this before the flood, then the difference is now found in 9:6. Whereas before he did not punish murder with murder, post-flood he will.

### “From the Hand”

Exactly what does “from the hand” מִיָּד mean? Generally, this frequent phrase connotes ownership or responsibility.<sup>128</sup> This is most likely the reason behind its use in Genesis 4:11, “And now you are cursed from the ground, which has opened its mouth to receive your brother’s blood from your hand.” Cain was responsible for the death of Abel. In Gen 32:11, Jacob prays to God that he would deliver him “from the hand of his brother,” whom he thought would kill him. This is a frequent phrase throughout the Joseph narrative, specifically involving Reuben and the potential killing and subsequent deliverance “from the hand” of his brothers (Genesis 37:21,22). Later in Gen 43:9, Reuben tells his father that he can “seek him from his hand” and will be responsible if anything happens to Benjamin. Understanding that this means death, their father is mortified at this, for he would rather not lose two sons.<sup>129</sup> Specifically for the context of Gen 9, it seems to mean “exact a penalty,” which is usually in the form of taking a life.<sup>130</sup> Many of the

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<sup>127</sup> Later in v. 20 he describes his judgement. He will “strike” them with his wonders.

<sup>128</sup> Brown, Driver, and Briggs, *The Brown-Driver-Briggs Hebrew and English Lexicon*, 1604.

<sup>129</sup> The involvement of humans using this expression might lead some to ask if this supports a “by man” interpretation of Gen 9:6. I do not think so as the idea of guilt and repayment existed before the flood account.

<sup>130</sup> In 2 Samuel 4:11, David says something similar, “How much more, when wicked men have killed a righteous man in his own house on his bed, shall I not now require his blood from your hand and destroy you from the earth?” Even though David uses hyperbolic language, we still do not doubt that it is David who will do it. Technically, David does not do it himself but commands his soldiers to kill Rechab and Baanah. However, authority and agency are still ascribed to David for this action. Note, this passage also uses שָׁקַט, which further supports the link to דָּרַשׁ.



verses examined in the previous lexical study of “seek/account” include this expression. Overall, the hand which represents possession cannot possess blood for it is God’s alone.

If in Gen 9:6 God was making a switch to say that he will now exact the penalty for murder *by* the hand of humans, it could have been much more clearly conveyed. As discussed earlier, the author could have used “into your hand” if God was talking about capital punishment, or “by your hand,” if agency. Both are frequent phrases.<sup>131</sup> Yet the text does not include either phrase, making this interpretation skeptical. However, more will be said about this in the next verse.

### **God and Animals**

Finally, in the discussion of 9:6a, many interpret God’s requiring the blood of an animal who murders a human being as evidence that the phrase “it will be shed” should be interpreted in a passive manner by humans. They reason that it is God who will require humans to put to death the animal, as it is written later in the Mosaic law (Exod. 21:28, 32). It is further added that God would not himself hold animals accountable and there is no evidence of that. However, this is not true. God holds the snake accountable in Gen 3:14-15. He has also killed animals before, to make clothing for Adam and Eve in Gen 3:21. Furthermore, He does not specify who is to kill the animals who shed human blood. This begs the question, if God does not specify who accounts for blood shed by an animal, why would He do so with man?<sup>132</sup> Therefore, within the context of Gen 1-11, it is not beyond the bounds of reason to suggest that God is still the primary and active agent in Gen 9:6.

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<sup>131</sup> However, “by man” is virtually nonexistent, being used one other time. However, this occurrence does not have any relevance for the present passage. For more on this see Lust, “For Man Shall His Blood Be Shed.”

<sup>132</sup> It might be tempting to say this may be implicitly assumed in the earlier “into your hands they are given.” However, man had already been able to kill animals. Both Abel and Noah offered animal sacrifice before this. Alternatively, avenging blood already seems to be a current practice which is hinted at with Cain.

### Concluding Thoughts on Genesis 9:5

It seems best to understand Genesis 9:5 not as a passive guarantee, but as Skinner asserts, “that God is the avenger of blood is to J (ch. 4) a truth of nature; to P it rests on a positive enactment.”<sup>133</sup> In other words, this is part of the identity of God. While these verses and others do not specify how this accounting is accomplished, as Waltke insists, God nevertheless is the agent behind it.<sup>134</sup> As usual, Goldingay presents a tempered assessment of this verse, “God’s requiring the blood of an animate being that sheds human blood overlaps with but does not exactly correspond to regulations for capital punishment.” He continues, “It does not clearly indicate that members of the family have responsibility for the redress. It does make clear the more fundamental point that God ensures this redress one way or another.”<sup>135</sup> This seems like a satisfactory assessment. Overall, it seems much more realistic to think that God establishes capital punishment by society during which Israel has the means to do so fairly. Otherwise, it seems odd that God would establish a norm that seems to already be in existence. Humans were already avenging themselves and presumably others, yet to a gross extent.

#### Genesis 9:6a

Genesis 9:6a is the gravitational center and the measure by which all the surrounding discussion is usually interpreted. This verse seems easy enough at first, for it is only six words. However, it quickly becomes more interesting. The MT reads,

שָׁפַךְ דָּם הָאָדָם בְּאָדָם דָּמוֹ יִשְׁפָּךְ

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<sup>133</sup> Skinner, *Genesis*, 171.

<sup>134</sup> Waltke and Yu, *An Old Testament Theology*, 303.

<sup>135</sup> He continues, “. . . .But further, even if God does here require human beings to take action to ensure redress for murder, “one cannot simply transfer v. 6 to the statute book unless one is prepared to include vv. 4 and 5a with it.”” Goldingay, *Genesis*, 173.

Exactly what genre this verse should be categorized as confounds many. For it has features of poetry, proverb, and law. The specific conjugations used lend it to a law code. Chang writes, “This line, with the participle of שָׁפַךְ at the beginning of the sentence, indicates a cause or condition; followed by the imperfect form of שָׁפַךְ at the end, it denotes the further consequence of the previous condition.”<sup>136</sup> This formula is regularly used in law codes. However, poetic features lend it to poetry or a proverb. The verse has a notable word play, between the word “blood” and “man.” This word play continues into 9:6b. As it has been widely noted, this verse is also formulated into a chiasm. Specifically, an A, B, C, C’, B’, A’ pattern as shown below:

שָׁפַךְ	שָׁפַךְ
דָּמָו	דָּמָו
בְּאָדָם בְּאָדָם	

The biggest issue for this thesis is how we should translate בְּאָדָם.<sup>137</sup> The majority of interpreters translate this as “by man,” indicating that God is now giving authority to humanity to execute murderers. Here the *beth* is a *beth instrumenti*, indicating instrumentality. It should be noted that many who are in this majority position do not comment or give any support for their position. Some commentaries fail to comment on this verse altogether.<sup>138</sup> The second or minority position is to translate בְּאָדָם as “for man.” Here the *beth* is a *beth pretii*, indicating exchange or

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<sup>136</sup> Hsing-Wei Chang, “The Literary Function of Leviticus 17 and Its Importance for Altar Centralization and Blood Atonement” (Trinity Evangelical Divinity School, 2016), 206; Friedrich Gesenius, *Gesenius’ Hebrew Grammar*, ed. Emil Friedrich Kautzsch, trans. Arthur Ernest Cowley (Mineola, NY: Dover, 2006), 361.

<sup>137</sup> Joseph Blenkinsopp notes that the ambiguity here is “exploited” by the midrash. Blenkinsopp, *Creation, Un-Creation, Re-Creation*, 147.

<sup>138</sup> For instance, Steinmann does not mention 9:5, nor gives support for his reading of 9:6. Although this is understandable given the fact that this is a popular level commentary. Andrew Steinmann, *Genesis: An Introduction and Commentary* (Downers Grove, IL: IVP Academic, 2019), 105. Notably there is no comment on this from the Dead Sea Scrolls (there simple is no extant portion), Jerome’s *Questions on Genesis*, Cyril of Alexandria, or Augustine.

price. A third position is that the manner of execution is undefined.<sup>139</sup> A fourth, and similar position, is that this problem cannot be solved grammatically and must be determined by context.<sup>140</sup> A fifth position, notably held by Markus Zehnder, is that the text is ambiguously stated as to mean both at the same time.<sup>141</sup>

At stake is whether God is creating the institution of government and ordaining it with authority to carry out any law and punishment, as some political theologians claim, or that this verse claims God guarantees that he himself will ensure that justice is done. The next section will examine grammatical, contextual, and theological arguments for and against the two main positions.

### **Main Arguments Against the *Beth Pretii***

There have been two traditional arguments against the *beth pretii* interpretation in Genesis 9:6. The first is logical, namely, that v. 6a would be a tautology in light of v. 5. The

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<sup>139</sup> Skinner writes, “in reality the manner of execution is left quite indefinite.” Skinner, *Genesis*, 171. e argues almost identically concerning the context of Gen 9:1-7, however he concludes, “Taking this meaning, the whole verse receives a new meaning, and at its center is God acting on behalf of the victim of violence. The transition from violence to justice is not done by shedding the blood of the offender, but by compensating the victim of the violence. The security of this passage is God Himself” (translation mine). Cezary Korzec, “Rdz 9,6: OD PRZEMOCY DO SPRAWIEDLIWOŚCI,” *Colloquia Theologica Ottomana* 2 (2004): 24. He ultimately translates the *beth* as a *beth* of location, “in the man.” However, I do not think he adequately deals with all the evidence I have laid out here.

<sup>140</sup> Steck who argues for the *beth instrumenti* writes, “The wording Gen 9.6 is linguistically ambiguous, seen by itself, because the preposition in v. 6a can be interpreted in different ways and it is not clear in what respect v. 6b justifies the statement in v. 6a” (translation mine). Steck, “Der Mensch und die Todesstrafe,” 127. See also Kockert who follows Steck. Matthias Köckert does not think that it can be solved philologically. He comments, “The argument about the correct translation of the preposition *b* cannot be decided philologically alone. In the context of the priestly literature, in my opinion, everything speaks for the instrumental understanding that O. H. Steck...against A. Ernst...again with good reasons” (translation mine). However, he does not seem to have read the other sources on this problem or critiques of Steck. Matthias Köckert, “Das Verbot „Du Sollst Nicht Töten“ Im Dekalog,” in “*You Shall Not Kill*”: *The Prohibition of Killing in Ancient Religions and Cultures*, ed. Hermut Lohr and J. Cornelis De Vos, *Journal of Ancient Judaism* 27 (Göttingen: Vandenhoeck & Ruprecht, 2017), 31 n. 58.

<sup>141</sup> Zehnder, “Cause or Value? Problems in the Understanding of Gen 9,6a.”

second is grammatical, that the Niphal verb combined with a *beth* preposition indicates a personal agent. Each will now be examined in turn.

Concerning the first argument, Victor Hamilton writes, “if v. 6 is ascribing responsibility to God for meting out punishment, then the verse is essentially a tautology of v. 5.” He continues, “We prefer to see v. 5 and 6 together, with both prohibiting the taking of human life. The penalty for shedding blood may be exacted either by God (v. 5) or by man (v. 6).”<sup>142</sup> This claim is unwarranted in three ways. First, it is doubtful the ancient Hebraic mindset is concerned with tautology as much as modern academia. Instead, ideas and words are often repeated confusingly to modern ears.<sup>143</sup> Second, this is trying to apply a rule of logic to a poetic verse. It is possible, but it does not seem fitting for the genre. Third, and most importantly, this assumption is based on an incomplete reading of the text. Verse 5 establishes the agent who will investigate the blood of human life, the guarantor of justice. Then v. 6a establishes the principle of justice which will be used and/or the punishment of the crime.<sup>144</sup> Verse 6b then explains the reason for such a drastic measure. Each contributes a unique part that the others do not provide.

Earlier in Genesis, both Cain and Lamech murdered their fellow brother and yet God did not kill them. Only after the flood is this judgment new, and as such this principle needs to be

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<sup>142</sup> Hamilton, *The Book of Genesis*, 315.

<sup>143</sup> On the later composition of 9:9-17, Wenham quotes Westerman approvingly, “As Westermann says, it is hardly possible to ascribe this repetition to different sources. Rather, they serve to underline the message, peeling out like bells reverberating into the future (1:471).” Wenham, *Genesis 1-15*, 195. Could not this be a similar effect between v. 5 and v. 6? It seems that v. 5 rings out against every living being, and specifically with the reference to “brothers,” that he will not protect anyone who commits murder anymore, as that seemed to be abused as Lamech seems to invoke that curse as well. Verse 6 may rhetorically act as the nail in the coffin, bringing this section to a close. Their fate is sealed.

<sup>144</sup> Korzec and Schnocks also argue similarly. Schnocks writes, “The easier reading is therefore to see v. 6a as a sententiously phrased reification of the divine claim on the responsibility for murder in v. 5, and to view v. 6b as the justification for both statements.” Schnocks, “When God Commands Killing: Reflections on Execution and Human Sacrifice in the Old Testament,” 116; See also, Korzec, “Rdz 9,6: OD PRZEMOCY DO SPRAWIEDLIWOŚCI,” 24.

explicated. Furthermore, v. 5 only says God will seek out blood from the hand of man. If the verse stopped there, it may be incorrectly assumed that God would continue to treat murder as he did with Cain, with exile and a curse. But it is not so here, and as such God is establishing a new principle of justice, one of equal measure which contrasts with Lamech's gross revenge.

The second objection is more tenable and must be examined carefully. Waltke argues that when the Niphal is combined with *beth* preposition it indicates agency.<sup>145</sup> He cites his own grammar which states that the *beth* preposition is most commonly used preposition to do so.<sup>146</sup> This seems to be the only grammar to argue such, with others saying it is more common with either the *lamed* or *mem*. Some refrain from commenting on which is more common. Nonetheless, this construction is incredibly rare. Commenting on the Niphal, Arnold and Choi write, “constructions with a specified agent are virtually nonexistent.”<sup>147</sup> At once, this should caution the reader before assuming the majority interpretation.

While Waltke is correct to point out that a *beth* plus Niphal can be used to indicate agency, the same could have been done with a *lamed*. In contrast, other grammars state that the *lamed* plus Niphal is the more common pattern to indicate agency.<sup>148</sup> If this is true, then the

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<sup>145</sup> This was argued as far back as George Spurrell (who concedes that it is more usual to do so with *min*). George James Spurrell, *Notes on the Hebrew Text of the Book of Genesis* (Oxford: Clarendon Press, 1887), 85.

<sup>146</sup> Bruce K. Waltke and Michael Patrick O'Connor, *An Introduction to Biblical Hebrew Syntax* (Winona Lake, Ind: Eisenbrauns, 1990), 385. 385

<sup>147</sup> Speaking on the Niphal passive construction, Arnold and Choi write, “the speaker is not concerned with specifying the agent of the action. All Hebrew passives belong to this category; constructions with a specified agent are virtually nonexistent.” However, in the footnotes they do list Gen 9:6 as an example of an “infrequent complete passive.” Bill T. Arnold and John H. Choi, *A Guide to Biblical Hebrew Syntax*, Second. (New York: Cambridge University Press, 2018), p 50, n.12.

<sup>148</sup> Gesenius' grammar states that as a rule a personal agent is shown by a *lamed* attached to the passive verb. It is “rare” that it is done with a *beth*. Friedrich Wilhelm Gesenius, *Gesenius' Hebrew Grammar*, ed. Emil Friedrich Kautzsch and Sir Arthur Ernest Cowley, Second English. (Oxford: Clarendon Press, 1985), 406, §121f. Arnold and Choi also list the *lamed* as an agent marker used with a passive verb. Arnold and Choi, *A Guide to Biblical Hebrew Syntax*, 127.

author could have cleared up any confusion by using this pattern, which would have far less possible meanings in this context.<sup>149</sup> This fact may indicate that the author wanted to convey a specific meaning the *beth* had which the *lamed* could not. It is this point that leads Reicker to favor a *beth pretii* reading, even though he does support war-like language earlier in the text.<sup>150</sup>

Following Waltke in support of the instrumental reading, Zehnder lists twenty-six occurrences of the *beth* used with the Niphal to indicate agency.<sup>151</sup> However, there is one notable difference. For twenty-four of these occurrences the verb is always next to the agent. This contrasts with Gen 9:6a where the verb and agent are separated by another word. The two other occurrences he lists also separate the verb from the *beth* preposition (Gen 41:36; Isa 5:16).<sup>152</sup> However, the majority of interpreters are divided on how to render the preposition in these two cases and so it is not clear that this should be included in the data. Overall, this may cast doubt on whether Gen 9:6 should be interpreted as indicating agency. Yet, this is not a proof as the formal rules of syntax may not apply to a poetic verse.

While the Niphal of this verse is frequently interpreted on its own, some interesting observations appear once examined in light of the entire section. As noted above, the section is bookended by 9:1 and 7, the blessing to be fruitful. However, there is another, less prominent

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<sup>149</sup> Considering what most Hebrew grammars say, J. P. Harland makes the unwarranted comment that, “the preposition [*lamed*] would have been more appropriate if NEB’s translation were to be adopted.” Harland, *The Value of Human Life*, 161.

<sup>150</sup> Riecker, “Segen, Einschränkung Und Verheißung Im Bund Gottes Mit Noah,” 47–53.

<sup>151</sup> Occurrences he lists with the verb right next to preposition and agent include: Gen 19:15; Ex 29:43; Lev 11:43; 18:24; 26:23,39; Deut 7:25; 21:3; Jos 7:15; Jud 16:6,10,13; Isa 47:13; 50:10; Jer 51:6; Ez 17:21; Ps 21:8 (this one features a genitive construction “by yaweh’s love” and then the verb); 59:13; 90:7; Prov 5:22; Lam 4:14; 5:12; Ezr 9:7. Zehnder, “Cause or Value? Problems in the Understanding of Gen 9,6a,” 87.

<sup>152</sup> Gen 41:36: this may not be translated as instrumental, as it could be translated temporal as in “during/in the famine”, most EVV are split on this exact translation, and Isa 5,16: most translations do not translate this as cause, but as localization “in”.

parallel, if we interpret 9:6a as still concerning God.<sup>153</sup> In Gen 9:2, animals are “given into your hands” (Niphal) with an agent unstated. Then in 9:3, God declares that “I give” (Qal), with the agent stated. This unstated/stated agency of God’s activity parallels his activity in Gen 9:5-6. In 9:5, it is “I will seek” (Qal), while in 9:6 “it will be shed” (Niphal). In 9:2-3 both verbs are perfect, while in 9:5-6 they both are imperfect. This format elucidates what God has done, and what he will do. In both sections, humans are passive recipients. They receive a new food source and face a new punishment, but also receive protection from beast and man. A final interesting feature is that between these two sections, in the very middle, is the only prohibition and command outside of 9:1 and 7, “you will not eat blood.” Once again, this does not give a final verdict, but adds to the cumulative evidence.

This discussion would be incomplete without talking about the recent development of thought concerning the Niphal. A newer grammar such as Choi and Fuller are moving away from discussing the Niphal as passive, and instead are concentrating on it being “reflexive.”<sup>154</sup> The *beth* of price could also fit in this interpretation. In the post-diluvian world, it is clear that whoever sheds human blood knowingly brings the same judgment upon himself. He forfeits his own life. In *Advances in the Study of Biblical Hebrew*, Benjamin Noonan surveys the recent attempts to better understand the Niphal.<sup>155</sup> His conclusion is that a medio-passive (or middle

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<sup>153</sup> While there is a risk of “parallelomania” and an unhealthy focus on chiasm, I think this observation is warranted in light of the following section Gen 9:8-17 which is highly structured, and in light of the design of Gen 1-11 as a whole.

<sup>154</sup> Arnold and Choi, *A Guide to Biblical Hebrew Syntax*, 49.

<sup>155</sup> The many options available that Noonan lists could all conceivably work with a *beth pretii* interpretation.



voice) approach should be adopted.<sup>156</sup> He summarizes Ernst Jenni’s view that the Niphal “marks an event experienced by (rather than affected by) the subject.”<sup>157</sup> Adopting this view, a *beth pretii* interpretation is still viable and the emphasis is on the action of the man being shed. Overall, the recent developments on the Niphal show that a simple passive interpretation may be too simplistic an answer for Gen 9:6. However, this is still a new and developing conversation and as such warrants caution.

Finally, some might argue that we should simply interpret 9:6a with a more common rendering of the *beth* preposition instead of an infrequent or rare reading.<sup>158</sup> While this sounds appealing it may be statistically misleading since we are only working from a small corpus. Just because one rendering makes sense or is more common does not mean it is the correct translation. However, even if one follows this line of reasoning, we find that we are not dealing with the most common rendering of the *beth* preposition. According to BHRG, the *beth* preposition indicates localization most frequently (60%).<sup>159</sup> The second most regular use of the

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<sup>156</sup> The middle voice can be interpreted in a variety of “self-affected” ways, such as full middle (subject and object affected), reciprocal, passive, and reflexive. In light of this, and her study of middle verbs in Genesis, van Wolde argues against the typical interpretation (which she argues is “led more by textual interpretation than by syntax”) and understands blood as the subject and affected patient instead of man. This reasoning is persuasive given blood is the subject of v. 4, and the direct object three times in v. 5. She renders the verse, “whoever sheds the blood of man – in that man his blood will pour,” which she interprets as meaning “the murderer’s own blood will gush out of his own body (in an act of retribution).” If this interpretation is adopted, I do not believe there is any change for the present thesis. Either way (“in” or “for”), the emphasis is on the act and not government as human agency. A small matter is that she does not discuss the Niphal in 9:2 “they are given,” and how this might affect interpreting 9:6. Ellen van Wolde, “Nif’al Verbs in the Book of Genesis and Their Contribution to Meaning,” in *New Perspectives in Biblical and Rabbinic Hebrew*, ed. Aaron D. Hornkohl and Geoffrey Khan (Open Book Publishers, 2021), 431–454, <https://www.openbookpublishers.com/books/10.11647/obp.0250.s.3.22-24>; See also Korzec who also translates the *beth* as “in,” Korzec, “Rdz 9,6: OD PRZEMOCY DO SPRAWIEDLIWOŚCI.”

<sup>157</sup> Benjamin J. Noonan, *Advances in the Study of Biblical Hebrew and Aramaic: New Insights for Reading the Old Testament* (Grand Rapids, Michigan: Zondervan Academic, 2020), 95.

<sup>158</sup> Hamilton writes, “The weakness in this interpretation is that it ascribes to the preposition *beth* an unusual meaning when one of the standard uses of *beth* makes sense in the verse.” Hamilton, *The Book of Genesis*, 315.

<sup>159</sup> C. H. J. Van der Merwe, J. A. Naudé, and Jan Kroeze, *A Biblical Hebrew Reference Grammar*, Second. (New York: Bloomsbury T & T Clark, 2017), 337.

preposition is a temporal frame. Only the third most popular is realizing an action, of which both the instrumental use (which BHRG lists as very frequent), and price (which BHRG lists as often) are a part of. There are five other subcategories within this third category. Thus, regularity does not seem to help either case. With all the above being said, there have been more recent arguments on this passage, and it is to these we shall now turn.

#### First Recent Argument: Steck's Contextual Argument

Within the literature on this topic, O. H. Steck is notable for arguing that this problem cannot be solved grammatically.<sup>160</sup> Instead, he argues it must be done so based on context. He gives two brief points to support a *beth instrumenti* reading.<sup>161</sup> His first argument is what he considers the “*hamas*” problem. To limit post-diluvian violence, God must make it expressly clear he forbids it or give some method of reducing it. In Gen 9:2-3, Steck argues, God limits the violence of man and animals. However, his point is based on an inherent war ideology, which some might disagree with.<sup>162</sup> Furthermore, 9:2-3 seems to be more about safety and food scarcity in a world in which they do not live in cities with the protection of walls, but more of a nomadic lifestyle as they are commanded to multiply over the earth.

Yet for Steck, his greater question and second point is “Doesn't the customary execution of the death penalty by humans in the sense of P expressly require the authorization and a divine

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<sup>160</sup> Steck writes, “A decision of the disputed issue solely with linguistic arguments and few parallels does not seem to be possible” (translation mine). Steck, “Der Mensch und die Todesstrafe,” 128. Notably, Korzec follows Steck, but comes to the unpersuasive conclusion that the preposition should be translated as *beth* of location, “in the man his blood will be shed.” Overall, his arguments make his conclusion plausible, but do not seem probable.

<sup>161</sup> Only the first will be examined here as the second one will be examined later under Wilson's arguments in Gen 9:6b.

<sup>162</sup> In addition, Steck writes, “In 1:26-30 man is already expressly empowered to do anything in relation to non-human creation” (translation mine). This unfortunate comment, while incorrect, also seems to downplay the stewardship that God had given humanity. Man was originally not supposed to kill or eat animals.

regulation of its own, in order to take away the [*hamas*] character from such actions?”<sup>163</sup> It seems (to myself and Schnocks) he is arguing that for the death penalty to happen later, there needs to be an authorization at some point for it to make sense. But are the latter commands not authorization enough? This position seems more plausible for in the Mosaic law God gives enough information to go about capital punishment ethically. In 9:6, he gives no information as to how to enact capital punishment which does not make any sense. Alternatively, Schnocks responds by arguing that this authorization is already inherent in God’s decision to send the flood.<sup>164</sup> He writes, “In the categories of the Priestly writer, [capital punishment] would not fall under *hamas* and would not trigger a spiral of vengeance.”<sup>165</sup> This is also true of current Bedouin cultures today where capital punishment is seen as a right to the victim’s kin and does not trigger more violence.<sup>166</sup>

#### Second Recent Argument: Zehnder’s Ambiguity Case

The one author who single handedly deals with the most evidence concerning Gen 9:6 is Markus Zehnder. Therefore, he offers more ideas that are unique to him and in favor of his own conclusion. This section will examine and respond to his arguments which are not featured elsewhere. Doing so will ensure brevity and be able to see whether his claim is true, namely, that

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<sup>163</sup> Steck, “Der Mensch und die Todesstrafe,” 128. He continues with one more minor point, “In view of the exposed *hamas* problem, it would be against P if the question of human execution of the murderer's killing remained open.” However, this is not an issue if you take 9:5 seriously as God as the agent, which Steck does not.

<sup>164</sup> Schnocks, “When God Commands Killing: Reflections on Execution and Human Sacrifice in the Old Testament,” 115.

<sup>165</sup> Ibid.

<sup>166</sup> Bailey, *Bedouin Culture in the Bible*, 108–35.

Gen 9:6 is meant to be read both as *instrumenti* and *pretii*.<sup>167</sup> Zehnder begins by noting several grammatical and statistical observations about the *beth* preposition. As stated earlier, in his favor he lists 25 occurrences of a *beth* preposition with the Niphal stem. However, there are a few minor problems with this list.<sup>168</sup>

Against the *beth pretii* view he correctly notes that, “there are no instances where the preposition *beth* in its grammatical role as a *beth pretii* is bound to a person.” While this may technically be true, it overlooks a few features of the text, of which the foremost is that we are not simply dealing with “persons.” First within Gen 9:1-7, “life” and “blood” are synonymous, namely in verse four, “בְּנַפְשׁוֹ דָּמוֹ,” and in v. 5 “אֶת־דַּמְכֶם לְנַפְשֵׁי־יָדְכֶם.”<sup>169</sup> Second, the author does so again with “blood of man” in v. 6 being synonymous with the “life of man” in v. 5, which God will seek. Furthermore, “for man” is in apposition to “the blood of man.” It is not simply just “man for man.” The underlying premise is life for life, or blood for blood. The term “life”, as

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<sup>167</sup> Steck, who argues for the *instrumenti* reading and offered similar arguments before Zehnder, states, “It is quite improbable that P should have left the linguistically ambiguous statement in Gen 9.6 ambiguous in terms of content, in view of the precision that the linguistic design of the Priestly source otherwise shows.” Steck, “Der Mensch und die Todesstrafe,” 128. Zehnder does in fact describe his conclusion this way, “We may assume that we are dealing here with a case of deliberate ambiguity.”

<sup>168</sup> Please see the above section where I discuss the Niphal in the counter arguments. One issue with Zehnder’s list is that he combines both the *beth instrumenti* and *beth causae*. This seems to skew the results since these are not the same and each communicates a different nuance. In his list, there are possibly 4 causal *beths*, 1 possible temporal *beth*, 2 possible *beth* of location, one situation which is unique in that a *beth* is used because it is paralleling the earlier use (Isa 50:10) and the verb is always found in the *niphal*. Furthermore, Ezekiel 17:21 does contain a Niphal verb, but the *beth* is connected to a Qal verb right next to it. In total, there are only 16 possible times where a Niphal is used with a *beth* to indicate agency. In light of all of this, it is odd he goes on to say 9:6 is specifically a causal *beth* instead of instrumental. Overall, it seems there is a miscommunication of what a causal *beth* is. In personal communication with Zehnder, he did concede he would change his argument to the *beth instrumenti* and not cause. He also said that while he does maintain the ambiguous nature of Gen 9:6a, he believes the emphasis to be first on the *beth pretii*, and then the instrumental.

<sup>169</sup> See also Lev 17:11,14; Dt 12:23. This is also true of ANE cultures in general. David Noel Freedman, ed., *The Anchor Bible Dictionary*, 1st edition. (New Haven, Ct: Yale University Press, 1992)1:761.

Zehnder notes, is used frequently with the *beth pretii*.<sup>170</sup> This idea is even more frequent if we include the preposition *tahat* (which is semantically equivalent to the *beth pretii*) with “life” as in Ex 21:23, Lev 24:18, 1 Kings 19:2; 20:39. This semantic range is also expanded when we include “blood” plus the *beth pretii*. Unsurprisingly, this appears in Gen 42:22, where Rueben believes Joseph’s blood is being “sought” by God. This also appears in 2 Sam 3:27, where Joab is killed “for the blood of Asahel his brother.”<sup>171</sup> It is interesting to note that “blood” and *tahat* do not seem to appear together in the Hebrew bible. If this is the case, and blood is only used with the *beth pretii*, this may explain why the author does not use *tahat* in Genesis 9:6, since “for man” is in apposition to “the blood of man.”

Thus, while he concludes “within this part of the syntactical comparison of *beth causae* and *beth pretii* the balance remains relatively equal,”<sup>172</sup> he has only considered what is grammatically possible to the exclusion of the context of v. 6. Not only that, but the data on the *beth instrumenti* plus the Niphal may not support 9:6, as it was argued earlier.

In his second section Zehnder examines syntactical parallels to Gen 9:6. He lists two verses (Num 35:11, 33) which syntactically support a *beth instrumenti* reading of Gen 9:6.<sup>173</sup> He acknowledges that the first does not have a *beth instrumenti* or *causae*, yet its *beth* preposition is closer in meaning than a *beth pretii*. The second, Num 35:33 reads, “You shall not pollute the land in which you live, for blood pollutes the land, and no atonement can be made for the land

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<sup>170</sup> Zehnder lists Deut 19,21; II Sam 14,7; 23,17; I Reg 2,23; Jer 17,21; 42,20; Jon 1,14; Prov 7,23; Thr 5,9; I Chr 11,19. Zehnder, “Cause or Value? Problems in the Understanding of Gen 9,6a,” p. 84, n. 10.

<sup>171</sup> A similar construction is in Hos 1:4, 2 Chron 24:25. See Ernst, “‘Wer Menschenblut vergiesst ...’. Zur Übersetzung von ‘adam’ [Hebrew] in Gen 9,6,” 253.

<sup>172</sup> Zehnder, “Cause or Value? Problems in the Understanding of Gen 9,6a,” 84.

<sup>173</sup> He provides a third but acknowledges it does not help.

for the blood that is shed in it, except by the blood of the one who shed it” (ESV). This verse is incredibly close to Gen 9:6, although he fails to mention that it does not include a Niphal verb, nor does it include an agent who sheds the blood. While Zehnder argues that it syntactically supports an *instrumenti* reading, thematically it also supports a *pretii* reading. The underlying principle is life for life. The context is trying to make clear that there is no other means of redemption (i.e., payment) when someone has been murdered. If we must interpret this verse in context, we must also do it in Gen 9:6 which does not give any indication of an instrumental reading.

Similarly, he also argues that Matt 26:52b supports this reading. While this verse does share the theme of violence, Zehnder (and others with him) fail to note the difference, namely, that this is not a talionic paradigm of “life for life” but a “reap what you sow” paradigm. This is clear because this verse is more concerned with one person and how his actions will affect himself. In contrast the talionic principle is more concerned with social relations and how one's actions affect others.

Therefore, it seems Zehnder’s conclusion that “syntactical observations concerning the use of *beth causae* and *beth pretii* thus rather clearly tip the balance on the side of the former alternative” is unwarranted. While he has done remarkable work, the entire enterprise of comparing syntactical parallels seems questionable if in the entire Bible there are only three examples either way, especially when none of them are exactly alike but merely share a few features.

In Zehnder’s final two sections he examines the function of the Niphal and common objections or alternatives to the *beth instrumenti* reading. Since the Niphal is dealt with earlier, it will not be examined here. Zehnder’s response to alternative readings is unconvincing. His

evidence for why the author did not include a more specific prepositional phrase such as “by the hand” is that (1) it would upset the symmetry of the chiasm and (2) that this construction is the only one which allows for ambiguity.<sup>174</sup> He is correct that this would upset the symmetry of the verse.<sup>175</sup> However, this does not resolve the lack of details. The author could have given more details in another verse. In v. 2 the author uses “into your hand,” and in v. 5 they use “from the hand” three times.<sup>176</sup> It stands to reason that the author could and should have used “by the hand” in or after v. 5 to make human agency clear.<sup>177</sup> Furthermore, the author could have used the *lamed* to express agency. This would also preserve the balance of the chiasm and dissolve any ambiguity.<sup>178</sup> As Gesenius states, “The efficient cause (or personal agent) is, as a rule, attached to the passive by לְ (thus corresponding to the Greek and Latin dative).”<sup>179</sup> He gives as examples, Gen 14:19, 25:21, Lev 26:23, Judges 17:2b, 1 Sam 15:13, 23:21, 2 Sam 2:5, Ruth 2:20, Prov

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<sup>174</sup> Outside of this section the phrase בִּיד occurs eight times, בְּיָדָא occurs ten times, and בְּיָדָא two times in Genesis. These are mostly translated “in the hand of” throughout Genesis.

<sup>175</sup> See also Steck who makes similar arguments *pace* A. Ernst. Although Steck does not think this can be solved grammatically and so believes it does not amount to much.

<sup>176</sup> Outside of this section, the phrase לְיָד is used at least six times in Genesis. The phrase לְיָד is rare in the Bible and mostly means at the hand of, or in the service of someone. The phrase לְאִישׁ primarily means “to the man,” or “for a/the man” in the Old Testament. The phrase בְּאִישׁ primarily means “against a man” and where it differs depends on the context. This simple example explains why we cannot simply assume a “more common” rendering of a preposition will be the correct one, even if it “works.” Neither of them ever means “by man.” So, the phrase “by man” may only appear once in Old Testament (outside of Gen 9:6).

<sup>177</sup> This seems to be what Pedersen argues.

<sup>178</sup> If as a general rule the Niphal verb and agent are always next to each other, as I have shown above, then we can assume that there is no attempt at deliberate ambiguity.

<sup>179</sup> He does state that this occurs rarely with the *min* or *beth* preposition. Gesenius, *Gesenius' Hebrew Grammar*, §121f.

14:20, Ps 73:10, 114:15. Since the printing of this grammar it is probably not a “rule” anymore but the essential point still stands.<sup>180</sup>

Zehnder’s next point is that “We may assume that we are dealing here with a case of deliberate ambiguity.” He continues, “the avoidance of ׀ַ gives room for a secondary interpretation along the *beth pretii* line as well – and this is perhaps exactly what the author wanted to do.” This seems to be a non-falsifiable claim. All this point proves is that this avoidance could make sense given his view.

Later, arguing against the *beth pretii* reading, he states that the author could have used *tahat*, but that “this has not been done, most probably because the writer did not want to deliver such a clear, one-sided message.”<sup>181</sup> However, he fails to note that this too would upset the symmetry of the verse. Even more so, he does not see that the author did not need to use this word as the *beth* preposition already has a meaning equivalent to this while keeping the one for one symmetry of the verse. Overall, the *beth pretii* is more commonly used in Genesis, and thus would be more expected in this situation.<sup>182</sup>

Finally, there are three major weaknesses of Zehnder’s thesis. First, it seems problematic that Zehnder does not give adequate weight to the *lex talion* connection and the other verses

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<sup>180</sup> That the passive construction only expresses agency is by far from a collectively agreed on topic. Almost every major syntax book gives varying answers. This has been exacerbated with recent discussions surrounding the Niphal and middle voice.

<sup>181</sup> Zehnder, “Cause or Value? Problems in the Understanding of Gen 9,6a,” 84.

<sup>182</sup> While *tahat* is used in the two other talionic codes, it is irregular in Genesis compared to the *beth* preposition. In Genesis it only occurs 15x as “under,” 5x as “in the place of,” and 2x as “exchange.” The latter denotes a simple exchange (Gen 30:15, 44:4). Throughout the Pentateuch (occurring about 18x as “for”), the majority of occurrences of *tahat* as “for” or “in exchange for” appear in the *lex talionis* passages. So altogether, it occurs infrequently. This is also not the only time they are used interchangeably. There is a definite semantic overlap between *tahat* and *beth pretii*, as in Ge 44:4, Ps 109:5, and Lev 27:10-11, where they are used in the same sense: an exchange of good for evil. Therefore, in Genesis, it would be more common to use the *beth pretii* to denote an exchange.



surrounding Gen 9:6. Most importantly, he does not consider 9:5, which seems to ascribe agency to God.<sup>183</sup>

Second, as Schnocks notes, he does not account for “the fact that a shift from one to the other interpretation of the preposition must entail a shift in the reference to the relevant noun — from the murder victim to the slayer or executioner.” He continues, “This shift severely complicates the thesis, particularly as the alternatives are not equal but, on the contrary, the parallelism favours the interpretation with reference to the murder victim.”<sup>184</sup> Even more so, Zehnder has not given an indication of why the author would desire to be ambiguous. Neither the instrumental nor price interpretation is out of the ordinary in what they communicate.

Third, Zehnder’s use of the *beth causae* or causal *beth*. It seems he does not adequately distinguish between this and the instrumental use nor does he argue that they are semantically related.<sup>185</sup> Many grammars give as an example of the causal *beth*, Gen 18:28, ““Suppose five of the fifty righteous are lacking. Will you destroy the whole city for lack of five?” And he said, “I will not destroy it if I find forty-five there”” (ESV). If Gen 9:6 was a causal *beth*, it seems that it should still be translated as “for man” since many causal *beths* are translated as “for,” “for the sake of,” and “because of.” While many grammars such as BHRG do list the causal *beth* in

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<sup>183</sup> Matthew Lynch offers his assessment of Zehnder. He writes, “His argument is convincing if 6 stood on its own, though in conjunction with v. 5, where God is clearly the agent, the balance tips in favour of Milgrom’s interpretation.” Lynch, *Portraying Violence in the Hebrew Bible*, 84 n. 32. The same charge could be leveled against Steck, since he does not account for God’s mentioning of “seeking/requiring” blood three times.

<sup>184</sup> Schnocks, “When God Commands Killing: Reflections on Execution and Human Sacrifice in the Old Testament,” 114.

<sup>185</sup> Out of all his references of a *beth* preposition with a Niphal verb, only 4 of the 23 are causal *beths*. All of these are in the context of punishment. Gen 19:15, “lest you be swept away in the punishment of the city”. This occasion could be considered to denote location (temporally or spatially)/event and may not be a *beth causae*. Lev 26:39, “those remaining among you shall decay because of their sin” (rot seems to usually occur in the *Niphal* and in the context of punishment). Jer 51:6 also seems to be a *beth causae*, “Do not be cut off in/because of her punishment.” This verb occurs in the *Niphal* 5 out of the 7 times it occurs. Ezra 9:7 also seems to be a causal *beth*, “and because of/for our iniquities we were handed over.

relation to the instrumental use, they also do so for the *beth pretii*. In my evaluation the causal *beth* seems more semantically related to the *beth pretii* than the *beth instrumenti*. It often occurs as the grounds or reason for judgment. In many ways it is an exchange of actions instead of currency.

In summary, after several critiques it seems that Zehnder's conclusion is unwarranted. First, some of his syntactic parallels which support a *beth instrumenti* reading also thematically support the *beth pretii* reading. Second, all the examples of the Niphal verb and *beth* preposition he provides to show agency are located next to each other. Genesis 9:6 does not follow this pattern. Third, he does not consider that the alternative preposition *tahat* would disturb the balance of symmetry. The *beth pretii* allows for a one-to-one symmetry and the meaning of exchange. Fourth, while using the phrase "by the hand" would also disturb the balance, the author could have used it to clear things up in another verse. Finally, there are problems as well with his thesis of ambiguity.

### Third Recent Argument: Against the Septuagint

The top cited article in favor of the *beth pretii* interpretation appeals to the LXX for its conclusion.<sup>186</sup> Here the Septuagint translates the verse in question as, "The one who sheds human blood, at the price of his blood it will be shed."<sup>187</sup> The Greek reads, "ὁ ἐκχέων αἷμα ἀνθρώπου ἀντὶ τοῦ αἵματος αὐτοῦ ἐκχυθήσεται" (LXX Swete). Here the LXX translates כִּי־יִשָּׁךְ with ἀντὶ,<sup>188</sup>

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<sup>186</sup> I do not interact with Lust in this thesis since the emphasis is on the MT and others have already offered their valuable thoughts on it. Lust, "For Man Shall His Blood Be Shed."

<sup>187</sup> Kotze's translation might be made clearer by saying "at the price of his own blood," or "at its price his blood will be shed." Kotzé, "Greek Translations of Hebrew Left Dislocation Constructions in LXX Genesis," 59.

<sup>188</sup> The preposition ἀντὶ normally takes the genitive for this meaning.

and τοῦ αἵματος αὐτοῦ represents ὁ ἐκχέων.<sup>189</sup> Both Wilson and Jancovic try to explain away this interpretation.<sup>190</sup> For example Wilson writes,

It is possible that the Hellenistic Jewish translator—who lived in a world in which the monopoly of deadly force in Second Temple Jewish culture was no longer in the hands of the community itself—intentionally obscured this passage. Therefore, because neither the community nor its leaders had the power to enforce capital punishment, and because the translator did not wish to draw the wrath of the powers that governed the Jewish community by claiming authority that belonged exclusively to them, the translator may have decided to alter the Hebrew Vorlage.<sup>191</sup>

There are several problems with this statement. First, there is no evidence to support their claim. Second, this would only be plausible if other instances of alterations around similar verses existed (such as other capital punishment verses being manipulated).<sup>192</sup> Yet, they do not provide such evidence. Third, they do not interact with the relevant literature on this passage or any Septuagint commentary.

Gideon Kotze provides a better explanation. He argues that Genesis 9:6 is just one example of many left dislocation constructions, specifically here with a change in the matrix clause.<sup>193</sup> He cites Genesis 26:15 as another example where something redundant (the name

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<sup>189</sup> However, others have understood the Greek differently. Here, I am following Kotze. The NETS translation reads, “As for the one who sheds a human’s blood, in return for this blood shall it be shed.” It seems to take τοῦ αἵματος αὐτοῦ as referring to the victim, and the murderer’s blood is implied in the verb ἐκχυθήσεται.

<sup>190</sup> Spurrell argues that the LXX translator must have misread the similar sounding “for blood” for “by man.” However, this is highly implausible because it misses the chiasm and would then have read “for blood his blood,” which certainly would not make sense grammatically and be quite crude. Spurrell, *Notes on the Hebrew Text of the Book of Genesis*, 85.

<sup>191</sup> Wilson, “Blood Vengeance and the Imago Dei in the Flood Narrative (Genesis 9:6),” 271; Jancovic, “Blood Revenge in Light of the Imago Dei in Genesis 9,” 197.

<sup>192</sup> The fact that there is a large amount of verses on capital punishment in the Mosaic Law untampered with should be enough evidence to refute this claim. Furthermore, the fact that some of the Targums translate it as a *beth instrumenti* should do the same.

<sup>193</sup> Pace Hendel, who argues that this is haplography caused by homoioteleuton. Kotzé, “Greek Translations of Hebrew Left Dislocation Constructions in LXX Genesis,” 59; Ronald S. Hendel, *The Text of Genesis 1-11: Textual Studies and Critical Edition*, 1st edition. (New York: Oxford University Press, 1998), 140.

Abraham) is left out.<sup>194</sup> This is the central claim of Lust’s work on Gen 9:6, namely that the second “man” was redundant and could be omitted. In the same line of thought, Susan Brayford comments on the *beth instrumenti* view that “This, as Wevers points out, “is obvious nonsense” (1993, 115) because it implies that humans are the only ones who can revenge the blood of their fellow humans.”<sup>195</sup> Overall, the LXX itself is not decisive on this issue. It only shows that it is possible to interpret 9:6a in this manner, just as the Targums demonstrate the opposite. For this reason, this thesis does not argue based on it.

### **Main Arguments For *Beth Pretii***

Now that the counterarguments against the *beth pretii* have been assessed and found unsatisfactory, as well as having argued why a *beth instrumenti* reading isn’t as intuitive as it might originally seem, are there any positive arguments for the *beth pretii*?

Almost all commentators take note of how 9:6 is either “talionic” or related to the principle.<sup>196</sup> One of the most popular arguments given in favor of the *pretii* reading is that the chiasmic structure of the text signals an equality between the matching sets of words and ideas. Thus,  $\text{מִן־הָאָדָם} \text{ מִן־הָאָדָם}$  both refer to the same person.<sup>197</sup> Citing Pedersen, Lust argues that “normally,

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<sup>194</sup> Kotze lists many more Greek translations of Hebrew left dislocation constructions, but this is the most similar. Kotzé, “Greek Translations of Hebrew Left Dislocation Constructions in LXX Genesis,” 60 n. 44.

<sup>195</sup> Brayford, *Genesis*, 272. Wevers does not mince his words he writes, “That is to say the Hebrew could be understood to say that mankind is only slain by mankind which is obvious nonsense.” He goes on, “Gen makes it clear that what is meant is that blood will be poured on behalf of the blood of man whose blood was poured out. I would say that Gen fairly represents the idea that mankind’s blood will be avenged -- which is what MT in spite of its fine poetic structure does not say as clearly as appears on the surface.” Wevers, *Notes on the Greek Text of Genesis*, 115–6. Brayford concludes that “The LXX-G translation, therefore, not only implies that God also can avenge human bloodshed, but more importantly does not mandate human retributive justice by means of the death penalty.” Brayford, *Genesis*, 273.

<sup>196</sup> For a list see Lust, ““For Man Shall His Blood Be Shed,”” 91 n. 2.

<sup>197</sup> Arnold, *Genesis*, 263; Milgrom, *Leviticus 1-16*, 705; Carr, *Genesis 1-11*, 264; Pedersen, *Israel, Its Life and Culture, Volumes 1-2*, 533; Fokkelman, *Narrative Art in Genesis*, 34–5, 42; Walsh, *Style And Structure In*

when a word at the end of a subordinate clause is repeated at the beginning of the immediately following main clause, it keeps the same meaning.”<sup>198</sup> This is more intuitive once we consider that the talionic nature of this verse, in theme and structure, emphasizes a one for one principle. The book of Jubilees also interprets this passage as *lex talion*.<sup>199</sup> Alternatively, “by man” technically introduces a third party thematically (the murderer, the slain, and the avenger) which might throw off the symmetry.

Adopting a *pretii* interpretation has several benefits. The interpretation “for man” does not complicate the verse and matches up perfectly with the talionic theme and structure. Furthermore, as Matthew Lynch notes, “Milgrom’s proposal also helps explain the use of the definite article in C’ (‘in exchange for that human’).”<sup>200</sup> However, this is not the last word on arguments for this interpretation. Several more recent arguments will now be examined.

#### First Argument: Interpretive Practice and Emphasis

What is better interpretative practice: to interpret the clear by the unclear or the unclear by the clear? Should we interpret 9:5 in light of 9:6, or the reverse?<sup>201</sup> Wilson (along with Jancovic) who argues for the *Beth instrumenti* and a royal functional view of 9:6b, writes,

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*Biblical Hebrew Narrative*, 18; 27–28; Blenkinsopp, *Creation, Un-Creation, Re-Creation*, 147. Alternatively, even Krasovec who follows the *beth instrumenti* reading writes, “The poetical, chiasmic form of v. 6a justifies the supposition that no special emphasis needs be discerned in the statement that the blood of a murderer shall be shed “by man”, as if the passage was explicitly concerned with the authority of the human race.” He goes on to note that the real emphasis is in v. 5. Jože Krašovec, “Punishment and Mercy in the Primeval History (Gen 1–11),” *Ephemerides Theologicae Lovanienses* 70 (1994): 22.

<sup>198</sup> Lust, ““For Man Shall His Blood Be Shed,”” 94; Pedersen, *Israel, Its Life and Culture, Volumes 1-2*, 533.

<sup>199</sup> Lust, ““For Man Shall His Blood Be Shed,”” 95.

<sup>200</sup> Lynch, *Portraying Violence in the Hebrew Bible*, 84. Korzec also believes the definite article must refer to the victim and precludes this from being a group of people (judges, etc). Korzec, “Rdz 9,6: OD PRZEMOCY DO SPRAWIEDLIWOŚCI,” 20.

<sup>201</sup> Obviously, the answer is to interpret all the data together, as has been attempted in this thesis.

“God’s threefold pledge to require blood in Gen 9:5 may initially lead the reader to believe that humans are to cede this power to God alone, in line with Deuteronomy’s dictum that vengeance belongs to Yhwh...But the P author and Deuteronomy diverge on this point, with P clarifying in the following verse that...a murderer’s blood will be shed “by a human.””<sup>202</sup> The general trend seems to follow Wilson, interpreting all of 9:5 and 9:6b based on the single preposition in 9:6a. Von Rad (and many with him) almost completely ignore God’s claims that he will avenge or account for murder.<sup>203</sup> Zehnder similarly fails to take into account of how 9:5 might affect its meaning.<sup>204</sup>

This trend is deeply concerning. This decision to reinterpret what seems evidently clear in the rest of the section by something unclear and which could easily not be true. Not only that, but this view does so on something so important as the death penalty or blood vengeance. Instead, Genesis 9:6a should be interpreted based on what is clear in 9:5 and 9:6b. If “this tripled usage of שׂרר emphasizes God’s sovereignty over human life,”<sup>205</sup> while giving no specifications

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<sup>202</sup> Wilson, “Blood Vengeance and the Imago Dei in the Flood Narrative (Genesis 9:6),” 269. Jancovic repeats this almost verbatim, “The first person speech of Gen 9:5 can lead a reader to believe that humans are to cede this power to God alone, in line with Deuteronomy’s dictum that vengeance belongs to YHWH (Deut 32:35). But the divine speech about vengeance in v. 6 continues impersonally with a description of human activity in the third person.” Jancovic, “Blood Revenge in Light of the Imago Dei in Genesis 9,” 195–6. However, as is obvious, this statement is only true if we interpret the *beth* as *instrumenti*.

<sup>203</sup> This is in addition to all the other verses which speak to this and show God avenging murder. For von Rad, v. 6 holds two different views in tension, namely, the value of human life and that humans should kill those who murder. While this tension may not have been felt in the original community of this text, either way it is resolved and seems more congruous with a *beth pretii* interpretation. Alternatively, his is statement that, “God himself will not avenge murder” seems to run afoul of Dt. 32:35. von Rad, *Genesis*, 132–3.

<sup>204</sup> Lynch, *Portraying Violence in the Hebrew Bible*, 84.

<sup>205</sup> Jancovic, “Blood Revenge in Light of the Imago Dei in Genesis 9,” 195. Krasovec writes, “The poetical, chiasmic form of v. 6a justifies the supposition that no special emphasis needs be discerned in the statement that the blood of a murderer shall be shed “by man”, as if the passage was explicitly concerned with the authority of the human race. The true emphasis is shown in vv. 5 and 6b. In v. 5 God is three times the subject of the verb *daras* – “to demand, to claim”. God himself will demand the reckoning for the shedding of human blood, and v. 6b provides the reason: God applies the law of retaliation because he has created man in his own image. He created man for a

to human capital punishment (i.e. how it is to be done, or any institution for doing so), then it would seem that Wilson's initial inclination is the correct one. *A beth pretii* seems more in line with Jancovic's statement that, "The chief focus of Gen 9:1-7 is on the sovereignty of God over all life."<sup>206</sup>

#### Second Argument: It Is Not Mentioned In The Text

Along with the former argument of interpreting the unclear by the clear, it remains that while the text gives specifications to animal killing and goes to great lengths to repeatedly emphasize God's agency and promise, there is no indication or specification whatsoever that humans are to execute capital punishment beyond the single contested preposition.

If God is now altering existing human relationships which center around such a serious topic as murder and altering his stance on capital punishment from his warning about murder in Gen 4:15, then it is only natural that he should indicate this as he has done in Gen 9:2-5 with animals. In fact, any supposed "military language" detected in 9:2-3 would seem to be better suited to the idea of capital punishment for murderers. This is even more conspicuous since the text does not use "subdue" or "rule." Furthermore, as Lynch notes, there is no means to ensure due process is established.<sup>207</sup> In the end, Zehnder's earlier explanation for the absence of "by the hand" does not hold up when "into your hand" and "from the hand" are widely used in this context.<sup>208</sup>

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special purpose. In the light of this, any shedding of human blood amounts to a direct encroachment upon God's plan and sovereignty." Krašovec, "Punishment and Mercy," 22.

<sup>206</sup> Jancovic, "Blood Revenge in Light of the Imago Dei in Genesis 9," 193.

<sup>207</sup> Lynch, *Portraying Violence in the Hebrew Bible*, 87.

<sup>208</sup> See the comments above which discuss his article.

This absence becomes more poignant when we look at how and when God addresses Noah and his sons. Only in vs. 1, 4, and 7 does he directly command them: “Be fruitful and multiply,” and “You shall not eat flesh.” Outside of this, the text describes what God has done and will do. In v. 2, God tells them that the animals are given into their hand and that he has put their fear on the animals.<sup>209</sup> In v. 3, it switches from the passive, and he makes it clear “I give you everything.” Resuming in v. 5 God continues describing what he will do, stating that he will seek out “your blood.”<sup>210</sup> In v. 6 it seems what he is doing is continued in a passive manner with an unstated agent in parallel fashion to v. 2. After v. 6, God resumes his direct address at v. 7, by the phrase “and you...” where he begins to bless them again. The LXX also follows on this delineation. Thus, when expecting something from them God consistently commands them. However, there is no personal address or command concerning capital punishment.

As there is no hint at humans bearing this responsibility, likewise, in the wider context of Genesis this expectation or act never appears. Only once Israel is a nation does God make clear this responsibility of capital punishment. It is not surprising that when he does, he gives them specifications and provisions concerning murder and capital punishment. If humanity can become so evil as the flood narrative demonstrates, and it is necessary to have witnesses and judges to condemn someone for murder as the later laws specify, why would God insert what seems to be a license to execute murderers without any stipulations attached (which it seems the Targums notice and try to resolve by addition)?<sup>211</sup>

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<sup>209</sup> It is interesting that this verb is also in the Niphal, which correlates with v. 6.

<sup>210</sup> In v. 4 God commands them again, that “they shall not eat” blood. So, throughout the section it is very clear when God is commanding them, and when he is describing what he is doing.

<sup>211</sup> Targum Onkelos reads, “He who sheds the blood of man before witnesses, by sentence of the judges shall his blood be shed.” Targum Pseudo-Jonathan reads, “He who sheds (it) without witnesses, the Master of the world will require a reckoning from him, on the day of the final judgment.” Targum Neofiti reads, “by the hands of



While Westermann follows the instrumental *beth* interpretation, he argues similarly, “the text has nothing to say about authorization.” He continues, making his claims more explicit. Once we speak of government, “a foreign western understanding of authority is thereby put on the text. This is certainly not the intention in Gen 9:6a. To call the “authorities” executors and representatives in this context is to make them a center of attention of which there is no trace in the text.”<sup>212</sup>

Contextually, a *beth pretii* makes sense of the lack of specification or details regarding capital punishment in contrast to the details surrounding the new relationship to animals. Furthermore, this position also fits better with 9:5 where God declares three times that he will seek out the blood.<sup>213</sup> On this reading, there is no abrupt switch between 9:5 and 9:6.

### Third Argument: The Context of Cain, Lamech, and Murder

Gen 9 should be read not just with the flood story but also considering how God first dealt with murder. While some note the connection back to Gen 4 with references to “brother” and “from the hand,” only a few commentators draw out this connection. As Carr writes, “the principle expressed in 9:6a stands as a universal version of the sort of promise given by YHWH to Cain in Gen 4:15.”<sup>214</sup> Furthermore, it helps to make sense of how God, who originally did not

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a son of man.” For more details see Lust, ““For Man Shall His Blood Be Shed,”” 95. In addition to this, would God let the institutionalization of government be left to a single letter?

<sup>212</sup> Claus Westermann, *Genesis 1-11: Continental Commentaries* (Minneapolis, Minn: Fortress Press, 1990), 468.

<sup>213</sup> Von Rad almost completely ignores God’s claims that he will avenge or account for murder (plus all the other verses which speak to this and show God avenging murder). von Rad, *Genesis*, 131.

<sup>214</sup> Carr, *Genesis 1-11*, 264. See also Krasovec who notes that this form is similar to Ex. 19:12, which states that if anyone touches mount Sinai, they were to be put to death. This verse itself does not specify how, only the next verse does. He compares this to our text in question, Gen 9:6, which only says what and not how. Krašovec, “Punishment and Mercy,” 22.

punish Cain's murder with capital punishment will do so now. Lynch comments that "just as Yhwh had promised to avenge Cain's blood should any kill him (4:15), now God would require the life of anyone who murdered his fellow human. The difference here is that vengeance is like-for-like, instead of sevenfold violence."<sup>215</sup> While one could argue that this may represent a de-escalation of God's own justice, this text could also be read as an escalation of God's justice, whereas before he did not execute murderers but only gave them exile, now he himself will seek the one responsible.

It makes little sense that God is instituting capital punishment here by humans, if murder was already a common practice, hence Cain's anxiety about being killed and Lamech's murder/s. Therefore, it would be ill fitting for God to affirm what some humans had already been doing, when he had just judged the world for their violence. While humans had already been practicing vengeance (or putting others to death, just or not), God had not. Thus, it makes sense that now God is declaring he will avenge murder and stating the principle for doing so. His principle stands in opposition to Lamech's poetic decree about murder.<sup>216</sup> God's poetry expresses fair justice and repayment in theme and structure, while Lamech's poem expresses gross injustice and revenge in his action and structure.

#### Fourth Argument: Syntactic and Grammatical Parallels with Gen 9:6

Another common approach used to support the *beth pretii* reading is to appeal to similar verses (such as the talion in Deut 19:21). Yet, as Steck writes, "The parallels used by Ernst for clarification support an already preconceived interpretation in the sense of *beth pretii*, but cannot

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<sup>215</sup> Lynch, *Portraying Violence in the Hebrew Bible*, 84.

<sup>216</sup> See section below on Lamech and the Lex Talion and the specific comments by Jeffrey Neihaus. An English example of what Lamech does would be writing "brake the rules," because it should be spelled "break."

definitively decide the question itself.”<sup>217</sup> Zehnder comes to a similar conclusion. While this is true, these occurrences can still support it thematically.

While parallels do not provide a definitive conclusion, a look at how the *beth* preposition is used in certain contexts may help lean this discussion in a certain direction. The question here becomes how likely could this *beth* denote an exchange or price being paid? If there is a repeated pattern, then it might clear things up.

First, within Genesis, the *beth instrumenti* is about just as rare as the *beth pretii*. Overall, there may be 11 possible uses of the instrumental or agent *beth*.<sup>218</sup> Some of these are in the same circumstance and are a repeated refrain such as “by the hand of X.” Most of the occurrences are clear as to what is being used, such as “hand” or “bow”. Outside of oaths, invocations, and blessings, there are no personal agents indicated by *beth*.<sup>219</sup>

On the other hand, there may be 18 possible *beth pretii* occurrences in Genesis. Many of these (7x) are in the context of Jacob serving for (*beth*) his wives. Outside of this, it is usually in the context of an exchange with money, possessions, or Joseph being sold. This alone is insufficient to draw any major conclusions. Each may be just as likely within Genesis, but statistically it slightly leans towards the *beth pretii*.

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<sup>217</sup>Steck, “Der Mensch und die Todesstrafe,” 127.

<sup>218</sup> In addition, there are three instances of “by this” which is usually followed by some sort of knowing. However, this may not be considered an instrumental use. The *beth* with *yāq* occurs 604x throughout the Old Testament, the only other thing it occurs more with is “day.”

<sup>219</sup> Most grammars do not cover this use, but BHRB (p. 341) lists it as *beth communicationis*, which they say is related to the instrumental use of *beth* (just as the price and causal *beth*). If so, there are 4 occurrences of this, and with a single exception are “by God/by the lord/by myself.” The single exception may be Gen 48:20, “So he blessed them that day, saying, “By you Israel will pronounce blessings, saying, ‘God make you as Ephraim and as Manasseh.’” This occurrence has been included in the instrumental count.

Second, word order leans in the direction of a *beth pretii*.<sup>220</sup> In the context of buying and selling it is a common sequence for the object to be right next to the verb, and the “price” to be one slot removed from the verb (being the furthest away). This is the pattern in Gen 9:6. Several other passages follow this pattern, including: Gen 37:28, Deut 21:14, 2 Sam 24:24a, 24b, 1 Ki 16:24, 21:6, 2 Ki 6:25, Jer 32:25, Hos 3:2, 2 Chron 1:17.<sup>221</sup> On the other hand, the sequence is the opposite in the case of a Niphal verb with an instrument or agent. In almost all the occurrences which Zehnder lists, the agent or instrument is always next to the verb. Gen 9:6, while a unique combination of genres, does not follow this pattern.

Another use of the *beth* may help clarify our present verse. In addition to the *beth pretii*, there is the so called *beth causa*,<sup>222</sup> which is said to denote a “reason or originating force of an action.” On the causal *beth*, Waltke and O’Connor note, “it is sometimes hard to distinguish from simple circumstantial uses.”<sup>223</sup> They, along with many grammars, point to Gen 18:28 as an example, “Will you destroy the whole city because/on account of five?” While there is the semantic range of reason or cause here, as elsewhere, it seems that this use of the *beth* overlaps with the *beth pretii* considerably. For example, the above example denotes an exchange, or in other words Abraham is “haggling” with God. Here, the currency is not money but lives. The *beth* preposition is also used in a causative sense eleven other times in Genesis, being attached to another preposition (בְּעִבּוֹר), with the sense of “for,” “for the sake of,” and “on account of.” Many

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<sup>220</sup> See the above section on replies to Zehnder, covering statistics on how the Niphal verb is generally next to the agent (which is not how Gen 9:6 is formulated).

<sup>221</sup> However, a more poetic passage, Jeremiah 32:44 does not follow this pattern.

<sup>222</sup> See my above comments on Zehnder’s use of the *causal beth*, which I disagree with.

<sup>223</sup> Waltke and O’Connor, *An Introduction to Biblical Hebrew Syntax*, 198.

of these are used in the same way and in the same context of Abraham bargaining with God for the lives of the righteous.<sup>224</sup>

This pattern of the casual *beth* is found repeatedly throughout the Old Testament. It is often in the context of blood, life, death, and punishment.<sup>225</sup> Deut 24:16 is a prime example, “Fathers shall not be put to death because of their children, nor shall children be put to death because of their fathers. Each one shall be put to death for his own sin.” To this could be added many more.<sup>226</sup> Ezra 9:7 connects this to God’s various judgments. Psalm 94:23 explicitly uses this in connection with God’s talionic justice, “He will bring back on them their iniquity and wipe them out for their wickedness; the Lord our God will wipe them out.” From these verses it is easy to see a semantic overlap between the *beth* of price and the *beth* of cause. Almost all of these have to do with an exchange, whether an action or currency. In the above examples the price they pay is their lives for breaking the covenant code.

Considering the above, it is unsurprising that David Daube has argued that the *beth* in Deut 19:21 is actually a causal *beth*. While he does not explicitly argue for this in Gen 9:6, he does believe it should be translated the same (thus assuming this is also a causal *beth*). Lust,

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<sup>224</sup> Gen 12:13, 12:16, 18:26, 18:29, 18:31, 18:32, 21:30, 26:24, 27:4, 27:10, 39:5.

<sup>225</sup> Speaking in terms of cost seems normal for the OT. Likewise, “Redemption was always described in terms of some kind of a cost factor. God was obviously not discharging a debt to someone by redeeming His elect at the time of the Exodus. But at that period, and on all subsequent occasions when the firstborn were redeemed, God made it clear that the price of a life was another life. The original cost factor subsisted in the effort that a loving, provident God made to redeem His chosen people by “passing over” the firstborn of Israel when He instituted the final plague upon Egypt.” R. K. Harrison, *Numbers: An Exegetical Commentary* (Grand Rapids, MI: Baker, 1992), 75–8.

<sup>226</sup> Num 27:3, Deut 9:4, 18:12, Josh 22:20, 1 Sam 3:13, 1 Samuel 28:10, 1 Kings 16:18–20, 2 Kings 24:3, 1 Chronicles 10:13, 1 Chronicles 27:24, 2 Chronicles 24:18, Isaiah 50:1, Jeremiah 31:30, Ezekiel 3:18 (which also has God “requiring his blood”), Ezekiel 3:20 (same), Ezekiel 18:17, Ezekiel 18:20, Ezekiel 18:24, Ezekiel 18:26, Ezekiel 33:18, Psalm 94:23.

while not arguing for a causal *beth* makes the same point and believes the two to be semantically similar.<sup>227</sup>

There are more connections between the talionic passages than just the preposition. While the talionic context of Leviticus 24 does not use a *beth pretii*, there are other significant factors for our discussion on Gen 9:6. Lev 24:20 also uses a Niphal passive  $\text{יִנָּחַן}$  to indicate what will happen and leaves the instrument unsaid. This verse also includes an occurrence of  $\text{בְּאֶדָם}$ . In v. 21, which describes what will happen to a murderer, there is also a similar passive construction (Hophal) without an instrument and the word “man” again, “ $\text{וַיִּמָּכֶה אֶדָם יוֹמָת}$ .” Likewise, the law passages in the surrounding context of Ex 21:23-25 use passive verbs (both Niphal and Hofal without instruments). Interestingly, when speaking of a goring ox in v. 28, it is explicitly stoned (in the Niphal). In contrast, the other instances do not describe how the person will be put to death. In the other *lex talion* law passages it is a common pattern to use a Niphal verb without specifying an instrument or means of punishment.

Altogether, the syntactic and grammatical parallels do not provide a definitive case. However, it seems that they do support interpreting the *beth* in Gen 9:6 as a *beth pretii* or *beth causae*.

#### Fifth Argument: It makes the Most Sense of Gen 9:5 and The Surrounding Context

Lastly, a *beth* of price or cause makes the most sense not only of similar instances in scripture but also Gen 9:5. If God is simply delegating capital punishment in 9:6, then 9:5 simply loses any force that the author so desperately tried to create. Indeed, it seems excessively unnecessary. However, once viewed as a *beth pretii*, we can also see that “the special protection

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<sup>227</sup> Lust does not consider this as a separate *beth*, but semantically equivalent or similar with the *beth pretii*. Lust, ““For Man Shall His Blood Be Shed,”” 94 n. 18.

of humans seen in 9:5–6a echoes the protection of humans implied in 9:2a, where God promised that terror and fear of humans would be on animals.”<sup>228</sup>

This is not abnormal for God. Even later he makes similar claims. In Lev 17:10, God will “set his face against” anyone who eats blood and will “cut” כרת this person off from his people. Goldingay sees a similar warning here in Gen 9:6.<sup>229</sup> Throughout the Bible God personally judges some who have sinned. God comes to investigate and destroy Sodom and Gomorrah, for Onan and Er, Moses and his son, the first born of Egypt, Aaron’s sons who offered strange fire, David and his son, Nabal, Ananias and Sapphira, and those who have taken the eucharist while living in sin. To limit God’s judgment to the hands of men risks not taking this verse seriously enough.

### **Lamech, Lex Talion, and Gen 9:6**

Most commentators note that Gen 9:6 clearly expresses *lex talion*, the law of retaliation, or repayment in kind. But exactly how much should it be understood as a talion formulation?

There is a three-way connection between Lamech, *lex talion*, and Gen 9:6 which helps to mutually enlighten each other. Two points will be discussed between Lamech and Gen 9:6, then

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<sup>228</sup> Carr, *Genesis 1-11*, 265. However, Carr (and others) see this as a total sum game. He writes, “Moreover, the preceding verse stresses that God will demand a reckoning from the hand of an animal or human shedding the blood of human (9:5). This can be understood as an implicit rejection of human revenge and replacement of it with divine punishment. Indeed, having God endorse human retaliation in 9:6a would seem to encourage an increase in the very cycle of violence that P portrayed as the cause of the flood (6:11–13).” *Ibid.*, 264. Contrary to Carr, there does not seem to be an implicit rejection of revenge (per se), just murder. The practice of being a blood avenger was alive and well throughout the Old Testament and there does not seem an explicit passage eliminating it. Also, it does not seem to be evident that capital punishment facilitates the cycle of violence. For example, this is not the mentality of Bedouin tribes who practice this currently. See Clinton Bailey, *Bedouin Law from Sinai & the Negev: Justice without Government* (New Haven, CT: Yale University Press, 2009); Clinton Bailey, *Bedouin Culture in the Bible* (New Haven, CT: Yale University Press, 2018).

<sup>229</sup> Goldingay writes, “many pronouncements and rules in the Torah and elsewhere declare that a person will be “cut off,” and these declarations are warnings that God will take the required action. Here the reminder that the victim of murder is someone made in God’s image suggests that it is God who will be taking action in response to the attack on himself.” Goldingay, *Genesis*, 163.

two more points between the *lex talion* passages and Genesis 9, and then specific implications of this connection.

First, as stated earlier Gen 9:6 should be read in opposition to Lamech's gross revenge in Gen 4:19-24. Whereas Lamech shows wanton disregard for human life, by inflicting a greater punishment on others for a slight against him, Gen 9:6 reveals a just principle that the punishment cannot exceed the crime. Furthermore, it is limited to murder and not to lesser offenses.

Lamech's actions are not only grotesque to the author, but even in his poetry he breaks rules and goes too far. It begins normally enough with standard word pairs. Yet then begins to use non-standard word parallels (Man and youth). As if this isn't enough, he employs "step-parallelism," but does so incorrectly. Instead of ascending from seven to eight, he skips to seventy-seven.<sup>230</sup> The effect of this poetry is heightening the actions which are clearly contrary to God's plan, first by taking not one but two wives, and then taking the life of another human/s. As Niehaus aptly summarizes, "what comes out of his mouth is an utterance that breaks all poetic law and shows himself to be a lawless man."<sup>231</sup> God's poetry in Gen 9:6 sharply contrasts with Lamech's song. God's song is neatly paralleled, word for word, in the form of a chiasm, which underlies the message of fair and equal justice. The two could not be more different.

Second, this three-way connection appears again, in the *lex talion* of Ex 21:25. The last two phrases are wound for wound, stripe for stripe, which are also the same words which

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<sup>230</sup> Jeffrey J. Niehaus, *Biblical Theology, Volume 1: The Common Grace Covenants* (Weaver Book Company, 2014), 155.

<sup>231</sup> *Ibid.*



Lamech uses (and abuses) in Gen. 4:23.<sup>232</sup> This is the first time they occur since Lamech.<sup>233</sup> They are not featured as part of any other talion laws in the Bible. Throughout the Bible these words are incredibly rare. Once again, it seems Lamech's memory is still being recalled as a prototype of injustice.

Third, the connection between Gen 9:6's main *beth* preposition to other talion passages. The debate over the *beth* preposition in 9:6 is whether it should be understood as an *instrumenti* (instrumental use/means) or *pretii* (price). Some commentators dismiss the likelihood of a *beth pretii* on the grounds that this is a very uncommon meaning of the *beth* preposition.<sup>234</sup> However, given that the above features solidify the connection establishing the first instance of *talion* in the Bible, this gives ground to look at the other *talion* formulations. Both Exodus 21:23-25 and Leviticus 24:17-22 use *tahat* for "instead of." Leviticus also uses similar language and syntax,<sup>235</sup> such as the statement also expressed in the Niphal, "it shall be done to him," or as in v. 21, "the one killing a man will be killed," יוּמָת יוֹמְתָהּ אֲדָם אֲדָם. However, and most curiously, the last instance of *talion* in Deuteronomy uses the *beth* preposition. The LXX uses *anti* for "instead of" in every instance. It seems that the author could have used *tahat* in Gen 9:6 to express this idea more clearly. However, this would have broken the parallelism by (1) adding an unparalleled word (*tahat*) and (2) taking away the *beth* which mirrors the definite article. So, it was a natural choice to use the *beth pretii*.

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<sup>232</sup> This connection does not seem to be noted in any major commentary: Durham (WBC), Sarna (JPS), Dozeman (ECC), Frethiem (Interpretation), Childs (OTL) .

<sup>233</sup> The LXX carries over the same words as well.

<sup>234</sup> Hamilton writes, "The weakness in this interpretation is that it ascribes to the preposition be an unusual meaning when one of the standard uses of be makes sense in the verse." Hamilton, *The Book of Genesis*, 315.

<sup>235</sup> Lev 24:20 also has an unusual use of the *beth* preposition and the same phrase, אֲדָם אֲדָם, however here it means on the man.

Fourth, Wenham notes that the whole Leviticus passage also forms a chiasm, with vv. 19-20 in the very middle.<sup>236</sup> Hartley comments on this chiasm, writing, “By employing both of these literary techniques, the speaker highlights both a specific law and the principle underlying the laws on personal injury.”<sup>237</sup> None of the *talion* passages specifically explain how a person is to be put to death, such as stoning<sup>238</sup> (in other passages the Bible does, but not here). This gives credence to the fact that Gen 9:6, probably does not state the means by which a person is to die.

### **Does God “Shed Blood”?**

This leads to an important question, does God “shed” שָׁפַךְ blood?<sup>239</sup> If God does not “shed” blood, then this may be the key to solidifying a “by man” interpretation of Gen 9:6.<sup>240</sup> This verb occurs 115x, and it occurs in the context of blood at least 42x. God is the semantic agent of the verb 47x. The majority of occurrences denote a circumstance in which men shed innocent blood and God judges them for it. The second largest category is blood being poured out on the altar. The verb occurs in the Niphal 8x. The Niphal of this verb is never used with an

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<sup>236</sup> Gordon J. Wenham, *The Book of Leviticus* (Grand Rapids, Mich: Eerdmans, 1979), 311–2. Fokkelman offers a slightly different chiasm. Fokkelman, *Narrative Art in Genesis*, 33.

<sup>237</sup> John E. Hartley, *Leviticus*, vol. 4, Word Biblical Commentary (Waco, Tex: Thomas Nelson, 1992), 407.

<sup>238</sup> One could reply that this may be implied, but the fact remains the emphasis is not on the details of how the punishment should be achieved, but the principle behind it.

<sup>239</sup> G. Johannes Botterweck, Helmer Ringgren, and Heinz-Josef Fabry, *Theological Dictionary of the Old Testament, Volume 15* (Grand Rapids, Mich: Eerdmans, 2015), 431–42.

<sup>240</sup> Lynch writes, “Here, moreover, we see the language of shedding blood applied to divine action here in 9:6. This is very rare in the (שָׁפַךְ\* + דָּם) Hebrew Bible, occurring on only a few occasions. Bloodshed is typically associated with injustice, though the Priestly influenced book of Ezekiel also attributes bloodshed to Yhwh (e.g., Ezek 14:19; 16:38). Whether or not this constitutes a Priestly irregularity in this instance, or is employed for the sake of poetic balance – and indeed justice – is not entirely clear. In either case, if the language of shedding blood applies to God, it is a striking and unusual situation. As we saw in 8:20–22, it also reflects the now complicated realities of God’s relationship to violence after the flood.” Lynch, *Portraying Violence in the Hebrew Bible*, 84.

instrument. Expressing agency with this verb is very normal, but it is used in the Qal stem with an explicit agent (such as 1 Kings 2:31, “for the blood that Joab shed without cause”).<sup>241</sup>

As of now, an instrumental *beth* interpretation of Gen 9:6 seems unpersuasive. Especially if one does not take a too narrow of an interpretation of שָׁפַךְ, which regularly means “to pour out.” And there are multiple references to God “pouring out” against man. Specifically, God pours out his wrath, and is called upon to do so as well. Many verses record God pouring out his wrath because of bloodshed.

Ho 5:10, “Judah’s leaders are like those who move boundary stones. I will pour out my wrath on them like a flood of water.” NIV<sup>242</sup>

Ezek 36:18, “Wherefore I poured out my wrath upon them for the blood which they had poured out upon the land.”<sup>243</sup> ASV

Zep 1:17, “I will bring distress on mankind, so that they shall walk like the blind, because they have sinned against the LORD; their blood shall be poured out like dust, and their flesh like dung.” ESV

Lev 17:3-4, “If any one of the house of Israel kills an ox or a lamb or a goat in the camp, or kills it outside the camp, and does not bring it to the entrance of the tent of meeting to offer it as a gift to the LORD in front of the tabernacle of the LORD, bloodguilt shall be imputed to that man. He has shed blood, and that man shall be cut off from among his people.”<sup>244</sup> ESV

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<sup>241</sup> The closest this verb (in the Qal stem only) ever comes to having an instrument is, first, Dt 21:7, “Our hands did not shed this blood, nor did our eyes see it shed.” Hands are being used not instrumentally but as the subject doing the action. Second, Ezekiel 14:19, “Or if I send a pestilence into that land and pour out my wrath upon it with blood” (ESV). However, “by blood” does not make much sense and so it seems this is a *beth* of accompaniment.

<sup>242</sup> The context here also involves bloodshed. Hosea 4:2 reads, “There is only cursing, lying and murder, stealing and adultery; they break all bounds, and bloodshed follows bloodshed” (NIV). Hosea 6:8-9 reads, “Gilead is a city of evildoers, stained with footprints of blood. As marauders lie in ambush for a victim, so do bands of priests; they murder on the road to Shechem, carrying out their wicked schemes.”

<sup>243</sup> Here God directly “pours out” in retaliation for a man “pouring out.”

<sup>244</sup> This reference, like Gen 9:6, also does not specify who will “cut off” this man from his people. However, God does specify elsewhere that he himself will “cut off” from Israel. Specifically, Lev 20:9 reads, “The Lord spoke to Moses, saying, “Say to the people of Israel, anyone of the people of Israel or of the strangers who sojourn in Israel who gives any of his children to Molech shall surely be put to death. The people of the land shall stone him with stones. I myself will set my face against that man and will cut him off from among his people, because he has given one of his children to Molech, to make my sanctuary unclean and to profane my holy name.”

From the sample verses above, God indeed does “pour out” against humanity, specifically his wrath. He also “cuts off” those who shed blood, worship false Gods, or pollute his temple and land. Again, one should not interpret the verb too narrowly or literally. In the flood narrative, God says he will “corrupt” the violent pre-diluvian people who have “corrupted” the earth. But God does not “corrupt” them the same way as they did to others strictly speaking. Neither here, in 9:6, does it have to be interpreted so.

In addition to the many verses in which God seeks out blood guilt, avenges it, and pours out his wrath, are those that describe how he holds the fate of everyone in his hands.<sup>245</sup> Deut 32:39 reads, “See now that I, even I, am he, and there is no god beside me; I kill and I make alive; I wound and I heal; and there is none that can deliver out of my hand” (ESV). This sentiment echoes throughout scripture (cf. 1 Sam 2:6, Job 1:21, Job 12:10). Even up to the

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And if the people of the land do at all close their eyes to that man when he gives one of his children to Molech, and do not put him to death, then I will set my face against that man and against his clan and will cut them off from among their people, him and all who follow him in whoring after Molech. “If a person turns to mediums and necromancers, whoring after them, I will set my face against that person and will cut him off from among his people. Consecrate yourselves, therefore, and be holy, for I am the Lord your God. Keep my statutes and do them; I am the Lord who sanctifies you. For anyone who curses his father or his mother shall surely be put to death; he has cursed his father or his mother; his blood is upon him” ESV. Here both are at work, the people who stone the man, and God who sets his face against them. If they do not stone him, then God himself will also “cut them off” from their people.

<sup>245</sup> While there is no specific reference to God “shedding/pouring out” someone’s blood, I do not think this is a problem. God “strikes” and “kills” the first born of Egypt in the stead of the Hebrew firstborn. He also uses a variety of means to kill humans. For instance, in Joshua, God uses hailstones and hornets to accomplish his will. Jos 10:11, “And as they fled before Israel, while they were going down the ascent of Beth-horon, the Lord threw down large stones from heaven on them as far as Azekah, and they died. There were more who died because of the hailstones than the sons of Israel killed with the sword.” Jos 24:12, “And I sent the hornet before you, which drove them out before you, the two kings of the Amorites; it was not by your sword or by your bow.” He also uses vipers to judge and kill the Israelites in Num 21:6-9. Ezek 14:21 summarizes God’s many ways of judging humanity, “For thus says the Lord God, “How much more when I send my four severe judgments against Jerusalem: sword, famine, wild beasts and plague to cut off man and beast from it!” Later in Ezek 29:8, it is more explicit, “I will bring a sword against you and kill both man and beast.” While this metaphor most likely means an army, it is nonetheless God doing it. Jer 15:3 is also similar. He will send dogs, birds, and beasts to destroy. The above is also in addition to the natural elements as instruments of judgment: water (the flood), fire (Sodom and Gomorra), and earth (Korah’s rebellion).

Maccabean period people were still calling on God to pour out his wrath on bloodshed, “to hearken to the blood that cried out to him” (NRSV).<sup>246</sup>

To the verses above could be added many others which contain similar language and depict God’s talionic justice.

Jer 14:16, “For I will pour out their evil upon them.” ESV

Ezek 7:8, “Now I will soon pour out my wrath upon you, and spend my anger against you, and judge you according to your ways, and I will punish you for all your abominations.”<sup>247</sup> ESV

Ezek 14:19-20, “Or if I send a pestilence into that land and pour out my wrath upon it with blood, to cut off from it man and beast, even if Noah...” ESV

Ezek 16:43, “behold, I have returned your deeds upon your head, declares the Lord God.” ESV

Ezek 16:38, “And I will judge you as women who commit adultery and shed blood are judged and bring upon you the blood of wrath and jealousy.” ESV

Ps 79:10, “Why should the nations say, “Where is their God?” Let it be known among the nations before our eyes, by the avenging of the blood of your servants that was poured out.” LHB

2 Ki 24:3–4, “Surely this came upon Judah at the command of the Lord, to remove them out of his sight, for the sins of Manasseh, according to all that he had done, and also for the innocent blood that he had shed. For he filled Jerusalem with innocent blood, and the Lord would not pardon.” ESV

Throughout the Bible, it is not uncommon for God’s justice to be depicted in talionic terms within the context of both שָׁפַךְ + דָּם. Upon closer inspection, a majority of the occurrences are in Ezekiel. This is not surprising since the author picks up various threads from the flood

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<sup>246</sup> 2 Mac 8:3. Pedersen, *Israel, Its Life and Culture, Volumes 1-2*, 389. Pedersen 389

<sup>247</sup> See also, Ezek 9:8, “While they were killing and I was left alone, I fell facedown, crying out, “Alas, Sovereign LORD! Are you going to destroy the entire remnant of Israel in this outpouring of your wrath on Jerusalem?” NIV.

narrative and uses it extensively in its early chapters.<sup>248</sup> A few cases will suffice. In a typical example of God pouring out his wrath “with blood” he names Noah in the following verse (Ezek 14:19-20).<sup>249</sup> The same verse also mentions “man” and “beast” both echoing Gen 9:1-7.<sup>250</sup> Throughout Ezekiel, certain texts also pick up on the notion of the “image of God” which is important to Gen 9:6 (Ezek 1:26-28; 7:19-20; 16:17; 23:14-15).<sup>251</sup> Bloodshed is also a common theme occurring as “blood,” “violence,” and “shed.” All of which recall the flood narrative.<sup>252</sup> Both of these themes are intimately connected in Ezekiel. Kutsko writes, “the prohibition of bloodshed and the polemic against idolatry both involve the concept of human creation in the image of God.”<sup>253</sup> For Ezekiel the exile was another flood by which God would purge the bloodshed which had defiled the land and save a remnant for himself. For our purposes here it seems very likely that Ezek 36:18 (and other biblical witnesses) is interpreting Gen 9:6 along the same lines as the Septuagint, and interpreting Gen 9:5 as the point of emphasis.<sup>254</sup>

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<sup>248</sup> John F. Kutsko, *Between Heaven and Earth: Divine Presence and Absence in the Book of Ezekiel*, 1st edition. (Winona Lake, IN: Eisenbrauns, 1999), 71.

<sup>249</sup> This is important as Noah is rarely mentioned by name.

<sup>250</sup> Verse 21 goes on to read, “How much more when I send my four punishments—the evil sword, and famine, and a fierce animal, and a plague—to Jerusalem to cut it off, both human and animal!”

<sup>251</sup> However, he does not use this specific priestly terminology, presumably because the word “image” was connected to cultic worship of statues. Ezekiel uses the term strictly in reference to idols. Kutsko, *Between Heaven and Earth*, 65–70.

<sup>252</sup> Kutsko writes, “Ezekiel repeatedly cites the following expressions—nearly always in the same context with idol polemics— as either the reason for or the consequence of the exile: shedding blood, blood in the city, land full of blood (7:23; 9:9; 16:36, 38; 18:10; 22:3, 4, 6, 9, 12, 13, 27; 23:37, 45; 24:7, 8; 33:25; 36:18). The city and land are also full of violence (7:11, 23; 8:17; 12:19; 22:2; 24:6, 9; 45:9). The expression ‘to shed/spill blood’ is a frequent element of this condemnation and appears to mean ‘to commit murder.’” *Ibid.*, 71.

<sup>253</sup> *Ibid.*

<sup>254</sup> *Ibid.*, 74.

In summary it seems the best way to interpret 9:6a is as a new principle of justice. God is now changing his sentence for murder from what it was previously. Whereas earlier they might get away with murder, now each will pay with his own life. The next verse will give the reasoning for such a serious punishment.

#### Genesis 9:6b

Genesis 9:6b reads “because in the image of God he made man.”

כִּי בְצַלְמֵם אֱלֹהִים עָשָׂה אֶת־הָאָדָם

The interpersonal nature of this comment, specifically the switch from first person in Gen 9:5 to third person in 9:6b has led many commentators to speculate about the origin of this comment. Either God is now speaking in the third person (which is not unbelievable given the second person speech earlier in Genesis), or this was included as a narrative comment by the author.<sup>255</sup> If one adopts the later view, then it may function as a sidebar from the narrative to theologially rationalize divine or human capital punishment in contrast to animal death.<sup>256</sup> On this addition in Gen 9:6b, Michael Fishbane observes, “It functions not solely to explain why God will restore human blood (to a clan) when humans have been killed by animals, but also to explain the prohibition of manslaughter and the inevitable legal retribution.” A similar phenomenon happens after Adam meets Eve in Gen 2:24, when the narrator comments on Adam’s poem, that “this is why a man leaves his mother and father.”

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<sup>255</sup> Exactly when this comment was included does not seem to make a difference for the present study. Gen 9:6a may have been an existing proverb which the author included and then added 9:6b to give it a theological rationale, but this fact does little to explain what he meant.

<sup>256</sup> Citing Michael Fishbane, Lynch notes that 9:6b “is an aggadic interpolation, lending an otherwise strictly legal prohibition an overtly theological rationale.” Lynch, *Portraying Violence in the Hebrew Bible*, 83. See also Fishbane, *Biblical Interpretation in Ancient Israel*, 320.

But exactly how does this fit with 9:6a? The majority and traditional interpretation is that 9:6b is prohibiting murder because the *imago dei* represents a special dignity or status.<sup>257</sup> In contrast, animals do not have this status and so now can be killed. However, some proponents of the *beth instrumenti* view argue that their view is justified by a different reading of 9:6b.<sup>258</sup>

Wilson and Jancovic interpret 9:6a theologically by the concept of the *imago dei* in 9:6b, but in a very different manner than the traditional one.<sup>259</sup> In this section I will examine Wilson's

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<sup>257</sup> J. Richard Middleton, *The Liberating Image: The Imago Dei in Genesis 1* (Grand Rapids, MI: Baker Academic, 2005), 221; Jerome F. D. Creach, *Violence in Scripture* (Louisville, KY: Westminster John Knox Press, 2013), 42.

<sup>258</sup> Another recent interpretation of Gen 9:6 is by Simon Skidmore, who argues that the image of God only applies to those who are faithful to God or "torah" observant. In short, the verse in discussion concerns someone who does not bear the *imago dei* and kills someone who does bear God's image. Therefore, this verse is not applicable to those outside the faith unless they kill someone who is in the faith and the emphasis on the value of life does not apply to those who are not image bearers. The phrase "image of God" then functions as a boundary marker.

Overall, there are several things to appreciate in Skidmore's proposal, including a novel reading of the *imago dei* and attention to the theme of the seed in Genesis. With that, there seem to be notable weaknesses. Mainly, he does not take all of Genesis 1-11 into account. First, within Gen 9:1-7 his proposal does not adequately make sense of the importance of blood. His proposal needs to explain 1) the value of animal blood as opposed to animal flesh, and 2) how human blood is connected to this value put on blood in the previous verse. The emphasis seems to be on the sanctity of blood throughout vv. 4-6. The main contrast within these verses is that while respect must be shown for both, animals are allowed to be killed while humans are not. Second, he creates a false dualism in Gen 9:6. In trying to fit 9:6 within his paradigm he sees "the shedder of blood" 9:6a as referencing an "other," as opposed to mankind or *ha'adam*. The problem is that in Gen 9:5, this person is not an "other" but a "brother." This verse directly recalls the Cain and Abel story and that it is their fraternal relationship which makes murder so heinous. God will avenge the blood "from the hand of each man's brother." Third, the exact relationship between "Torah observance" or being righteous and the *imago dei* in Gen 9:6 is unclear. Technically there is no law against murder in this section and there is no penalty for consuming blood. The only positive commands are to be fruitful and multiply. Fourth, there are also a few problems with his use of the rivalry of the "seeds" theme. 1) This proposal does not explain why Cain is not executed for killing Abel who is the "righteous seed" who "bears the *imago dei*" because of his obedience. 2) Throughout the line of the righteous seed, we find that there is "none who is righteous." Adam and Noah both fall (as many also do later, such as Moses). So then, do they not "bear the *imago dei*" any longer? 3) While the theme of the seeds and sibling rivalry is strong in the beginning, it becomes somewhat murky later. Both Jacob and Esau as well as Joseph and his brothers all reunite. They are no longer "enemies." Simon Skidmore, *Capital Punishment in the Pentateuch: Why the Bible Prescribes Ritual Killing* (New York, NY: T&T Clark, 2022), 23-33.

<sup>259</sup> Overall neither Wilson nor Jancovic get into debates over the *Beth* preposition in 9:6a. Instead, they simply build their theologies on top of the majority interpretation. Therefore, their arguments are examined in this section. However, Jancovic notes that "the Hebrew text of Gen 9:6 admits both possibilities of the preposition [*beth*], although the vast majority of translations are in favour of *bet instrumentale*." Jancovic, "Blood Revenge in Light of the Imago Dei in Genesis 9," 197. Furthermore, Jancovic relies on Waltke O'Connor for the syntax of 9:6a, which as we have seen is not without critique. Overall, it appears he does not use discourse analysis to argue for a certain point but instead shows how an already existing view fits into a discourse analysis paradigm. I say this not to diminish his work but to point out that the same thing could be done for the *Beth pretii* view.



essay primarily as he is the originator of these central arguments.<sup>260</sup> Wilson’s main claim is that “the *imago Dei* stresses the royal function of humanity as God’s vice-gerent on earth, and that, to perform that duty, humans ideally should imitate God’s actions.” Thus, “rather than a prohibition of murder, Gen 9:6 provides a sanctioning of blood vengeance; therefore, its meaning is that humans punish bloodshed with bloodshed because they are made in the image of God.”<sup>261</sup> Just as God had executed the wicked in the flood, now humans are to do the same for they are made in the image of God. Jancovic takes this one step further insisting that, “In the postdiluvian world, therefore, the *imago Dei* consists primarily in the responsibility humans have to avenge

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<sup>260</sup> Although, in German O. H. Steck was first. He writes, “As already indicated above, the reasoning in v. 6b refers to both occurrences of *adam* in v. 6a with *hadam*, in accordance with the wording, to *adam* in v. 6aα as a sacrifice according to its value, which in the special position as the «image of God» for the continued existence of creation, and on *adam* V. 6aβ as the executor of the death penalty, whose authorization in this special case is also based on his ruling function as the "image of God" over the creatures.” Steck, “Der Mensch und die Todesstrafe,” 129. There is no evidence to support whether it is supposed to have a double referent or not. Instead, this seems untenable. Steven Mason argued for this position similarly, however this was not his main concern and does not develop it out. Mason, “Another Flood? Genesis 9 and Isaiah’s Broken Eternal Covenant,” 191–4. This position was also somewhat noted by Bush although this is not explicitly connected to the earlier passages about ruling in Gen 1. Although, he interprets Gen 9:2-3 as security from wild animals, and on 9:5 believes that punishment is in here the in the idea of “requiring/seeking,” specifically from God. However, interprets “from the hand of” as “at the hand of.” Yet this passage uses a *min* and not a *beth*, which would be more appropriate to indicate agency. George Bush, *Notes, Critical and Practical, on the Book of Genesis* (Iverson, Phinney & Company, 1868), 152–5.

<sup>261</sup> Wilson, “Blood Vengeance and the *Imago Dei* in the Flood Narrative (Genesis 9:6),” 268. See also Bulet who follows both Mason and Wilson. Dustin G. Bulet, *Judgment and Salvation: A Rhetorical-Critical Reading of Noah’s Flood in Genesis* (Pickwick Publications, 2022), 200–1.

blood.”<sup>262</sup> If Gen 9:6b does support a *beth instrumenti*, then this may be decisive for the present thesis.<sup>263</sup>

It is notable that John Walton foresaw this possibility long before these articles. While he ultimately believes Gen 9:6a is God granting humanity to carry out his justice he does not believe it is based on a juridical function of the *imago Dei*. Instead, he believes Gen 9:6b to be a motive clause and that based on the closest syntactical parallels (Ex 31:14; Lev 17:4, 19:18) that it “is intended to get to the heart of why the crime is so bad.”<sup>264</sup> However, many may not be persuaded by Walton. Therefore, their specific arguments must be examined in detail. Wilson argues his view based on two points. First, this delegation of authority to execute murderers imitates God’s action in the flood. Second, blood vengeance is a royal responsibility in the Hebrew Bible.<sup>265</sup> These will now be examined in turn.

The most persuasive piece of evidence is God’s delegation of work to the *imago Dei* in Gen 1. This delegated work parallels his earlier work of creating the universe. So here, they contend, God delegates capital punishment which he had already accomplished. In both cases God and man bring order out of chaos.

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<sup>262</sup> Jancovic, “Blood Revenge in Light of the Imago Dei in Genesis 9,” 204. Commenting on Steck’s similar position, Schnocks writes, “Steck, like Franz Delitzsch and in his wake von Rad, wants to derive a further argument from the justification in Gen 9:6b with its reference to the creation of man in the image of God— albeit here without any connotation of there being state authorities. If this argument were correct, a biblical-theological justification would be found here for the tenet that the killing of humans— albeit in an extreme case— was a divine commandment for all humans, thus making the killing of humans theologically compulsory in those religions based on the Bible. However, in addition to the hebraistic philological considerations, a number of references show that this is not the case.” Schnocks, “When God Commands Killing: Reflections on Execution and Human Sacrifice in the Old Testament,” 114.

<sup>263</sup> Both Wilson and Jancovic’s main aim of critique are those who consider the *imago dei* as nonviolent. On account of this, they spend less time on Gen 9:6a. However, this is still important for our thesis because Gen 9:6a cannot be interpreted apart from 9:6b.

<sup>264</sup> Walton, *Genesis: The NIV Application Commentary*, 355. See also Bruce Waltke who agrees with Walton. Waltke and Fredricks, *Genesis*, 157.

<sup>265</sup> Wilson, “Blood Vengeance and the Imago Dei in the Flood Narrative (Genesis 9:6),” 268.

This parallel unfortunately seems to break down with respect to parallels in Gen 9. While Adam works in the garden just as God worked (by naming creation), there is no such parallel of humans holding murderers accountable. Conversely, there is no parallel for meat consumption on God's behalf. The closest parallel might be that God kills animals in the flood, but this itself is not new for he did so already in Gen 3.<sup>266</sup> Furthermore, killing animals for sacrificial use was already at work as well in Gen 4.

Furthermore, this misses the difference between essential vs. accidental properties. Gen 1's delegation seems to be essential to the nature of the *imago Dei*, or at least related.<sup>267</sup> While there is a pattern to his delegation of work, it may be that the pattern is not essential to the *imago Dei* but the delegation of work and/or the status of *imago Dei* is. In essence, this could be correlation and not causation. Just because humanity is to imitate God in 1:28 does not mean they are to do so in 9:6.

While there may be a pattern in Gen 9:6a, it ultimately depends on how one translates the *beth* preposition. As we have seen, this is based on the "by man" interpretation. Yet, if there is good reason to think it isn't, as it was shown earlier, then his first point is also called into question because this line of evidence rests on the "by man" interpretation. This interpretation falls apart if the "for man" interpretation is adopted.

Ultimately this first point seems untenable based on a *beth pretii* reading, and while on a *beth instrumenti* reading there may be a pattern, his conclusions are still questionable as this

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<sup>266</sup> The fact that there are so many specificities surrounding the new relationship to animals (including declarative statements and delineation) would seem to suggest that if there was a change to existing inter-human relationships the text would also contain the same declarative statements and specifications. Yet it does not. See above for more details.

<sup>267</sup> It is beyond the time and scope of this section to go into debates concerning what constitutes the *imago dei*, and so for the sake of argument I am granting this premise.

could be a result of correlation and not intended patterning. The veracity of this claim will largely be determined by how well his other evidence holds up.

To his second point, I contend that Wilson misinterprets blood revenge as a royal act by the correlation of royal persons participating in blood vengeance. While the royal persons he lists participate in this act, many other non-royal persons do so as well.<sup>268</sup> A simpler explanation is that they are participating in blood vengeance not because they are royal and functioning in a specific *imago Dei* function but that in this socio-historical context this is a common societal task that most people partake in if the right conditions happen. The reason this act is included in the description of the ideal king in Ps 72 is that injustice and murder prevent life, which are directly opposed to what God stands for. There can be no life and flourishing if the king does not care for the poor, fight against injustice, and avenge blood.

This point would be more persuasive if there was a royal figure in Genesis who held murderers responsible, someone like Joseph.<sup>269</sup> Many have noted that Joseph functions as a capstone to Genesis which ties all the major themes of the book together.<sup>270</sup> For instance, he becomes the new Adam. His obedience to God leads to the people becoming “fruitful and multiplying.” He is the “lord of the land” whose work “subdues” the earth to save the people from the coming famine. His narratives includes the account of his betrayal, enslavement, and transportation down to the land of “death.” This example would be ripe for Wilson’s point, only that Joseph does not repay his brothers in kind. Nor is there any example of Joseph using capital

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<sup>268</sup> Jancovic understands this when he writes, “The utterance of Gen 9:5 establishes the Israelite kinship-based institution of the ‘blood avenger.’” Jancovic, “Blood Revenge in Light of the *Imago Dei* in Genesis 9,” 199.

<sup>269</sup> I do not know if there is a single case of just capital punishment in Genesis. It seems that all murders are depicted in negative terms (except maybe the servant of Pharaoh, who is “hung on a tree,” a “cursed” thing later in the Law). Compare this with the righteous (Abel and Noah) who offer sacrifices.

<sup>270</sup> Please see the next chapter on themes running through Gen 1-11 for more information on this.

punishment.<sup>271</sup> Instead the author chooses to emphasize God’s sovereignty and His response to this situation. Moreover, Wilson’s position is complicated by the fact that several royal figures, namely Moses and David, not only murder people but are not put to death themselves.<sup>272</sup> David is also barred from building God’s temple because of his bloodshed (1 Chronicles 22:8). It should go without saying that many royal figures are depicted as evil through their shedding of innocent blood.

Wilson notes the potential counter to his thesis that Gen 9 lacks the imperatives to “rule and subdue.” He argues that “their conspicuous absence here strongly suggests that the action incumbent on humanity as God’s vice-gerent outlined at the end of the flood narrative—namely, to avenge innocent shed blood—replaces the depiction of the *imago Dei* from the creation story in light of the divine reassessment of creation after the flood.”<sup>273</sup> This will undoubtedly be unpersuasive to many since Wilson does not provide any evidence to support this claim. Not only that, but his assumption is only one possible interpretation of many, and he does not consider any others. If this is now the chief responsibility of being made in the image of God, then one might expect this connection to be made explicit when mentioning capital punishment. But no such connection is ever made.

Apart from Wilson’s own questionable evidence is the underlying problem that this view of the *imago Dei* seems out of place in Genesis. This is especially true of Jancovic’s position that

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<sup>271</sup> Joseph’s great act is his recognition of God’s sovereignty and the forgiveness which he extends to his brothers.

<sup>272</sup> In the David story there is no government procedure. God takes action into his own hands. In response to David’s sin, God “strikes” his son. This also recalls God’s murder of Pharaoh’s son, instead of repaying Pharaoh’s murder of Hebrew newborns with his own. For more information on God’s actions towards David’s sin, see Rachele Gilmour, *Divine Violence in the Book of Samuel* (New York, NY: Oxford University Press, 2021), 24–53.

<sup>273</sup> Wilson, “Blood Vengeance and the *Imago Dei* in the Flood Narrative (Genesis 9:6),” 272.

blood vengeance is the primary responsibility of the *imago dei* in the post-diluvian world.<sup>274</sup> Besides Genesis, it is unclear how this view can coexist alongside Lev 19:18, “do not take vengeance...against your people.” Furthermore, it does not cohere with Jesus as the image of God and his ethical teachings. In his article, Jancovic recognizes this as a problem but only gives a cursory and brief answer. It even seems that all he has argued for becomes moot given his reply that, “later in the Bible also the blood vengeance will be stopped. Jesus – the “image of the invisible God” (Col 1:15) – prayed not for vengeance against those who unjustly shed his blood, but that they should be forgiven (Luke 23:34).”<sup>275</sup> He concludes, “therefore the execution of the death penalty, which was allowed on the basis of a direct reading of Gen 9:6, should today never be easily accepted nor customarily allowed, but rather carefully explored.”<sup>276</sup> Are there essential properties to the *imago Dei* or not? When the *imago Dei* is treated so loosely it seems to upend the very strength of the doctrine and its importance.<sup>277</sup>

A second underlying problem is that Jancovic seems to incorrectly interpret other data to support this position. For example, he writes, “Moreover, the closeness of man to God, expressed through the image of God, plays a role here, and therefore it is the man to whom he transmits the role of the redeemer of blood (i.e. Ps 9:11-12; 2 Chr 24:22-25).”<sup>278</sup> What is most perplexing is that he cites as evidence two passages which speak quite clearly about God as the avenger of

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<sup>274</sup> This is very similar to Wilson’s claim in the former paragraph, except that it is much more explicit.

<sup>275</sup> In this way, Jesus mirrors Joseph. Thus, Jancovic’s paradigm is overturned not when he gets to the New Testament, but before it even leaves Genesis.

<sup>276</sup> Jancovic, “Blood Revenge in Light of the Imago Dei in Genesis 9,” 204–5.

<sup>277</sup> If the content of this idea can be switched so many times, can it be the same thing?

<sup>278</sup> Jancovic, “Blood Revenge in Light of the Imago Dei in Genesis 9,” 204.

blood. These passages are not about man being entrusted with blood vengeance. Instead, they depict humans crying out to God to avenge their own blood.

A third underlying problem, and most crucial, is that this view of the *imago Dei* as a justification for humans to carry out capital punishment presupposes what it is trying to argue against. This is made clear when we ask exactly why it is so egregious to kill another human that it mandates capital punishment? This is especially poignant when we note that humans are allowed to kill animals, but no such allowance exists to kill another human. It is at once obvious that 9:6b is instead, as the majority of interpreters have reasoned, a justification of the value of human life. In fact, this would be the closest the text comes to making such a statement. There is no other statement concerning the value of human life which Wilson and Jancovic could point to which would allow 9:6b to build on.<sup>279</sup> Gen 9:5 is only a guarantee of God's involvement, 9:6a is a principle (which may or may not include human agency) and 9:6b seems to be the principle why now all of sudden God is now allowing a human to be killed for murdering another human, namely that they have intrinsic worth and status being made in the image of God.

In summary, there are too many weaknesses in Wilson and Jancovic's arguments. In light of this, 9:6b cannot be used to justify a *beth instrumenti* interpretation, namely that humans enact capital punishment because they are vice-regents of God, and this is the new "content" of the *imago Dei*. Instead, the traditional reading of 9:6b seems more persuasive, namely that humans

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<sup>279</sup> In Gen 4, there is only the hint of this with God's statement that "his blood cries out" which obviously merits further exploration and drives the reader further. Likewise in the flood narrative, there is no statement on human worth. In fact, if this was the end of the story one might have left with the sense that there was nothing inherently special about humans. The opposite would be more likely, namely, that they are violent creatures and God sees them as worthy of death.

are inherently valuable and that this justifies the difference in treatment between humans and animals.<sup>280</sup>

### Conclusion

Examining Gen 9:6 on its own, Zehnder's conclusions appear to be the most persuasive. However, once we look at this verse in the immediate context of Genesis 9:1-7 and analyze the specific language the author uses as well as how it is used elsewhere in the Bible, his conclusion seems untenable. Instead, the central thrust of 1) life and death as overarching themes, 2) the lack of details surrounding the institution of something as important as capital punishment or government, 3) the suggested practice of interpreting the unclear by the clear, 4) the pattern of clear speech when God is commanding something of Noah and his sons, 5) the statistics concerning grammatical features and syntactical words being used, and 6) its parallels in the rest of the Bible, collectively present an accumulative argument for a *beth* of price/exchange and translating Gen 9:6 as "for man." However, there is still the matter of interpreting this verse within the thematic context of Gen 1-11, and the larger context of the book of Genesis itself. These will be the subjects of the subsequent chapters.

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<sup>280</sup> Carr, *Genesis 1-11*, 264. Carr generally follows Seebass who states "Human beings are made by God differently from animals, they are his images. The justification therefore applies not only to V 6a, but to V 5-6a, but at the same time wants to underline the special role of V 6a." He argues that this, "must not be interpreted as empowering a government or even a state to carry out the death penalty!" (My translation). Seebass, *Genesis*, 225.



### Chapter 3: Themes in Genesis 1-11

Many themes that stretch the canon's length find their origin in Genesis 1-11. As an etiology for the present situation in which humanity finds itself, the author makes several themes more prominent than others. For the study of Genesis 9, however, only a few themes will be briefly examined as to how they can help interpret the Noahic covenant and any political theology present within or derived from it. Thus, this chapter takes its cue from biblical theology. These themes are undoubtedly interrelated and, in some way, inextricable from each other. This chapter will examine the themes of life and death, poetic justice, seed, and rulership. These are crucial to the story's meaning (and thus Gen. 9) because they drive the plot forward.

#### Theme: Life and Death

Life and death are powerful twin themes that flow through Gen. 1-11.<sup>281</sup> In Gen. 1, God brings order and then life to each created realm. As each species is placed in their realm, they are blessed to produce more life after their kind. He then creates humankind with a similar admonishment. From the beginning, God's design is the abundance of life. However, in Gen. 2, God gives humanity a command and the penalty for breaking the command which is death. In Gen. 3, the serpent entices the pair away from believing this truth about death. After disobeying God, they are barred from returning to the "tree of life." Then in an act of grace, God kills an animal to provide clothing for the pair, the first recorded animal death. Humans will begin to kill animals for sacrifices. Surprisingly amid all this newfound death, Genesis 4 brings more life with the "mother of all living" giving birth to Cain, but with him more death, being the first murder. Cain tells God that "whoever finds me will kill me."

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<sup>281</sup> Life and death are themes which seem to be overlooked, being in the shadow of the themes of creation and sin, which they are undoubtedly a part of.

This episode leads next to his descendants, who cause more murder. A descendant of Cain, Lamech, murders two people in response to minor violations against himself.<sup>282</sup> The Sethite genealogy of Gen. 5 echoes like a gong, with the phrase “and then he died” occurring eight times.<sup>283</sup> Both genealogical lines involve death, albeit in different ways. The former brings death, while the latter succumbs to it. The pre-diluvian people of Gen. 6 only know violence, and their murder corrupts and defiles the earth.<sup>284</sup> But this will also lead to God ironically bringing death (“corruption”) upon them. Genesis 7 concludes, “Everything on dry land that had the breath of life in its nostrils died.” Genesis 8 reiterates the blessing to multiply, be fruitful, and increase, as well as recounting another death of an animal sacrifice.

Finally, for our purposes here, Gen. 9 repeats the cycle of creation out of chaos. The new humanity is told to multiply again. Now they are allowed to bring about the death of animals for food, not just sacrifice. Yet, they are not allowed to eat the blood because the “life” of the animal is in the blood. However, it is not the same with humans. Three times God declares he will account for the shed blood of a human being, whether from an animal or humankind. This statement leads to a beautifully simple chiasmic poem stating that whoever sheds blood, their

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<sup>282</sup> Whether it is one or two victims is debated based on parallelism.

<sup>283</sup> This is fascinating because this is the only genealogy to follow this pattern. Neither Cain’s genealogy in Gen. 4, nor Noah’s in Gen. 10 (except his own being the single exception in Gen. 9:29 right before his line, however this might be attributed to the fact that while he is mentioned in the Genealogy of Gen. 5, his death is not recorded there), nor Shem’s genealogy in Gen. 11, nor Terah’s genealogy in Gen. 11 follow this pattern (Terah being the single exception in his line, although Haran’s death is mentioned but not in the same formulaic pattern). So, the final sentence between Gen. 1-11 and the Abraham cycle is one of death. Overall, the formulaic pattern in Gen. 5 is thus fascinating and may contribute to the theme of human death and violence by heightening the tension before God’s worldwide assessment of human corruption. On this unique addition, Stephen Dempster writes, “Each of the descendants listed lived to a very old age, and yet each died in turn, succumbing to the dominion of the earth. This unique litany of death in a genealogy of the Tanakh, despite the longevity of life, is best explained by its context. It functions as the death knell of the judgment in Eden.” Stephen G. Dempster, *Dominion and Dynasty: A Biblical Theology of the Hebrew Bible*, New studies in biblical theology (Downers Grove, IL: InterVarsity Press, 2003), 71.

<sup>284</sup> While their crime is not specified, violence is probably the best answer, given the poetic justice of God (death for death) and that corruption of the earth is caused by murder (Num. 35:33). Jubilees explicitly mentions murder as their crime. See the section below on poetic justice for more information.

blood will be shed in the place of the shed person. So just as it began, God reissues his declaration for animals and humans to bring more life into the world. The genealogies of Gen. 10 and 11 show that God's original design for the multiplication of life is coming to fruition, despite humanity's actions. At the Tower of Babel, society multiples but does not fill the earth (the blessing reissued to Noah and his family), and so God disperses them himself.

### **Summary and Application**

Throughout Gen. 1-11, it is evident that God is a God of life, and his purposes and plans are for creation to flourish, yet humanity inevitably and continuously brings death into the world. Genesis 3-6 chronicles humanity's descent into more and more violence (primarily in the sense of murder). If the corruption or defilement of the earth is because of murder (as Num. 35:33 says), then this may be the chief problem. It seems then that life and death should be the primary theme through which one interprets Genesis 9:1-7.<sup>285</sup> This section is bookended by God's call to be fruitful and multiply, while in between, it deals with death in a fallen world. First, animal death and then human death. Neither are depicted as ideal. The value of human life is why killing and eating animals for food (except the blood, which "contains the life") is acceptable, yet it is inadmissible to kill a human being. Humans are in a distinct category of value, presumably because they are made in the image of God. As Gordon McConville writes,

The new element in the created order, the availability of animals as food for humans, gives rise to a distinction between the slaughter of animals and that of humans, with the penalty of death for the latter on the grounds that "God made humanity in his own image"

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<sup>285</sup> This is reinforced by Jubilees' reading (Jub. 6-7, 21) of Gen. 9:1-7 and its subsequent additions and expansions to the Genesis story, which continue the theme of the sacrosanctity of blood (life), and the recompense for shedding or consuming it. Furthermore, nowhere does it seem to discuss government or human justice in any of its additions or expansions. For more information, see William Gilders, "Blood and Covenant: Interpretive Elaboration on Genesis 9.4-6 in the Book of Jubilees," *Journal for The Study of The Pseudepigrapha* 15 (January 2006): 83-118.

(9:6). Once again, the “image” is more than role, but says something about the very identity of the human.<sup>286</sup>

Protecting life and its flourishing seem to be the driving force of this “new creation” section. However, this does not mean this is the only theme by which we interpret the stipulations of the Noahic covenant.

#### Theme: Poetic Justice

Throughout the Bible, one of the central motifs is that of “poetic justice.” This motif is visible during occasions of blessing and cursing, violence, and where the theme of ruling occurs in Gen. 1-11. Poetic justice is most clearly conveyed in the idiom “you reap what you sow.” It is poetic in that there is usually a sense of irony in what people receive back. As for justice, it seems to be measured by equality, as in the *lex talionis* principle.

While poetic justice is a part of human justice, it seems to be orchestrated and guaranteed by God himself. Sometimes it is immediate (as in the case of Onan, whose life was taken for “spilling” life), and sometimes it is a long process (as in the case of Joseph’s brothers receiving the same distress they inflicted on him, at least a decade or more after), or even different lifetimes as in the case of Esther and Haman playing out the originally intended fate of Saul and Agag.<sup>287</sup> Overall it may be best understood as part of significant reversals which appear throughout the Bible.<sup>288</sup>

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<sup>286</sup> J. Gordon McConville, *Being Human in God’s World: An Old Testament Theology of Humanity*, Reprint edition. (Grand Rapids, Michigan: Baker Academic, 2018), 21.

<sup>287</sup> James Bejon, “Esther & Agag,” 2020, [https://www.academia.edu/40042595/Esther\\_and\\_Agag](https://www.academia.edu/40042595/Esther_and_Agag); Marc Zvi Brettler, “Megillat Esther: Reversing the Legacy of King Saul,” <https://www.thetorah.com/article/megillat-esther-reversing-the-legacy-of-king-saul>.

<sup>288</sup> See for example, Gregory K. Beale, *Redemptive Reversals and the Ironic Overturning of Human Wisdom* (Wheaton, Illinois: Crossway, 2019).

It is worth quoting John Barton in full, where he describes the mechanism and rationality of poetic justice. He writes,

To say that the sinner is punished in a way that fits the sin is to say that God is consistent and rational in his dealings with us as one would expect a human judge to be; he gives people what they deserve, pays them back in their own coin, makes the punishment fit the crime. Scharbert makes the point that the ‘poetic justice’ texts show us a God ‘who is directly touched by human actions in the ethical sphere and reacts to them in an appropriate way’; whose punishment is understood in terms of a sense of justice which demands an appropriate “reward” for a good or evil deed.’ The ethical consistency of God, rather than the method by which retribution is effected, is the point at issue: God’s judgment is never capricious, but wholly consistent, and he acts according to moral principles which are essentially the same as those recognized among human beings. His justice is not simply a matter of definition, as in a wholly theonomous ethical system in which justice simply means ‘what God does or commands,’ but is a matter of empirical experience when judged by the standards which human beings use in assessing the conduct of other people.<sup>289</sup>

Readers of the text should then expect poetic justice to play out, not just for literary reasons but theological.<sup>290</sup> God does not act irrationally. Therefore, throughout the text this “reaping” almost becomes a guarantee.<sup>291</sup>

## The Garden Curses

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<sup>289</sup> John Barton, *Understanding Old Testament Ethics* (Louisville, Ky: Westminster John Knox Press, 2003), 42.

<sup>290</sup> This does not mean that God is simply an algorithmic judge. As Rutledge writes, “even against the backcloth of this long and inexorable decline into sin, God’s grace is evident in the expressions of mercy that accompany the curses and judgments in Genesis 3. Adam and Eve are expelled from Eden, but not before God has clothed them (3:21); Cain is made a wanderer, but is given a mark of divine protection (4:15); despite the global destruction of the flood, Noah and his family are saved, and the confusion of tongues at Babel is followed by the genealogy of Shem (11:10-26), which links the primal history to the patriarchs, and introduces the promise of restoration through Abraham.” Robin Routledge, *Old Testament Theology: A Thematic Approach* (Downers Grove, IL: IVP Academic, 2012), 158.

<sup>291</sup> Although there are several notable exceptions, for example, Cain’s judgment is not death but associated with his livelihood (a pseudo-death). Moses is never held accountable for his murder of the Egyptian (most likely because murder was not the intent) but for his blasphemy in equating himself with God (exile from the “new garden,” Israel.

Poetic justice comes on the heels of the first sin from the very beginning. Instead of receiving life in the Garden, Adam and Eve receive death outside of Eden in exile as a curse for their disobedience. Adam and Eve were to expel the unclean chaos creature, but instead, they were expelled from the garden for their failure and became, in a way, unclean themselves.<sup>292</sup> This instance is heightened by wordplay. As the Hebrew wordplay indicates, they followed the serpent who was “shrewd,” but instead they only became “nude.”<sup>293</sup>

God’s curses on the man, woman, and serpent also feature irony. Each curse directly relates to their commission and blessing. Now, “As a result of God’s judgment, the means of increasing in number, childbirth, is made difficult and painful (v. 16); it will also be painful and difficult to work the land (v. 17), and dominion over the animals, already undermined by the fact that the serpent deceived the first human pair, is replaced with conflict (v. 15).”<sup>294</sup> The blessings themselves have in a way become curses.<sup>295</sup>

For the man who was to work the ground, now his work will be painful and his yield not abundant. For him, the earth will no longer produce an abundance of fruit but an abundance of thorns. As Naselli writes, “Adam sinfully ate forbidden food; consequently, it is now more difficult to grow food. God created the earth as abundantly productive, but now he has cursed it.”<sup>296</sup>

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<sup>292</sup> Benjamin L. Gladd, *From Adam and Israel to the Church: A Biblical Theology of the People of God* (Downers Grove, Illinois: IVP Academic, 2019), 29.

<sup>293</sup> Wenham, *Genesis 1-15*, 72.

<sup>294</sup> Routledge, *Old Testament Theology*, 153.

<sup>295</sup> God’s curses will bring *sorrow*, but even He is inflicted with *sorrow* for having made man (Gen. 6:6).

<sup>296</sup> Andrew David Naselli, *The Serpent and the Serpent Slayer* (Wheaton, Illinois: Crossway, 2020), 43.43

Eve is to help fulfill the commission to “be fruitful and multiply” (Gen. 1:28) by childbearing (Gen. 1:28), but now the Lord will “surely multiply” her pain in childbirth (Gen.3:16).<sup>297</sup> This instance is more ironic, given the fact that earlier she misquotes God’s warning to the Serpent concerning the tree of life. There she said they will only “die” if they eat it (Gen. 3:3), not “surely die” as God says (Gen. 2:17) and as the Serpent correctly repeats (Gen. 3:4). The form of this verb combination is not found in either the Serpent’s or the man’s curse. For both, their pain, not their progeny or produce, will multiply.

In both of their distinct callings, the humans receive poetic punishment. But they also receive it in their shared calling to rule.<sup>298</sup> Now, the ground will rule over Adam. Adam will rule over Eve. Eve’s seed will rule over the Serpent, who will strike his head. If the image of being under the seed’s foot is correct, this could be royal war imagery. The Serpent will eat ‘dust’ which is reminiscent of Adam’s creation (Gen. 2:7). The serpent tries to get the better of *adam*, but now he will eat *adamah* for the rest of his life.

While not part of the Garden curses, God’s interaction with Cain follows a similar pattern with subtle twists. After murdering his brother, God does not curse the ground but curses Cain “from the ground,” which cries out against him.<sup>299</sup> Bill Arnold notes the irony, “that by which Cain sustained his life also bore witness against him.” While Adam was still able to work the ground, now Cain will not be able to at all. So just as Adam and Eve’s curses are related to their

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<sup>297</sup> C. John Collins, *Genesis 1-4: A Linguistic, Literary, and Theological Commentary* (Phillipsburg, N.J: P & R Publishing, 2005), 75.

<sup>298</sup> Dempster, *Dominion and Dynasty*, 67–8.

<sup>299</sup> Miller notes that *talion* also comes in the form of giving a life for a life, Seth (whose name means “appointed”) in the place of Abel. Unfortunately, he does not have anything to say about Gen 9:6. William Ian Miller, *Eye for an Eye* (Cambridge; New York: Cambridge University Press, 2005), 93.

tasks, “Cain’s occupation, his crime, and his punishment are all related to the “ground.”<sup>300</sup> Cain’s sin, being more significant, now requires a greater punishment.<sup>301</sup>

### **The Judgment of the Flood**

The theme of violence interweaves through the results of humanity’s sin and God’s justice. Humans bring destruction on the whole earth, but God will bring destruction on all humanity. A Hebrew wordplay makes this evident. They “corrupt” the earth because of their bloodshed, and now He will “corrupt” them.<sup>302</sup> He will do this by taking back the “breath of life” which He had given creation in Gen. 1.<sup>303</sup> Just as humans “multiplied over the earth” and with them their sin (Gen. 6:1), now the waters “multiply over the earth” (Gen. 7:17-18).<sup>304</sup> It is very plausible that Gen. 9:6 carries on this theme, albeit making the standard of God’s justice explicit.<sup>305</sup>

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<sup>300</sup> Arnold, *Genesis*, 80.

<sup>301</sup> It is very curious that, given everything else concerning murder in the Bible, Cain was not put to death immediately.

<sup>302</sup> While the text does not explicitly state bloodshed, this seems evident based on the connection to Cain’s bloodshed, which leads the ground to cry out, and Num. 35:33, which explicitly links bloodshed and pollution of the land. This is also how the author of Jubilees interprets their actions. He explicitly names murder three times. Jub. 7:23-25: “And everyone sold himself to work iniquity and to shed much blood, and the earth was filled with iniquity. And after this they sinned against the beasts and birds, and all that moves and walks on the earth: and much blood was shed on the earth, and every imagination and desire of men imagined vanity and evil continually. And the Lord destroyed everything from off the face of the earth; because of the wickedness of their deeds, and because of the blood which they had shed in the midst of the earth He destroyed everything.”

<sup>303</sup> While the Bible emphasizes that humans have the breath of life, given by God, other creatures are said to have “breath of life” as well (Gen. 1:30, 6:17). Routledge, *Old Testament Theology*, 139.

<sup>304</sup> Alter, *Genesis*, 33.

<sup>305</sup> Indeed, this is what John Barton argues. He writes, “I believe Horst is right to argue that the prohibition of murder is not seen by the writer as a potentially arbitrary commandment -as perhaps are the cultic laws- but as simply an explicit statement of what is held to be evident in any case from the existence of humans as made in God’s image, namely their essential sacrosanctity, their natural right to be immune from attack. God is indeed the ‘source’ of this sacrosanctity as of everything else, but it is misleading to see God’s role in this connection as that of a lawgiver. Rather, God is our creator and has made us to have a certain character which must be respected.” Barton, *Understanding Old Testament Ethics*, 34.



## The Scattering of Babel

The theme of poetic justice continues in the Tower of Babel episode. The residents of Earth try to make a name for themselves, become one, and reach God on their terms.<sup>306</sup> In doing so, they forsake the calling to be fruitful and multiply. Ironically, God must come down to see what they are doing.<sup>307</sup> After which, He scatters everyone and turns the one people into a multitude of peoples.

Stephen Dempster helpfully notes the word plays which accent the irony throughout the passage. On Gen. 11:1-9 he comments,

There (*šām*) at *šîn ‘ār*, by building a tower whose top would reach the heavens (*šāmayim*), the human community wishes to make a name (*šēm*) for itself. The longing for status, dominion and authority as seen in the desire for a name is a rebellion *en masse*, storming as it were heaven's gates. Consequently, the community is judged like the generation of the deluge. While they use bricks to build the tower (*niḇēnâ*), God confuses their language (*nābēlâ*) and disperses the people into exile, where they take the form of seventy distinct ‘families.’<sup>308</sup>

The Tower of Babel episode is a story about obedience and humanity’s relation to God. Therefore, we can rightly call this a “judgment” text. Even though there is no death, the worldwide scattering (which resonates with flood imagery) is God’s way of poetic justice and accomplishing his purposes. Jan Fokkelman also notes this,

If we see in Gen. 11 a story of retaliation, we must, however, make a restriction. Whereas the *talio*, however religiously founded, applies primarily to people in their relation to each other, we have come across a variant here, that the person attacked is God himself

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<sup>306</sup> Some suggest that this episode (along with Gen. 6) represents a negative crossing of divine/human boundaries.

<sup>307</sup> McKeown, *Genesis*, 71.

<sup>308</sup> Among other numerous parallels, is that both the people and God, at the start of their respective actions “come down,” and the words for “confuse” and “Babel” make a word play. Dempster, *Dominion and Dynasty*, 75.

and he himself is the one who executes the sentence. Nor is this a case of bloodshed or physical injury. Nevertheless we are justified in calling Gen. 11 a talionic text.<sup>309</sup>

In contrast to those at Babel, who tried to make a name for themselves yet fail, God next chooses Abraham and promises to give him “a great name.”<sup>310</sup>

### Summary and Application

When injustice occurs in Gen. 1-11, God is the arbiter and executer of justice. Gen. 9:6 asserts what true justice looks like compared to Lamech's gross and unequal justice. Genesis 9:6's structure itself neatly and succinctly expresses poetic justice, in the same vein as the *lex talion*. The traditional reading of “by man” would seem out of place given God's unique position, as intimately involved in matters of justice, which he is before and continues after Gen. 9:6.<sup>311</sup>

#### Theme: The Two Seeds

In the beginning, God created humanity “in the likeness of God,” yet the serpent tempts them, saying “you will be like God” (Gen 3:5), something they already were. With the fall they are God's anti-image, becoming more in the serpent's image. However, God offers hope in the woman's seed, who will conquer the serpent's seed (3:15).

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<sup>309</sup> Fokkelman, *Narrative Art in Genesis*, 38. See Fokkelman for a detailed account of the literary artistry in the Babel account.

<sup>310</sup> McKeown, *Genesis*, 202.

<sup>311</sup> This holds broadly for the entirety of Genesis, from large-scale events like the destruction of Sodom and Gomorrah to personal events like Onan's withholding his seed from Tamar (along with Judah's another son whom God killed because he was evil). This continues in Exodus, where God repays killing the Hebrew babies with Egypt's in the final plague (another example of poetic justice).

Genesis 1-11 is keen on tracing these two “seeds.”<sup>312</sup> The seed of the serpent walks in ungodliness and deals in deceit and death. The seed of Eve will crush the serpent’s head and walk in godliness. They will “call upon the name of the Lord,” and “bring rest.” Throughout the narrative, two genealogies are being traced and compared: the line of Cain versus the line of Seth, with dramatic differences.<sup>313</sup> One leads to death, more murder, and then the destruction of the whole world, while the other leads to the salvation of humanity. As McKeown aptly summarizes their importance, “The genealogies are a practical outworking of the theme of “seed” and give the book a sense of movement and future hope.”<sup>314</sup>

The first seed of the serpent turns out to be Cain.<sup>315</sup> In murdering his brother, he follows the serpent's path, who was responsible for his parent’s spiritual and later physical death. After his sin and subsequent confrontation with God, Cain tries to evade and shift the blame elsewhere, just as Adam and Eve had done. His line does not fare any better. Stephen Dempster notes the downward spiral in his genealogy. He writes,

“In a few verses the writer is able to convey a sense of the catastrophic descent of the human race from covering up killing to boasting in bloodletting. Cain’s nonchalant words and his great-great-grandson’s boast frame this genealogy and mark its spirit and its descent into a moral and spiritual abyss. The irresponsible ‘Am I my brother's keeper?’ attempts to deny murder (Gen. 4:9); ‘I have killed a man for wounding me’ glories in it (Gen. 4:23).”<sup>316</sup>

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<sup>312</sup> This theme is not only in Gen. 1-11 but runs throughout the whole book. For more information see McKeown, *Genesis*, 198.

<sup>313</sup> Specifically, the two genealogies of Cain in Gen 4:17-24 and Seth in Gen 4:25-5:32, or just Gen 5 depending on how one delineates the account. There are numerous parallels and word plays between the two.

<sup>314</sup> McKeown, *Genesis*, 200.

<sup>315</sup> Naselli argues that “The Bible depicts at least six categories of the serpent's offspring: (1) Egypt and its Pharaoh, (2) wicked leaders in Canaan and Moab, (3) the king of Babylon, (4) King Herod, (5) Pharisees and Sadducees, and (6) other false teachers.” Naselli, *The Serpent and the Serpent Slayer*, 69.

<sup>316</sup> Dempster, *Dominion and Dynasty*, 71.

The theme of the Serpent's seed would seem to have won in Gen. 6, and in a sense, it does. The whole world is full of violence and corruption. This theme is picked up by the authors in the New Testament.<sup>317</sup> However, this is not the end of the story.

The line of Seth, or the other "seed" of Eve (Gen 4:25), offers hope in contrast to Cain's descendants. Dempster also draws out the nuances of Seth's genealogy. He writes,

Implicit expectation becomes explicit in the next chapter (Gen. 5), which is entirely devoted to a ten-member genealogy in sharp contrast to the anti-genealogy of Cain. In this genealogy there are also notices of death but not those of murder...At the end of the genealogy another Lamech speaks, not boasting about murder this time, but wishing for a release from the curse imposed on the earth by God (Gen. 5:29). This is a world under curse with no relief in sight.<sup>318</sup>

Not only this, but significantly, Cain's Lamech is not given an age at all, while Seth's Lamech dies at the age of 777 (compared to Cainite Lamech's boast of 77x of revenge). The two genealogies also both have an Enoch. Cain's is associated with city building, while Seth's Enoch "walked with God."<sup>319</sup> Noah is the next high point of the line of Seth. He constructs an ark "to keep his seed alive on earth" (Gen 7:3), after which God establishes a covenant with him and his "seed" (Gen 9:9). In comparison to Noah, the whole earth is depicted as the serpent's seed.

The Tower of Babel episode moves the story forward, continuing the legacy of ungodliness. Just as things slowly degraded to the ungodly generation of the flood, things have spiraled down from the time of Noah. However, there are notable differences. The "reset" of the flood seems to work. Humanity has multiplied and lives together somewhat in harmony. Since

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<sup>317</sup> Naselli puts it briefly, "Humans are either children of God or children of the devil (Matt. 13:38-39; John 8:33, 44; Acts 13:10; 1 John 3:8-10)." Naselli, *The Serpent and the Serpent Slayer*, 41. In the same line of thought, John 8:44 says, "You are of your father the devil, and your will is to do your father's desires. He was a murderer from the beginning, and does not stand in the truth, because there is no truth in him. When he lies, he speaks out of his own character, for he is a liar and the father of lies."

<sup>318</sup> Dempster, *Dominion and Dynasty*, 71.

<sup>319</sup> McKeown, *Genesis*, 206.

Gen 9:6, wide-scale violence appears to have been curbed. Yet again, they attempt to cross the divine/human boundary on their terms, not from reverence but of selfish ambition “to make a name” for themselves and to not be dispersed in direct disobedience to spread across the earth. As T. Desmond Alexander writes, “Babel epitomizes the antithesis of what God desires,” and must be “viewed as the prototypical Godless city.” He continues, “While in Genesis 3 Adam and Eve aspired to become like God, the inhabitants of Babel now seek to establish themselves as supreme not only on earth but in heaven as well.”<sup>320</sup> Once again, God will ensure that his plan will move forward and “judge” them (just as he did in the flood). It will also include selecting another figure like Noah who will go out of the world. Someone through whom the righteous seed will continue, namely, Abraham.

### **Summary and Application**

It would seem then that Gen 9 may fit in the two seeds theme by further delineating human ethics between persons. It is the Serpent’s seed who murders, but the Seed of Eve will conquer. Genesis 9:6 could then be an outworking of the two seeds’ relationship. The line of Seth now has permission to bring to justice the line of Cain. Murder is inexcusable; otherwise, it will only lead to more death (as in the case of Lamech and the corrupt humanity of Gen. 6). On the other hand, it may fit within the minority interpretation that God will ensure that the seed of Eve does conquer the Serpent’s seed (just as he helped in the flood). It may be that He is now establishing a new precedent. He will no longer idly stand aside (as he let Cain go and Lamech unpunished). Instead, every human will be held accountable, and God will ensure it (as he says in Gen 9:5).

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<sup>320</sup> T. Desmond Alexander, *The City of God and the Goal of Creation* (Wheaton: Crossway, 2018), 25.

### Theme: Ruling

The act of ruling is an explicit yet somewhat veiled theme in Genesis 1-11.<sup>321</sup> In Genesis 1:26-28, God first describes what he will do: make humanity in his image, which includes letting humanity rule over the animals. After creating them, he blesses them to rule (1:28). However, there is an expansion. This time it includes “subduing” the earth as well as “ruling” over the animals.<sup>322</sup> It is important to stress that this is a blessing, not just a commandment.<sup>323</sup> In Gen 2:15, these duties seem to be expanded once again (or move from abstract to concrete) to include “serving” and “keeping” the ground.<sup>324</sup> This ruling and subduing is itself quite enigmatic. Two thorough explanations of these duties come from Norbert Lohfink and Richard Bauckham.

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<sup>321</sup> This may in fact be one of the most important themes for this thesis. However, space only permits an overview of this theme and its major views, and not an in-depth discussion.

<sup>322</sup> Of course, this blessing is most likely inextricable from 1:27, which states that humanity is in the image of God, a known ANE phrase with royal connotations. However, exactly how or to what extent these background materials (whether Egyptian or Mesopotamian) should or should not be used to interpret this phrase (whether positively or polemically) is highly debated. Lofink argues that this phrase may be less helpful than we think since this phrase is not only applied to Pharaoh but also others and sometimes not even in royal contexts. He also notes that Westermann shares a similar methodological concern. However, Richard Middleton has argued well for the inclusion of this material, specifically the Mesopotamian literature as a background to this phrase (to the exclusion of the Egyptian material). Norbert Lohfink, *Theology of the Pentateuch: Themes of the Priestly Narrative and Deuteronomy*, *Theology of the Pentateuch : Themes of the Priestly Narrative and Deuteronomy* (Minneapolis, Minn: Fortress Press, 1994), 4 n. 11.

The idea of “image of God” later appears in the Genealogy of Adam (or Seth) in Gen. 5:1, which does not seem to have any bearing on a royal connotation. It is intriguing but may be insignificant that the phrase here is actually “likeness of God.” In 5:3, Adam has a son in his likeness and in his image. Note that this is not said of Cain or Abel. This could possibly connote a moving away from the likeness of God, as they are now in the likeness of Adam. Either way, in both verses, there is no royal connotation. Overall, it may imply that after everything that has happened, the image of God is not lost, nor its status revoked. The next occurrence is 9:6, our verse in question, which may or may not have royal overtones. However, between 1:26 and 9:6, both have a concrete idea of the relation between man and animal. Furthermore, the presence of this phrase may once again imply that even after all that has happened (this time the flood), the image of God has not been lost nor revoked.

<sup>323</sup> This may have important ramifications later about how we think of ruling, government, etc, namely that there is no specified form or stipulations associated with it. Furthermore, there are no immediate repercussions for not doing so. *Ibid.*, 7.

<sup>324</sup> It should be noted that these concepts have been thoroughly argued to not connote any negative, abusive, or harsh rule, and so that interpretation will not be discussed further.

Lohfink argues that subduing the earth should be interpreted as “multiplying.”<sup>325</sup> When multiplying, humans take possession of the Earth in the most “undrammatic” interpretation possible, from the wild animals.<sup>326</sup> He similarly argues concerning ruling, which “is done by leading them to pasture, making use of them as beasts of burden, giving them commands to be obeyed, or in other words, domesticating them.”<sup>327</sup> Goldingay follows a similar line of reason concerning the animals.<sup>328</sup>

A slight problem with Lohfink’s approach is that it ignores the agricultural wording, imagery, and what seems to be an actual description of Adam’s work (and his son’s). Lohfink specifically does not address how the language of “serve” and “keep” the ground would impact this meaning (Gen. 2:15).<sup>329</sup> This is what leads Bauckham to his conclusions.

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<sup>325</sup> Lohfink is important in this discussion because he is one of the earlier commentators seeing Gen. 9 as a reinvention of the animal/human norms in Gen 1:26-28, and thus is quoted in the literature on that discussion. McKeown, *Genesis*, 228; Nathan MacDonald, “Did God Choose the Patriarchs? Reading for Election in the Book of Genesis,” in *Genesis and Christian Theology*, ed. Grant Macaskill, Mark W. Elliott, and Nathan MacDonald (Grand Rapids, Mich: Eerdmans, 2012), 252.

<sup>326</sup> Lohfink’s approach is enlightening when understood as an etiology for Israel. He writes, “Therefore for the people Israel, too, once it has been established, in Exod. 1:7, that the blessing of fruitfulness has been fulfilled, the next question is how it is to come into and take possession of the land of Canaan, which God has planned for Israel. God immediately offers an answer to this question by giving a promise, in Exod. 6:5-8 (only a few verses later in the priestly document), that Israel will be delivered from Egypt and will be led into the land of Canaan, which will become Israel’s possession.” Lohfink, *Theology of the Pentateuch*, 10–11.

Nathan MacDonald argues similarly, “Reading Genesis within the context of the Old Testament, stronger echoes are to be heard with Israel’s own experience. The command to be fruitful, multiply, and fill the earth appears to climax in the abundant Israelite tribes on the banks of the Nile (Exod. 1:7). The domination of the earth finds its closest parallels in the subjugation of Canaan during the conquest.” MacDonald, “Did God Choose the Patriarchs? Reading for Election in the Book of Genesis,” 252. However, the blessing of fruitfulness to humanity in Gen 9 is undoubtedly filled in climax of the nations in Gen. 11.

<sup>327</sup> Lohfink also notes that this idea does not seem to appear again except for our chapter in question, Gen. 9. Lohfink, *Theology of the Pentateuch*, 12.

<sup>328</sup> Goldingay, *Genesis*, 45.

<sup>329</sup> See Bauckham for his critique. Richard Bauckham, “Humans, Animals, and the Environment in Gen 1-3,” in *Genesis and Christian Theology*, ed. Nathan MacDonald, Mark W. Elliott, and Grant Macaskill (Grand Rapids, Mich: Eerdmans, 2012), 182 n. 12.

While Bauckham might agree at least with the above, he takes a slightly different approach.<sup>330</sup> He argues, “It seems likely that “subduing” the land here refers to agriculture, since the only way humans are able to fill the land is to cultivate it and so to make it yield more food than it would of its own accord. If the element of force is intrinsic to the verb כבש, then the reference is to the fact that farmers must work the land to make it yield crops”<sup>331</sup> However, Bauckham ultimately veers from Lohfink on “ruling.” He writes, “It seems better to exclude use of animals from the meaning of dominion. The human dominion, like God’s, is a matter not of use but of care.”<sup>332</sup> As an example, he cites Noah’s preservation of the animals.<sup>333</sup> Ultimately, it is this ruling (הדר) which is connected to the image of God, not the blessing to multiply or subdue since that is something all animals do.<sup>334</sup> Lastly, Adam is placed in the Garden to “serve/till” and “keep/guard” the Garden. Throughout the episode, these seem to be actual agricultural tasks, not metaphorical ones. “Where the rivers themselves are not sufficient to make most of the land fertile, Adam’s task is probably to irrigate the land in order to sustain the trees

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<sup>330</sup> A weakness of Bauckham’s “ecotopia,” is that he believes there is no violence (and thus ruling does not involve any violence) as there is only peace. This is certainly true to an extent, but I do not see how the serpent could fit into this schema. However, it could have been non-violent in the way Christ deals with the serpent. Indeed both scenarios revolve around quoting God’s words. *Ibid.*, 185.

<sup>331</sup> This would also likely be supported by Michael LeFebere’s work *Liturgy of Creation* in which he argues that Gen. 1 is a paradigmatic work week from God to the people. *Ibid.*, 180.

<sup>332</sup> This may be why Abraham is referred to not only as a “prince” but also under whom the animals multiply and grow. This also helps make sense of Joseph as a royal figure under whom not only Egypt’s inhabitants are blessed (in the sense of well cared for), but also the whole world. *Ibid.*, 182.

<sup>333</sup> However, some of the animals which he saves are not just so that they may live. They are also intended for the “use” of sacrifice. So, it may be best not to go too far as Bauckham to the exclusion of use from the definition of ruling (הדר).

<sup>334</sup> Bauckham, “Humans, Animals, and the Environment in Gen 1-3,” 183.



God has planted there.”<sup>335</sup> This is most likely what “subdue” means in context, according to Bauckham.<sup>336</sup>

Richard Middleton provides one last detail that may help to explain humanity’s role as *Imago Dei*. He follows a similar line of reasoning to Bauckham, namely, we should interpret humanity’s functions as paralleling the God in whose image they are created. However, where Bauckham notes a general care of animals, Middleton takes his cue from Gen. 1. He argues these two functions (filling and subduing) correlate with God’s two actions in Gen. 1. There it will be recalled, God first separated and created realms, and only after creating these realms did he populate them. So here too, man is to order creation and then fill it.<sup>337</sup> While all the above are helpful, this seems to be one of the best ways to understand these roles function in their context.

As Middleton writes,

The associations between Spirit, wisdom, and power are thus quite clear and suggest that human rule and subduing of the earth in Genesis 1 involves an element of artful discernment in the service of the (cultural) shaping and transformation of the world, in imitation of God's wise acts of ordering and crafting what was originally formless into a habitable cosmic structure.<sup>338</sup>

However, ruling should not be equated with the Image of God. This is important because some scholars collapse them into oneother. As Gordon McConville argues *pace* Middleton,

In recognizing these responsibilities, it remains to reiterate that the “image” should not be read exclusively in terms of an imperative to act in certain ways. We saw that in its occurrences in Genesis 5:1-3 and 9:5-6, the concept of the human as “image and

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<sup>335</sup> Ibid., 187. Tsumura also makes the same point. David Tsumura, “Rediscovery of the Ancient Near East and Its Implications for Genesis 1-2,” in *Since the Beginning: Interpreting Genesis 1 and 2 through the Ages*, ed. Kyle R. Greenwood (Grand Rapids, Michigan: Baker Academic, 2018), 233.

<sup>336</sup> Bauckham’s position is slightly weakened because he curiously does not interact with Richard Middleton’s work.

<sup>337</sup> Middleton, *The Liberating Image*, 89.

<sup>338</sup> Ibid., 88.

likeness” of God was not expressed in terms of the call to “dominion.” Rather, it was predicated of humans simply as humans.<sup>339</sup>

Lastly, from the text itself, man and woman’s ruling seems to be equal since they are both vice-regents of God’s authority in Gen. 1:28. However, nowhere does this say they are to rule over other humans, nor is there any inclination of this. It is only in God’s pronouncement of curses that ruling over another person first appears. G. K. Beale argues that by not expelling the Serpent, they failed to “rule” and “subdue,” to expel the unclean animal from the holy Garden.<sup>340</sup> As mentioned earlier, the calling to rule is flipped on its head in God’s curse. As Dempster writes, “Adam’s destiny is now to be placed under the foot of Adamah rather than vice versa. The woman created from the man to be his partner in co-ruling the creation is now placed under his foot.”<sup>341</sup> Adam’s ruling (משל)<sup>342</sup> over Eve is negative; it is part of a curse.<sup>343</sup> This does not seem to be the way God originally intended his creation to be.

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<sup>339</sup> McConville, *Being Human in God’s World*, 29. However, one of McConville’s references is in fact debated, and is the subject of this thesis as to whether it is connected to ruling.

<sup>340</sup> However, this would seem more in the realm of priestly duties than one typically thinks of ruling. This seems to be where cultural assumptions of kingship, ruling, and priesthood are vastly different from our own and do not easily map onto today’s ideas. For instance, it may be that the archetypal act of “ruling” could be mapped onto a position that is not even governmental or political in today’s terms. G. K. Beale, *A New Testament Biblical Theology: The Unfolding of the Old Testament in the New* (Grand Rapids, Mich: Baker Academic, 2011), 34–5.

<sup>341</sup> Dempster, *Dominion and Dynasty*, 67–8.

<sup>342</sup> Note that this verb is different than the original verb to have dominion over the animals (הָרַךְ), but it is the same verb for the Sun and the Moon “ruling” over the day and night (Gen. 1:16-18) and the same verb God uses to tell Cain that he must “rule” over his sin whose “desire” is for him (Gen. 4:7). Undoubtedly, this is a parallel to Gen. 3:16, in some way. It may be that the author did not wish to use משל because of its connection to כָּבַשׁ (part of the original mandate of the earth), which is used for rape in the context of women.

<sup>343</sup> It is highly debated whether Adam’s naming of Eve is to be interpreted as an assertion of dominance or not. However, the fact that the author places this here, right after Adam’s curse, would seem to indicate that this is part of the curse. Just as he did with the animals and earth, so now he does with his wife. However, again, because this is part of a curse seems to indicate that 1) this is a negative thing and that 2) this is descriptive not prescriptive. There does not seem to be any other example to which we can point to elucidate this broken relationship (or whatever this desire may be). Furthermore, it is right after the curses when she gives birth, which relates to her curse, and is the last thing we read of her. The last two things we read of Adam are his naming Eve and then being banished to work the ground (besides his death and having relations with his wife. However, the latter is an introduction to Eve’s last act). In each case, it is something directly tied to their curse, which would seem that

## Priest-Kings?

Concerning how metaphorically the duties of humanity are to be read (specifically as a priestly role), there seems to be a “maximalist” position, reading the rest of the Bible and ANE background material into Gen. 1-11 (which seem to be the positions of G. K. Beale, Richard Middleton, and John Walton, among others),<sup>344</sup> or a “minimalist” position which does not and tries to read only Gen. 1-11 in light of itself (of which Richard Bauckham or Daniel Block might be considered). Whether or not this material is used dramatically effects how we interpret “serve” and “keep” in reference to rule. These duties are prototypical of priests in the temple. Are there reasons for reading these meanings back into Gen. 1?

G. K. Beale draws reader’s attention to the numerous similarities between the garden of Eden and the tabernacle/temple. The fact that Ezekiel 28 explicitly references Eden as a sanctuary makes the parallel almost certain for Beale.<sup>345</sup> Alternatively, Walton argues from ANE background material. He writes, “in Genesis, the entire cosmos can be portrayed as a temple,

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naming is a part of that broken relationship (which he could have easily done before the fall, and it seems odd to name someone so late). This reading appears justified when interpreted against the parallelism of Eve’s seed and the Serpent (which seems to be a mutual enmity, just as here) and the parallel of Cain’s sin “desiring” him (which is a negative thing), but he must rule over it. Furthermore, in the original context of the first readers, there would not be as much hesitation about this statement. As Goldingay writes, “The first footnote involves the man exercising authority in naming his wife. Neither men nor women were perhaps as troubled by that assumption of authority as many men and women are in the modern West, and anyway the stress lies on the name the man gives the woman. It is a name that speaks of life, notwithstanding her having been the one who opened the way to death.” Goldingay, *Genesis*, 81–82.

For an alternative reading, namely, that the desire (it) shall rule over the woman, see both Robert I. Vasholz, “‘He (?) Will Rule over You’: A Thought on Genesis 3:16.,” *Presbyterian Covenant Summary Review* 20, no. 1 (1994): 51–52; Phyllis A. Bird, “‘Male and Female He Created Them’: Genesis 1:27b in the Context of the Priestly Account of Creation,” *Harvard Theological Review* 74, no. 2 (1981): 129–160.

<sup>344</sup> It is interesting how the author of Jubilees reshapes Noah into a priest figure, whose sacrifice was a “sin” offering (Jub. 6:1-3). However, one wonders if this still is falling into the same criticism that Block, Bauckham, and Tsumura argue.

<sup>345</sup> G. K. Beale, *The Temple and the Church’s Mission: A Biblical Theology of the Dwelling Place of God* (Downers Grove, Ill: IVP Academic, 2004), 29–80.

because the cosmos and temple serve the same functions, that is, to house a deity.”<sup>346</sup> Gen. 1-2 combines both imagery of “rest” and “garden” which are quintessential ANE temple imagery and theology. In addition to the above authors, the Dead Sea Scrolls and Jubilees depict the Garden of Eden as a temple or the Holy of Holies.<sup>347</sup>

This discussion is important in deciding whether archetypal humanity should be conceived as priests and what connection that might have for their ruling.<sup>348</sup> While the “maximalist” position is persuasive, several critiques exist.<sup>349</sup> However, these critiques do not

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<sup>346</sup> John H. Walton, *Genesis 1 as Ancient Cosmology* (Eisenbrauns, 2011), 189. See also, John H. Walton, *The Lost World of Adam and Eve: Genesis 2-3 and the Human Origins Debate* (Downers Grove, Illinois: IVP Academic, 2015).

<sup>347</sup> However, these could be critiqued in the same way by Block, et al. Michael D. Matlock, “Interpretations of Gen 1-2 in Second Temple Jewish Literature,” in *Since the Beginning: Interpreting Genesis 1 and 2 through the Ages*, ed. Kyle R. Greenwood (Grand Rapids, Michigan: Baker Academic, 2018), 23–44.

<sup>348</sup> Even Richard Middleton, author of one of the most influential works on the royal-functional view of the image of God, has recently been convinced and adopted this “priestly/cultic” position on the image. See his thoughts at, Richard Middleton, “Richard Middleton: After The Liberating Image (RJS),” *Jesus Creed*, August 5, 2014, <https://www.patheos.com/blogs/jesuscreed/2014/08/05/richard-middleton-after-the-liberating-image-rjs/>.

<sup>349</sup> Throughout Gen. 1-3, “serving” and “keeping” seems to be an actual, not metaphorical task. In 2:5 there is a need for someone to work the ground, and in 2:15 God places Adam in the Garden to do so. In 3:17-19 Adam’s curse concerns his agricultural endeavors, and in 3:23 he performs the same task outside the Garden. Bauckham argues, “whereas this verb with a personal object means “to serve,” there is a consistent usage of the verb to mean “to work” or “to cultivate” when the object is inanimate (Gen. 3:23; 4:12; Deut. 28:39; Isa. 19:9; cf. Prov. 12:11; 28:19; Zech. 13:5). This is the obvious meaning in Genesis 2.” Bauckham, “Humans, Animals, and the Environment in Gen 1-3,” 188 n. 23.

Tsumura argues that even if later temples are depicting a cosmos or Eden, that still does not mean “that the cosmos, let alone garden of Eden, was made for Yahweh to dwell in.” However, for Tsumura, his main point is that “God is said to dwell in the heavens or sometimes in the temple, but he is never said to dwell on earth except in “name.”” This misreading results from combining the temple motif of Gen. 1, and the garden motif of Gen. 2-3. Tsumura later continues, “The same thing can be said with regard to reading a sanctuary or temple motif into Gen. 1-2. Did the biblical author expect his readers to read ANE religious views into these chapters? Did they combine the motifs of “rest” and “garden” to get the themes of the temple as a divine dwelling? It seems to me that many scholars see too much similarity between biblical and ANE cosmologies, while putting too much emphasis on the contrast between a modern scientific worldview and ancient cosmologies.” Tsumura, “Rediscovery of the Ancient Near East and Its Implications for Genesis 1-2,” 230–6.

See also Block, who argues similarly that the Eden/Temple relationship is chronological not thematic. That is to say, Eden does not represent temple theology, but the Temple/Tabernacle represents creation theology. A temple is something that is needed to regain what was lost in Eden. That is why Eden should not be conceived of as a temple. Block, *Covenant*, 27–30.

seem to be stronger than the evidence.<sup>350</sup> Ultimately it is difficult to adjudicate between these positions.

### Ancient Near East

How ancient Near Eastern conceptions of “ruling” inform our understanding of the early chapter of Genesis is unclear and far from agreed upon. Yet several pieces of information are poignant for the current discussion. John Walton elucidates the crucial differences between the royal duties of Adam and Eve with the ancient Near Eastern conception of kingship (which may be synonymous with “ruling” in the ANE). He writes,

In the early chapters of Genesis, kingship is noticeably absent. Archetypal humanity bears the image of God rather than this being a distinctive of the king. Likewise, humans are charged with subduing and ruling. When we first encounter individuals playing out the role of king in one form or another (without the title) they offer negative depictions—the violent arrogance of Lamech and the imperialism of Nimrod.<sup>351</sup>

Adam and Eve, while vice-regents are apparently by no means king and queen. Their rule is not over humanity but only the animals. In one sense, there might be a polemic at work here, especially considering all the evidence. If Walton is correct, this corroborates a negative

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<sup>350</sup> There are several connections within Genesis 1 itself to temple imagery and time. First, the sun and moon are referred to as “lamps,” which within the Pentateuch always refers to the lamps of the tabernacle. Furthermore, these “lamps” in the sky are specifically for human “cultic festivals.” Second, the seventh day is not just a day but the Sabbath, a day Israel is to keep and guard. Furthermore, God sanctifies the Sabbath and makes it holy. From the beginning, the author uses temple and cult imagery and wording. Finally, Eden also seems to be described as a Mountain (a dwelling place of God), which is then mirrored in the Noah cycle, where he lands on Mount Ararat and offers a sacrifice, and in the Babel cycle, where they build a “mountain” to reach up to the heavens (Although Morales sees Babel as a city, along with Cain’s in opposition to the two mountains of God). While the duties may be concretely agricultural, they may have been shaped in a way to evoke more temple imagery. So, while Adam and Eve are not priests, this is nonetheless a temple-like place, whereas Michael Morales argues persuasively that the central theme is dwelling with God. L. Michael Morales, *Who Shall Ascend the Mountain of the Lord?: A Biblical Theology of the Book of Leviticus* (Downers Grove, Illinois: IVP Academic, 2015), 39. See also Block who provides thirteen similarities between the garden of Eden and the Temple/Tabernacle. Block, *Covenant*, 27–30.

<sup>351</sup> Concerning kingship, Walton also mentions that “All of this contrasts with Israelite Kingship, and Yahweh grants it somewhat grudgingly (1 Sam. 8). Deuteronomy 18 presents a negative view of kingship rather than lauding it as the highest form of humanity.” John H. Walton, *Ancient Near Eastern Thought and the Old Testament: Introducing the Conceptual World of the Hebrew Bible*, 2nd edition. (Grand Rapids, Michigan: Baker Academic, 2018), 259.

depiction of human kingship throughout the Bible.<sup>352</sup> McConville also sees a critique at work here. Viewing Genesis in light of Mesopotamian literature, he writes,

The ancient Near Eastern royal ideologies enshrine views of humanity as a whole, tending to rigidly hierarchical sociopolitical structures. In Mesopotamia, rooted in myths of creation with life-and-death conflicts between deities, they embody religio-political policies of perpetual war. In this context, the Old Testament's idea that the human being as such is created "in the image of God" is part of the reconceiving of the place of the human expressed by Genesis 1:1-2:4a as a whole. It is not only that, in Middleton's terms, a "genuine democratization" of the image has occurred, conferring enormous dignity on human beings as such, but the whole idea of the human relationship to God and the natural and social orders is transformed, in a way that might be called an "ideology critique."<sup>353</sup>

There is no doubt that similar imagery and theology to the ANE are at work in the early chapters of Genesis. Yet, because there can be no certainty as to how it is specifically used, it seems best that ANE material should be handled with caution.<sup>354</sup>

## Cain

The next time "ruling" appears, God tells Cain that he must "rule" over his sinful desires.<sup>355</sup> This mirror's almost exactly what God says to Eve a chapter earlier. Yet the connection is unclear, especially since the meaning in Gen. 3:16 is uncertain. Here the desire is negative, and his ruling is seen as positive and necessary. There might be another connection the

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<sup>352</sup> Walton also notes that "This negative depiction would also include Gen. 6:1-4 if the "sons of God" are interpreted as kings. *Ibid.*, 259 n. 24.

<sup>353</sup> McConville, *Being Human in God's World*, 20. See also, Wenham, *Genesis 1-15*, 31.

<sup>354</sup> McConville warns against this temptation, "The royal language that attends the depiction of the humans in Genesis 1 might suggest that this representative capacity is characterized primarily by power and privilege. However, since the orientation of this language of "image" and rule is in contention with conceptions of divine presence and royal function in the ancient Near East, it follows that ideas prevailing there should not be inadvertently imported into the Old Testament." McConville, *Being Human in God's World*, 29.

<sup>355</sup> This is the generally accepted interpretation. However, see Morales for an alternative reading. L. Morales, "Crouching Demon, Hidden Lamb: Resurrecting an Exegetical Fossil in Genesis 4.7," *The Bible Translator* 63, no. 4 (October 2012): 185–191.

text is trying to point to. The royal duties, which once were outward, now include an inward dimension. To bring order and life to the cosmos, humans must rule and subdue themselves. Yet, Cain is unsuccessful. As Benjamin Gladd writes, “Instead, sin eventually rules over him, and Cain murders his brother...Cain uses his royal identity for his own gain...Sin rules over Cain, and Cain wrongly rules over his godly brother Abel.”<sup>356</sup> He wrongly rules over him because, “Murder is perhaps the ultimate usurpation of authority, because death is God’s judgment on fallen humans, and its timing should belong to him alone.”<sup>357</sup>

## Genesis 9

While Genesis 9 is examined in the previous chapter, it will still be prudent to add a few comments on how this theme may or may not play into Gen. 9:1-7. If Genesis 9 is supposed to be a new creation account, which is almost universally accepted, then what is absent is poignant. Specifically, while the blessing to be fruitful, to multiply, and to fill the earth is repeated (twice as bookends), the blessing to rule and the last part of the “be fruitful” refrain, “and subdue it,” are noticeably absent. This piece would have been relatively easy to include. With the author’s penchant for structure, reduplication, and literary artistry, this must be taken as an intended omission by the author.

There are a few ways to interpret this exclusion. First, the author does not comment on this theme or that it has left the purview to which he now focuses on the central theme of life and its multiplication. Second, what is in between the bookends is now the new reiteration of Gen. 1:26-28, namely what it looks like to have dominion and subdue the earth. This approach is

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<sup>356</sup> Gladd, *From Adam and Israel to the Church*, 30.

<sup>357</sup> Niehaus, *Biblical Theology, Volume 1*, 134.

popular and has a few variations. Beyond this there are certain parallels. Concerning food in Gen. 1, God says “I have given” plants to eat, while here he says “I have given into your hand” the animals for food. So, their dominion over animals, including domestication and care, now includes the ability to eat them. If Genesis 9:5-6 concerns human justice, then it could be understood as an expansion of their authority and actions in the Garden, to grow, maintain order and produce (now preserve) life.<sup>358</sup> Whereas murder has been a reality (Cain, those who wanted to kill Cain, Lamech, the whole pre-diluvian people), human accountability for murder is now accepted. Just as God now condones killing animals (but not their blood), so now God condones killing only murderers.

This reading has the strength of following Middleton’s approach of seeing humanity’s work as being patterned after God’s.<sup>359</sup> If humans are in the likeness of God, it may be that 9:6 only comes here as an allowance for humanity to hold murderers accountable after God has done so and shown that he is a God who does so. Just as God worked a full cosmic week and then rested as an example to humanity, and separated and filled the world as an example for humans to subdue and multiply in the garden, now he gives them an example of cosmic justice to follow.

If Genesis 9:1-7 is to mirror or renew the earlier blessings, there are specific problems with the above anthropocentric approach to Gen. 9:5-6. First, there is no inclusion of humanity’s

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<sup>358</sup> If one adopts the anthropocentric approach, practically, one of the implications seems to be that 9:6 does not necessarily legislate the death penalty in every instance. This was not a standard before the flood, so in some instances it may be considered a matter of wisdom of how to apply it and to what extent. If God had wanted to set an iron-clad law for all time, he could have easily implemented it after Cain.

<sup>359</sup> McConville provides a helpful summary. He writes, “Middleton sees not only the function of rule, but also the “artisan” metaphor, as forming this picture of human godlikeness. God has begun a task of artful construction by his twofold activity of separating and filling (the activities of days 2 and 3 in Gen. 1:6-13), and humans are now called to continue both these aspects of his work by procreating that is, “filling” the earth and “subduing” or “organizing” it (corresponding to God’s activity of “separating”).” McConville, *Being Human in God’s World*, 22.



relation to the earth. There is no update to subdue, till, or keep it. This point is important, for the Earth has been corrupted because of their sin. So, it does not make much sense for the animal-human relationship to be updated while the Earth-human one is not, given that animals are not as central to the story of being corrupted or sinned against.

Furthermore, if this section is not meant to be a renewal of the blessings, then it may be that the new animal-human relationship is not about the dominion that humanity was issued but about its blood lust. The fear and dread of the animals may be to help them escape the corrupted humanity capable of evil. This seems plausible since animals are not intended for food but as fellow creatures to be cared for in the creation account. So, it may be said that the permission to kill and eat animals is not an expansion of human authority but a concession to their fallen state. This position is further corroborated by the significance of the blood of humans over animals, or put differently, why animal blood does not pollute the earth, but human life does. As stated earlier, this is what leads Gordon McConville to his conclusions.<sup>360</sup>

If the updated animal-human relationship is not an expansion of its vice-regent authority, it seems entirely plausible to suggest that Gen. 9:5-6 is not an expansion of human rule either. Whereas humans are allowed to kill animals, they are not allowed to do the same to humans. Neither are animals allowed to kill humans. God will himself avenge either group if a human is killed.

Overall, if one makes a case for human dominion in Gen. 9:1-7 by paralleling it to an earlier episode in Gen. 1:26-28, then its strength relies on parallelism. If the parallels are weak,

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<sup>360</sup>As quoted earlier, “The new element in the created order, the availability of animals as food for humans, gives rise to a distinction between the slaughter of animals and that of humans, with the penalty of death for the latter on the grounds that “God made humanity in his own image” (9:6). Once again, the “image” is more than role, but says something about the very identity of the human.” Ibid., 21.

then the argument may be weak. Instead of Gen. 9:1-7 paralleling Gen. 1:26-28, this section may simply continue those themes in light of fallen humanity without commenting at all on humanity's garden tasks.

### Summary and Application

In summary, it seems there is no endorsement of kingship in Gen. 1-11, let alone the idea of government (which specifically does not seem to apply here). Humanity as God's vice-regents and their duties seem too abstracted to make any pronouncement on what God thinks of government and what they are allowed to do in this text.<sup>361</sup> It would better to extrapolate that based on the Law of Moses or what God allowed Israel's kings to do or not do.

Any mention of government or crime(s) does not seem to be within the purview of this theme of ruling and kingship in Gen. 1-11. Murder is the only crime discussed in Genesis 1-11 that the state would have any authority to act. However, it rests within the more significant theme

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<sup>361</sup> Any discussion of "ruling" would be incomplete without the mention of Joseph. Joseph is at once a second Adam figure, who, through his ruling, brings blessing, life (saving humanity from death and famine), and multiplication (not only does humanity survive, but they multiply). Richard Middleton argues that Joseph represents not just a new Adam but God himself as his vice-regent, after the pattern of God's actions of creating and filling. He writes, "In Genesis 41:38-39 the Egyptians recognize the presence of *rûah élohim* in Joseph, since God has made him discerning and wise. Significantly, Joseph's Spirit-filled wisdom is associated in the text with his position of royal authority." Middleton, *The Liberating Image*, 88.

Gordon McConville also notes a connection between the Joseph story and humanity's role as God's vice regents. He writes, "In the foreign land of Egypt, one of twelve brothers is unrecognizably transformed, so that he is known by them only as "the man, the lord of the land [*ha' ares*]" (Gen. 42:30). In this *ha ares* there is an unmistakable allusion to the human mandate to rule the earth (1:26, 28). Thus the narratively contrived estrangement between Joseph and the brothers becomes a way of refocusing on the ideal of human rule in the earth, and at the same time, on the possibility of harmony among brothers." McConville, *Being Human in God's World*, 134.

However, he may also be in contrast to the "ruler" of Exodus, Pharaoh, who seems to be a foil to him. Pharaoh uses his power but brings death and destruction. While the themes of life and death, poetic justice, seed, and ruling flow through the Joseph cycle (not to mention the fulfilling of the original duties of Adam), nowhere does the theme of human justice (in association with murder) seem to play a role. Instead, murder and its redemption are portrayed as a role of God. But it is probably not by accident that God seems to be working through a royal figure to adjudicate his justice, at least partially (for they do not know that Joseph puts the silver in their bags). For more information see Timothy Stone, "Joseph in the Likeness of Adam," in *Genesis and Christian Theology*, ed. Nathan MacDonald, Mark W. Elliott, and Grant Macaskill (Grand Rapids, Mich: Eerdmans, 2012), 62–73. On the ethics of Joseph's actions see, Aaron Wildavsky, "What Is Permissible So That This People May Survive? Joseph the Administrator," *PS: Political Science & Politics* 22, no. 4 (December 1989): 779–788.

of bearing the mark of the “seed” of the serpent, the lone act against God, who represents and brings life into existence. Wherever a scholar lands, it seems amenable that anyone can agree that “The Jewish Christian tradition of humanity is different. It regards human beings very highly, but it would never designate them as absolute rulers of the universe.”<sup>362</sup>

Throughout Genesis 1-11, there seem to be two views on ruling and kingship (not that they are the same). First, there is a positive view that humans were initially designed to bring flourishing and harmony to creation in a shepherd-like way. Second, a negative view that seems to assert this possibility is gone, humans use their status to dominate others and creation. So now, the number one problem is humans ruling their desires. Finally, there may even be a negative polemic against kingship, considering that many other ANE origin material is concerned with this, and its omission in Gen. 1-11. Because of this polemic at work, it might be ill-fitting to force the idea of government or modern-day ruling into this context.

### Conclusion

In Gen. 1-11, God’s justice is always shown as equal and fair. It is measure for measure, in contrast to Lamech’s gross revenge. It seems that Gen. 9:6 fits this mold perfectly and expresses it beautifully. It is an equal measure institution of justice, showing the standard by which humans will be judged. God sees and knows. He will avenge as necessary, as Genesis later describes, whether in death as in the case of Onan or distress like Joseph’s brothers.

The idea that this verse is trying to institute government seems to add a distinctly foreign element that does not necessarily connect with the text’s central themes. However, in light of everything, including the fact that humans are now allowed to take the life of animals (for the

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<sup>362</sup> Lohfink, *Theology of the Pentateuch*, 17.

purpose of sustaining life), it may be that they are now allowed also to take the life of humans (but only in the case of supporting life in the form of prevention).

Overall, these themes seem to imply that either reading could plausibly be read (by man/for man), although a “government” specific reading appears out of the ordinary. Furthermore, such an idea could have been easily added to the text if the author wanted to convey that nuance (as Gen. 4 depicts varying cultural achievements). More data would be needed to determine which reading has more sway. As far as political theology is concerned, McConville once again seems correct. He writes, “Far from promulgating a political theory or program, the Old Testament depicts a political process, an activity, a function of humanity finding its way as the “image of God.” Unsurprisingly, therefore, it does so through lives and situations that are peculiar to themselves, with all the eccentricities of ordinary human existence.”<sup>363</sup> Genesis 1-11 seems to fit well within this view.

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<sup>363</sup> McConville, *Being Human in God's World*, 137.

### Chapter 4: Genesis 42 as the Earliest Interpretation of Genesis 9

The most neglected piece of evidence surrounding the discussion of Gen 9:6 is actually one of the closest, the Joseph cycle. Chapters 37, 38, 42, and 50 will be briefly surveyed to show how the author of Genesis portrays God in relation to murder and justice. There are three main points of focus in this section: God's actions toward Judah's sons, Joseph's brothers' first meeting with Joseph after selling him into slavery, and then the brothers' final meeting with Joseph. This chapter will begin by examining Gen 42 first.

#### Genesis 42: God's Reckoning

Genesis 42 shifts the story from Joseph in Egypt back to Israel's sons during the famine. Their father sends them to Egypt for grain. Presumably expecting a simple trip, they run into a harsh Egyptian official who scrutinizes them under the assumption they might be spies (42:8). After imprisoning them, this Egyptian official tests their honesty by keeping one of their brothers while letting the rest go to bring back the youngest, if he really exists.

It is at this point the brothers exclaim, "Truly we are guilty concerning our brother, because we saw the distress of his soul when he pleaded with us, yet we would not listen; for that reason this distress has happened to us." To this Reuben responds, "Did I not tell you, 'Do not sin against the boy'; and you would not listen? Now justice for his blood is required." (Gen 42:21-22 NASB). However, this is not the end of their troubles. Before they leave to go back, Joseph not only fills their sacks with grain, but also with the silver they paid to afford their journey back. After they find this out, and fearing they might be seen as spies and thieves, the text reads "Then their hearts sank, and they turned trembling to one another, saying, 'What is this that God has done to us?'" (Gen 42:48b NASB). The brothers' perspective of God's retributive action continues after they return to Egypt with their youngest brother. After the second test they

exclaim, “how can we justify ourselves? God has found out the guilt of your servants” (44:16 NASB). There are a few ways to interpret the brother’s statements.

Walter Brueggemann offers a pessimistic reading of the brother’s faith in God. They are too narrow minded regarding their relationship with Him. He writes,

Their sense of fatedness touches their understanding of God... Their limited view of God requires a quid pro quo response to their own guilt. They see their guilt as the definitive factor in human and divine relations. They are unable to believe in any promissory God who might break beyond their hopeless mendacity. As a result, the brothers must live in a world where no new thing can be anticipated.<sup>364</sup>

In short, “The brothers are fated, expecting only retribution from God.”<sup>365</sup> Do the brothers simply need more faith in the goodness of God, or should we follow their interpretation of the character of God?

Contrary to Brueggemann, the brothers have faith in exactly who God is and what he said he will do. There are three things which suggest that the brothers are in the right. First, they have a grave and fearful view of God, rightly so, given the placement of stories which come right before it. In Gen 38 Judah’s sons, Er and Onan, die directly by the hand of God as a result of their “evil.” Both of which presumably have to do with taking life, one by letting his seed fall to the ground, and the other because of his “evil.” While עָרַב broadly denotes evil, it is associated with murder in Genesis (cf. 6:5; 8:21).<sup>366</sup> Onan’s story is more explicit. Gen 38:9 literally reads, Onan “corrupted the earth,” recalling the flood violence which uses the same language. The LXX

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<sup>364</sup>Walter Brueggemann, *Genesis, Interpretation: A Bible Commentary for Teaching and Preaching* (Atlanta: Westminster John Knox Press, 1986), 339.

<sup>365</sup> Ibid., 341.

<sup>366</sup> In this flood, *hamas*, specifically connects it to violence or murder, but their minds are continually set on עָרַב. This also recalls the refrain “a wild חַמָּס animal has devoured him” in 37:20, 33, both having to do with taking life. Furthermore, it is the “ugly” חַמָּס cows who eat up the healthy cows in 41:3, 4, 19, 20, 21, and 27. At least in Genesis, חַמָּס is associated multiple times with animals who kill.

translates this as “pour out” also recalling Gen 9:6. In Genesis the only other time this verb occurs in the LXX is Reuben warning his brothers not to “pour out” their brother’s blood in 37:22.

The sons’ actions are unsurprising given that their father is also associated with death. Judah is responsible for sending Joseph to the “land of death,” prevents life by keeping his third son from Tamar, and later almost immolates her. The fact that this story is interspersed within the Joseph story suggests that the author desires them to be read together.<sup>367</sup> All of this primes the reader to interpret what follows with a keen eye to the divine.

Second, the motif of poetic justice which runs throughout Genesis. As has been shown in the previous chapter, an often ironic, equal measure for measure justice continually appears throughout scripture. To the earlier examples of the covenant curses, and the judgment of the flood, Er and Onan could also be added. In fact, not only do the brothers seem to realize this, but they receive divine poetic justice.<sup>368</sup> As Wenham notes, “their distress, they acknowledge, is just retribution for their callous treatment of their brother.”<sup>369</sup> As they caused “distress” so now they receive “distress.”<sup>370</sup>

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<sup>367</sup> Samuel Emadi has listed a number of other intended parallels between Gen 37 and 38. Samuel Emadi, *From Prisoner to Prince: The Joseph Story in Biblical Theology* (London: IVP Academic, 2022), 108.

<sup>368</sup> Longman perceptively notes the doubly irony in their punishment. He writes, “So the brothers believe that they are in trouble because of their earlier treatment of Joseph. And indeed, they are correct. Little do they know it, but the one that they had treated so badly is pulling the strings and purposefully creating the situation that they now bemoan. That is, they are indeed, “being punished because of our brother” (v. 21).” Longman, *Genesis*, 508.

<sup>369</sup> He continues “As Jesus said, “the measure you give will be the measure you get” (Matt 7:2), and Paul said, “God is not mocked, for whatever a man sows, that he will also reap” (Gal 6:7).” Gordon Wenham, *Genesis 16-50*, Word Biblical Commentary 2 (Dallas, Texas: Thomas Nelson Inc, 1994), 412.

<sup>370</sup> Wenham writes, “distress is more common in poetry than in prose and seems to refer to extreme situations (cf. 35:3; Deut 31:17; 2 Kgs 19:3).” *Ibid.*, 408.

Simeon is another point of irony or poetic justice in the narrative. After Reuben, the eldest, left the brothers while Joseph was in the pit, Simeon, the second eldest, was in charge by default. Instead of reigning in the others, he falls in line. It is no surprise that Joseph chooses him to remain in prison while the other brothers go back to Canaan.<sup>371</sup> He receives a pit for a pit.

Third, and most importantly for our purposes, Reuben's speeches are directly linked to Gen 9:5-6. This includes his first comments in Gen. 37:21-22, "But Reuben heard this and rescued him out of their hands (מִיָּדָם) by saying, "Let's not take his life (שָׁפָךְ)." Then Reuben said to them, "Shed (שָׁפַךְ) no blood. Throw him into this pit that is in the wilderness, but do not lay a hand on him." so that later he might rescue him out of their hands (מִיָּדָם)." Here, Reuben seems to have a high respect for life compared to Judah, for whom only 'profit' keeps him from killing his brother. These themes are directly resumed with Reuben's next speech in Gen 42:22. Later in Egypt and assuming his brother had been killed, he exclaims, "and also his blood, behold, it is being sought/required." This speech includes the key word "blood" but also "seeking/accounted for" שָׁרַךְ, whose form is a Niphal participle. The NRSVue more aptly translates this as "reckoning." The fact that this is passive would seem to go along with the fact that they believe it is God who is doing this, as they later exclaim (42:28). Finally, these episodes include the proliferation of "brother."<sup>372</sup> Between Reuben's two speeches, almost all the key words from Gen 9:5-6 are used.

It stands to reason that even later Israelite readers would have read this story along similar lines. In Deut 24:7, the law stipulates that anyone who kidnaps a "life" (שָׁפָךְ) from his "brothers" from the "sons of Israel" and either enslaves or sells him, must die. They are to purge

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<sup>371</sup> It for this reason that Judah, the main culprit, is not thrown in the prison. Simeon should have stopped Judah.

<sup>372</sup> See Gen 37:26-38; 41:21.



“the evil” (cf. Gen 50:20) from their midst. Even if Joseph’s brothers did not kill him, they most likely have bloodguilt upon them, just not to the extent of the latter law.

Most commentaries on Gen 42 simply direct readers back to 9:5-6, without commenting on the relationship between the two.<sup>373</sup> Similar to Brueggemann, Goldingay interprets the brothers comments as a move from a belief in passive “fate” or “karma” to admitting their guilt and recognizing God’s sovereignty.<sup>374</sup> Yet this seems to go against the grain of an ancient worldview where belief in the divine was simply a part of life, unlike today. However plausible, there seems to be a better explanation. In Gen 9:5, God says three times that he will reckon שָׂרָר for shed blood, “for each man from the hand of his brother.” It also repeats the phrase “from the hand” three times as well. These statements in the later chapters of Genesis seem to be the earliest interpretation or explanation of 9:5-6 and thus should take center stage in its interpretation. As Hamilton notes, “The brothers’ belief in a theology of retribution now comes into play. They are being punished with respect to one of their own for what they did to one of their own. It is an eye for an eye, a tooth for a tooth, a brother for a brother. They ignored their brother’s *sārâ* (distress), and now they are the object of *sārâ*.”<sup>375</sup>

This becomes even more suggestive, if as Wenham notes, “[Reuben’s] remark suggests that Reuben’s brothers never told him exactly what had happened to Joseph.”<sup>376</sup> This is

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<sup>373</sup> Some of these include Sarna, Arnold, Longman, among others. Hamilton seems to be the only one who comments on the connection in a meaningful way.

<sup>374</sup> Goldingay, *Genesis*, 630. However, Wenham does not seem to follow this trajectory. He writes, “Clearly, their aroused consciences (cf. v 21) are interpreting every unexpected development as a sign of God’s wrath on their deeds.” Wenham, *Genesis 16-50*, 409.

<sup>375</sup> It is very suggestive that Hamilton also mentions the *lex talion* as well here. Victor P. Hamilton, *The Book of Genesis 18-50*, New International Commentary on the Old Testament Series (Grand Rapids, MI: Eerdmans, 1995), 526.

<sup>376</sup> Wenham, *Genesis 16-50*, 408.

important, for Reuben was not present to see what had been done, and so his comments show an unadulterated view of God's justice. While Goldingay is assuredly right that there is a progression in their relationship with Joseph, it seems from the beginning that they know who it is that seeks out shed blood.

Another important parallel is their last comment before reaching Canaan. After finding the money in their sack they exclaim, "What is this that God has done to us?" (Gen 42:28 NASB).<sup>377</sup> While this seemingly innocuous statement furthers the theme of divine sovereignty, it is also a recurring phrase throughout Genesis.<sup>378</sup> Here this phrase is an accusatory question when someone has done something wrong or is guilty (3:13; 12:18; 26:10; 29:25; cf. also 4:10; 20:9).<sup>379</sup> While Goldingay believes they are "protesting about God doing something bad."<sup>380</sup> This is unlikely given the fact they say this while "trembling." It seems to be said in a more ominous tone of the continued bad luck that keeps plaguing them, of which God is the orchestrator. Contrary to Goldingay, this may be an ironic twist where it is the guilty brothers who ask the

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<sup>377</sup> Wenham also notes, "They saw the hand of God upon them in judgment. "What has God done?" uses the enclitic ׀ to express their shock at the discovery (cf. n. 3:13.a.; 12:18; 26:10). Clearly, their aroused consciences (cf. 21) are interpreting every unexpected development as a sign of God's wrath on their deeds." Ibid., 409.

<sup>378</sup> Of course, It is not lost on this reader that it is Joseph doing this. Not only that, but that he is being used God's instrument as Alter suggests. He notes, "thus a double system of causation, human and divine, is brought to the fore." Robert Alter, ed., *The Five Books of Moses: A Translation with Commentary*, 1st edition. (New York: W. W. Norton & Company, 2004), 243–4 n. 28. I do not think this shifts the interpretation of Gen 9:6. For while he is God's instrument, he is not doing anything close to capital punishment. Sailhamer notes that v. 24 indicates his sorrow during this testing and for any pain he might cause. Sailhamer, *The Pentateuch as Narrative*, 218.

<sup>379</sup> Goldingay, *Genesis*, 630.

<sup>380</sup> Ibid., 630. Derek Kidner sees a totally different attitude at work contrary to Brueggemann and Goldingay. He writes, "The sense of guilt, already aroused (21), made the group quick to see the hand of God in the governor's action. Consequently, their question, What is this that God has done to us? (28), is, as far as it goes, a model of fruitful reaction to trouble (cf., e.g. the attitude of Ps. 60)." Derek Kidner, *Genesis*, Tyndale Old Testament Commentaries (Downers Grove, Ill: IVP Academic, 1967), 200.

innocent this question, as Ross suggests.<sup>381</sup> Overall, the use of this phrase in Genesis further suggests that Genesis 9 and Genesis 42 should be read in light of each other, based on the continued use of the question throughout Genesis.

Yet this is not the only connection to the flood narrative. Gen 45:5-8 also represents another connection back to the flood narrative and God's sovereignty.<sup>382</sup> When Joseph finally reveals himself to his brothers, he exclaims that God had sent him "to preserve life" (v. 5) and to "preserve a remnant" and "to keep alive" (v.7, cf. Gen 50:20 as well). The latter phrase is used twice in the flood narrative in Gen 6:19-20 and once in Gen 7:3.<sup>383</sup> In this, Joseph is a type of Noah through whose actions saves the life of others. This is unsurprising since both are a type of Adam, who are obedient and through their obedience many are saved. Because of God's intervention, ironically, the land of death becomes the land of life. In Gen 6 it was an abundance of water which caused death, here it is a lack of it that kills.

#### Genesis 50: God's Sovereignty

Genesis 50 is the culmination of and parallels chapter 42 in many ways. These episodes are Joseph and his brother's first and last meeting, respectively. In Gen 42, Joseph says that he fears God and then the brothers were afraid, here he consoles them and tells them not to be afraid. In Gen 42 Joseph seemed to be in the place of God, or at least the hand of God but here he acknowledges that he is not. In Gen 42 Joseph spoke harshly to them but now he speaks kindly.

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<sup>381</sup> Allen P. Ross, *Creation and Blessing: A Guide to the Study and Exposition of the Book of Genesis* (Grand Rapids, Mich: Baker, 1988), 653.

<sup>382</sup> On this see, Emadi, *From Prisoner to Prince*, 115.

<sup>383</sup> Wenham, *Genesis 16-50*, 428.

Genesis 50 brings the Joseph story to a close, wrapping up the various plots and themes. After the death of Jacob, his sons send an emissary to ask for forgiveness from Joseph. They still do not know where they stand with him. Joseph's famous response includes two major parts, which are both important for this discussion.

First, Joseph responds in v.19, "Do not be afraid, for am I in the place of God?"<sup>384</sup> From the beginning Joseph has seen the bigger picture of what God has been doing and why he was sent to Egypt (cf. 45:5,7-8). Yet the brothers have not fully recognized the divine implications of this, nor the implications of Joseph understanding this. Just as the brothers recognize God's sovereignty in retribution, so does Joseph. As Arnold notes, "Only God can properly match punishment with crime, and Joseph refuses to act as judge on God's behalf. Joseph has seen evidence of their tortuous suffering over the years, and perhaps concludes they have endured enough punishment."<sup>385</sup> Joseph already understood that vengeance and recompense belong to the Lord, to paraphrase Deut 32:35.

However, there is more to this abrupt statement on a deeper analysis. As Hamilton notes, this is the same reply that Jacob gives to his wife, Rachel (Gen. 30:2).<sup>386</sup> There it was concerning her lack of pregnancy to which he adds that only God has the power to open her womb. In effect saying, he can do nothing. Here too, this reply expects a negative response. Joseph is saying that

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<sup>384</sup> Hamilton interestingly translates this as "Am I God's surrogate?" If we adopt a political reading of Genesis, whether humanity as God's vice regents or as humanity being given the power to uphold justice in Gen 9, then it would seem we would expect a totally different response, given that, God has made him ruler over the land, and would certainly seem to have the power to do so. Yet he does not. In the grand scheme of things, this is the exact opposite of *talion*. Hamilton, *Genesis*, 705.

<sup>385</sup> Most commentators seem to agree with Arnold in some way, seeing this statement as a Joseph's acknowledgement of God's authority and that he cannot usurp it. Arnold, *Genesis*, 388.

<sup>386</sup> Hamilton, *Genesis*, 705.

he is not in the place of God to avenge what has been done.<sup>387</sup> Hamilton perceptively parallels this with the first “rulers” of Genesis. He notes, “Adam and Eve attempted to wipe out the dividing line between humanity and deity. Joseph refuses to try to cross that line. Joseph will only be God’s instrument, never his substitute.”<sup>388</sup>

Second, as Joseph famously says, “As for you, you meant evil against me, but God meant it for good.” Walton comments here, saying, “I would submit that 50:20 is not just the lesson of the Joseph story, but the conclusion of the book of Genesis as well.”<sup>389</sup> We see God’s sovereign cosmic will in creating the whole universe but also in aligning individual’s actions toward his will. In addition to the above, other passages in the Joseph narrative draw out this theme. In Gen 41:25, 28, and 32 when reporting the meaning of Pharaoh's dream, Joseph repeats three times that it is God who is doing this 2x (Qal participle) and is hastening to do this (Pi’el participle plus Qal infinitive). Later in vv. 51-52 at the naming of his sons, Joseph recalls that it is God who has divinely worked things out.<sup>390</sup> Just as God is a sovereign actor in the Joseph story, so he is in Gen. 9:5-6. From the beginning to the end of Genesis, God is in control. Joseph’s statement here is not the beginning of God’s sovereignty in Genesis but the crescendo.

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<sup>387</sup> However, Walton assumes a different nuance, one of restraint. He writes, “In contrast, Joseph’s use of this rhetorical question reflects his commitment to restraint. He refuses to take on the role. Being in a position of power over others is not in and of itself a license to use that power. To use that power more often than not leads to the abuse of power.” Whether or not such a contrast is implied is debatable, especially given that Joseph does not explain himself further. Walton, *Genesis: The NIV Application Commentary*, 722–3.

<sup>388</sup> Hamilton, *Genesis*, 705. This may also be the sin of Moses, equating himself with God, when he said, “Listen, you rebels, must we bring you water out of this rock?” (Num 20:10 NIV)

<sup>389</sup> Walton, *Genesis: The NIV Application Commentary*, 723. Walton 723

<sup>390</sup> Genesis 41:51–52 (ESV): “Joseph called the name of the firstborn Manasseh. “For,” he said, “God has made me forget all my hardship and all my father’s house.” The name of the second he called Ephraim, “For God has made me fruitful in the land of my affliction.”

## Conclusion

In conclusion, Genesis 50 and the Joseph narrative as a whole help us to read Genesis backwards. In doing so, the theme of God's sovereignty becomes clearer. It seems that after reading Gen 9 in light of 37-50, seeing an explicit reference to government being the main point of Gen 9:5-6 is a secularized reading that robs God of his thunder in actively maintaining justice. While most commentaries decline to comment on Gen 9:6, it seems their comments on Gen 42 show that the most consistent way to interpret it is either "for man," or that both man and God are active participants in justice, and that Gen. 9:5-6, does not represent God "handing over" the justice for murder to humanity alone.

## Chapter 5: Conclusion

In this conclusion, I would like to draw the reader's attention to several of the salient points of this thesis which seem to be the most useful. Chapter one served to analyze Gen 9:1-7 as a whole, with specific attention given to vv. 5-6. While a few proponents have argued well for their position, such as Mason and Zehnder, this thesis found problems with their proposals. An exegesis of this section found an accumulative argument in favor of a *beth pretii* (exchange or cause) in Gen 9:6a, which can be translated as "whoever pours out the blood of man, for the man his blood will be poured out." This argument is based on 1) life and being a life producer as overarching themes of this passage, 2) the lack of details surrounding the institution of something as important as capital punishment or government, 3) the suggested practice of interpreting the unclear by the clear, thus seeing the emphasis in v. 5, 4) the pattern of clear speech when God commands Noah and his sons, in which capital punishment does not seem directed or requested from them, 5) the statistics concerning grammatical and syntactical features and words being used in 9:5-6, 6) parallels to this verse in the rest of the Bible in which God "seeks" and "pours out" his wrath on blood guilt, and 7) the structure of this passage where the Niphal verbs mirroring each other indicate God's unstated agency in v. 2 and 6. Overall, it was argued that v. 5 presents God as the one who will investigate and reckon bloodguilt, while v.6a establishes a new principle of justice compared to Cain's non-lethal divine punishment in Gen 4, and finally v. 6b provides the theological rationale for such a serious punishment, namely that humans have inherent worth as image bearers and an attack on them is an attack against God.

Chapter two sought to place Gen 9:1-7 within its theological context of Gen 1-11. In doing so, it analyzed four major themes: life and death, poetic justice, seed, and ruling. Not only is Gen 9:1-7 bookended by the blessing to flourish, it finds itself as a central to God's plan,

provision, and protection of it. Within Gen 1-11, God is the arbiter and pursuer of justice. His justice is continually depicted as poetic and in contrast to Lamech's gross revenge. It is natural then to interpret Gen 9:5-6 as referring to God as the agent who will seek out justice, as it fits this mold. It is an equal measure institution of justice, showing the standard by which humans will be judged. In regard to the theme of seed, Gen 9:6 could be interpreted either within the framework of the righteous seed conquering the serpent's seed (God hand's authority to punish murder to humanity) or as God ensuring that it will not happen (God is the arbiter). No definite conclusion was found. While the theme of "ruling" is present within Gen. 1-11, there seems to be a polemic against the idea of kingship. It is up for debate as to how Gen 9:1-7 is connected to the theme of ruling. It can be interpreted as an expansion of humanity's royal duties or not. The former largely rests on parallels and not anything specific within the text. The idea that this verse is trying to institute government seems to add a distinctly foreign element that does not necessarily connect with the text's central themes. At once, this should temper any attempt to translate ideas of humanity as God's vice regents into government. Once again, no definitive conclusion was reached and must be interpreted exegetically for more certain conclusions.

The third chapter sought to interpret Gen 9:1-7 within the wider context of Genesis, specifically the Joseph narrative. The consistent theme of Gen 37-50 is God's sovereignty. There are several notable connections to Gen 9:5-6 in the story of Joseph being sold into slavery and Joseph meeting his brothers again. Reuben's speech in Gen 42:22 uses the same key words of Gen 9:6 within the context of God returning their deeds upon them. Overall, the wider context of Genesis seems to lean in the direction of interpreting Gen 9:6 as "for man."

Even if one adopted a *beth instrumenti* this does not necessitate a "governmental" reading. There are other ways of interpreting this position, such as the societal task of being the



“redeemer of blood.” In Bedouin societies this position is not connected to the government or a centralized authority. However, this still does not seem to be the best reading. Contrary to those who argue that this passage institutionalizes government and that all crimes are within its purview here, the primary thrust of Gen 4-9 is specifically on murder. This is the violence which corrupts the earth and must be stopped. Within this paper I have argued in favor of the *beth pretii/causae* reading of Gen 9:6, based on an accumulative analysis this seems to be the more persuasive reading. In the end, it is God who is the guarantor of justice. He is the divine redeemer of blood. As Genesis 18:25 affirms, “Shall not the judge of all the Earth do justice?”

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