

Deuteronomy 21:1–9 LXX: a Synchronic Interpretation*

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Abstract:

In terms of its content, the passage of Deuteronomy 21:1–9 is entirely unique within the entire Old Testament. It describes a procedure that must be carried out upon finding the corpse of a person murdered by an unknown individual outside any city in the land given by God. The article presents a purely synchronic interpretation of the Greek Septuagint version of this difficult text, meaning its explanation only within the context of the Greek Deuteronomy, or the Pentateuch, without considering the original Hebrew text. The goal is to determine how an ancient Greek reader could perceive and understand the unusual ritual described in this biblical text. The interpretation presented here emphasises the significant theological aspect of the entire described case, related to the unique and exceptional relationship between God and His chosen people.

Keywords:

Deuteronomy, Septuagint, anonymous crime, atonement rite

Introduction

In Deuteronomy 21:1–9, we find a unique passage that has no parallel in the entire Pentateuch or anywhere else in the Old Testament. Here, Moses gives the Israelites instructions on the proper procedure to follow when they find the body of a murdered person outside the city, whose killer remains unknown.

The situation described here is specific in several respects: no judicial investigation of the circumstances of the killing is described in the text. Although it can be implied *in silentio*, nothing in the text suggests it. The site of the ceremony is a desolate ravine untouched by human activity. The case is not handled by either the local court or the supreme court. Judges are present, but they do not judge. The ritual does not take place in a sacred place. Priests are present, but it is likely they are not the ones performing the ritual itself. There is a formula of exclusion, but it does not exclude anyone from the community. The representatives of the people plead for God's mercy,

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even though they clearly proclaim their innocence beforehand. This biblical text thus rightly attracts the interest of researchers.¹

The goal of this article is a purely synchronic interpretation of the Septuagint version of this biblical passage. In general, it can be said that the translation of the Jewish sacred scriptures into Greek was made primarily for the needs of the Greek-speaking Jewish community, which was no longer able to read or understand the Hebrew original. But then the question arises: how could these believing Jews, later also Christians and finally all other Hellenistic readers, read, understand and interpret the Greek versions of Jewish religious writings without their relating to the Hebrew original? What ideas did these translations evoke in them? What image of Old Testament Judaism did they convey to them? This circle of questions is what this proclaimed synchronic interpretation of Dt 21:1–9 LXX wants to enter. Its aim is to interpret the Greek LXX version of this passage in the context of the Greek Deuteronomy (and the Pentateuch if necessary).² In what way could the described ritual be understood by the Greek readers? What message about God and His people they could learn by reading about it?

The Greek Deuteronomy is its closest referential contextual unit, in relation to which it can and should be interpreted.³ Therefore, primary emphasis will be placed on its terminological, thematic and other contextual connections within the Greek Deuteronomy.⁴ The interpretation will first deal with the elementary contextual placement of the text Dt 21:1–9 and then with its basic structural division. The main interpretive part is structured according to the individual content-structural segments of the interpreted text.

The Greek Septuagint texts in their synchronic interpretation can then be used for comparison with other translations of the given text from the Hebrew original (e.g., Vulgate, targums), for discussions of ancient translations of the Septuagint (e.g., Vetus Latina, Coptic versions), and for study of how this text or any part thereof was received and recontextualised by Jewish⁵ and Christian interpreters.

¹ Here, I kindly refer the reader to overview of the literature on the entire section on Dt 21:1–23 in Eckart Otto, *Deuteronomium 12–34. Erster Teilband: 12,1–23,15* (Freiburg: Herder, 2016), 1610–1617.

² The Greek text of Deuteronomy is quoted in this article according to John William Wevers and Udo Quast, eds., *Septuaginta: Vetus Testamentum Graecum. Vol. 3,2: Deuteronomium*. 2nd ed. (Göttingen: Vandenhoeck & Ruprecht, 2006). If necessary, a different text variant of the edition Alfred Rahlfs and Robert Hanhart, *Septuaginta: id est Vetus Testamentum graece iuxta LXX interpretes* (Stuttgart: Deutsche Bibelgesellschaft, 2006) is introduced. The abbreviations G and R are used for both editions further on in the text, respectively.

³ As far as I know, the only synchronic approach to this text can be found in Douglas C. Mohrmann *Deuteronomion: A Commentary Based on the Text of Codex Alexandrinus* (Leiden: Brill, 2023), 361–365.

⁴ Therefore, I do not, for example, examine the character of the text as a translation, nor do I deal with how the terminology and phraseology of the translation modifies the Hebrew text.

⁵ For the text interpreted here, Josephus Flavius can be taken here into consideration. According to Sean A. Adams and Zanne Domoney-Lyttle, *The Philo of Alexandria Scripture Index* (Atlanta, GA: SBL Press, 2023), 136, Philo does not deal with this text or its part anywhere.

Text and Translation

Dt 21	LXX	NETS ⁶
1	Ἐὰν δὲ εὗρεθῇ τραυματίας ἐν τῇ γῇ, ἣν κύριος ὁ θεός σου δίδωσίν σοι κληρονομήσαι, πεπτωκὼς ἐν τῷ πεδίῳ καὶ οὐκ οἶδασιν τὸν πατάξαντα,	Now if, in the land that the Lord your God is giving you to inherit, someone wounded is found having fallen on the plain, and they do not know who struck him down,
2	ἐξελεύσονται ἡ γερουσία καὶ οἱ κριταὶ καὶ ἐκμετρήσουσιν ἐπὶ τὰς πόλεις τὰς κύκλῳ τοῦ τραυματίου,	the council of elders and the judges shall come out and measure out to the cities that surround the wounded.
3	καὶ ἔσται ἡ πόλις ἡ ἐγγίζουσα τῷ τραυματίᾳ καὶ λήμψονται ἡ γερουσία τῆς πόλεως ἐκείνης δάμαλιν ἐκ βοῶν, ἥτις οὐκ εἵργασται καὶ ἥτις οὐχ εἴλκυσεν ζυγόν,	And it shall be the city nearest the wounded, and the council of elders of that city shall take a heifer from the cows that has not been worked and which has not pulled in a yoke,
4	καὶ καταβιβάσουσιν ἡ γερουσία τῆς πόλεως ἐκείνης τὴν δάμαλιν εἰς φάραγγα τραχεῖαν, ἥτις οὐκ εἵργασται οὐδὲ σπείρεται, καὶ νευροκοπήσουσιν τὴν δάμαλιν ἐν τῇ φάραγγι.	and the council of elders of that city shall make the heifer go down to a rugged ravine, which is neither worked nor sown, and shall hamstring the heifer in the ravine.
5	καὶ προσελεύσονται οἱ ἱερεῖς οἱ Λευῖται, οἱ αὐτοὺς ἐπέλεξεν κύριος ὁ θεὸς παρεστηκέναι αὐτῷ καὶ εὐλογεῖν ἐπὶ τῷ ὀνόματι αὐτοῦ, καὶ ἐπὶ τῷ στόματι αὐτῶν ἔσται πᾶσα ἀντιλογία καὶ πᾶσα ἀφῆ·	And the priests, the Levites, shall come forward, for the Lord God has chosen them to stand by him and to bless in his name, and by their mouth every dispute and every assault shall be.
6	καὶ πᾶσα ἡ γερουσία τῆς πόλεως ἐκείνης οἱ ἐγγίζοντες τῷ τραυματίᾳ νίψονται τὰς χεῖρας ἐπὶ τὴν κεφαλὴν τῆς δαμάλεως τῆς νευροκοπημένης ἐν τῇ φάραγγι	And the entire council of elders of that city, those nearest the wounded, shall wash their hands over the head of the heifer that was hamstrung in the ravine,
7	καὶ ἀποκριθέντες ἐροῦσιν Αἱ χεῖρες ἡμῶν οὐκ ἐξέχεαν τὸ αἷμα τοῦτο, καὶ οἱ ὀφθαλμοὶ ἡμῶν οὐχ ἑώρακασιν·	and in reply they shall say: ‘Our hands did not shed this blood, and our eyes have not seen.
8	Ἰλεως γενοῦ τῷ λαῷ σου Ἰσραὴλ, οὗς ἐλυτρώσω, κύριε, ἵνα μὴ γένηται αἷμα ἀναίτιον ἐν τῷ λαῷ σου Ἰσραὴλ. καὶ ἐξιλασθήσεται αὐτοῖς τὸ αἷμα.	Be merciful to your people Israel, whom you redeemed, O Lord, so that innocent blood may not be among your people Israel.’ And the blood will be propitiated for them.
9	σὺ δὲ ἐξαρεῖς τὸ αἷμα τὸ ἀναίτιον ἐξ ὑμῶν αὐτῶν, ἐὰν ποιήσης τὸ ἀρεστὸν καὶ τὸ καλὸν ἔναντι κυρίου τοῦ θεοῦ σου.	But you shall remove innocent blood from yourselves, if you do what is pleasing and good in the sight of the Lord your God.

⁶ Albert Pietersma and Benjamin G. Wright, eds., *A New English Translation of the Septuagint* (Oxford/New York: Oxford University Press, 2007).

Context

There are two texts in Dt 20 that have a common theme related in some way to warfare: 20:1–9 contains several regulations about military service, and 20:10–20 is instructions for conquering cities. Both textual units are introduced by the conjunction *ἐὰν δέ*, ordinarily in Deuteronomy introducing cases, which are then immediately followed by the relevant thematic discussion. Similarly, the text in 21:1 is introduced in this formal manner, thus defining another separate case for which Moses gives instructions. In this way, it is separated as a self-contained textual unit not only from the previous texts, but also from the following ones, which are also always introduced by the phrase *ἐὰν δέ* in the whole of chapter 21: Dt 21:10–14 gives instructions on marriage to a female captive and 21:15–17 on the right of the firstborn. In vv. 18–21 Moses speaks about the punishment for a disobedient son and in vv. 22–23 about the treatment of the corpse of a criminal hanged on a tree.

The land-grant formulas in verses 21:1 and 21:23d frame the whole chapter and thus create a certain form of *inclusio*,⁷ indicating both the evident *theo*-logical character of the God-given land and especially its purity as the framework theme of the entire chapter,⁸ formulated in the last part of its final verse: οὐ μιανεῖτε τὴν γῆν ἣν κύριος ὁ θεός σου δίδωσίν σοι ἐν κλήρῳ.⁹ This suggests that the corpse of an innocent person who was fatally wounded defiles the land.¹⁰

The framing function of v. 23 is also evident from the fact that the new case in Dt 22:1 doesn't begin with the conjunction *ἐὰν δέ* introducing the protasis of a conditional sentence, but with the participle *μὴ ἰδών* (22:1).¹¹ Verse 21:1, on the other hand, can be seen as the introduction of a new thematic section, in which the common denominator of the individual cases described in it is no longer the killing of enemies and the conquest of their cities (as in chapter 20),¹² but the dwelling of Israel in the land given by God.¹³

Structure

The structure of the pericope seems to be quite clear. Verse 1 as the *protasis* clearly introduces a future conditional sentence. In the Deuteronomic Law (LXX), the conjunction *ἐὰν δέ* introduces a subordinate conditional clause, typically describing a specific legal case. Moses, acting as God's intermediary and lawgiver, then in the form of *apodosis* prescribes its appropriate legal or procedural solution based on God's will.

⁷ The land-grant formula is found earlier in 20:16, but based on the overall formulation and context, it cannot create a similar inclusion. Here, the emphasis is on the fact that it is the land of the nations that the Israelites are to completely destroy, which does not create a similar connection as the formulas in 21:1 and 21:23. The next closest formula, which is completely identical to the one in 21:23, is then in 24:4c, but it is far too separate to create a meaningfully traceable inclusive connection with 21:23.

⁸ Cf. Otto, *Deuteronomium*, 1626.

⁹ The verb *μιαίνω* appears only twice more in the entire Septuagint Deuteronomy, in 24:4, where there is an identical formulation as in 21:1 (οὐ μιανεῖτε τὴν γῆν ἣν κύριος ὁ θεός σου δίδωσίν σοι ἐν κλήρῳ), but in a different context. The man (ὁ ἀνὴρ ὁ πρότερος) who has divorced his wife may not take her back after she has also been divorced by 'the last man' (ὁ ἀνὴρ ὁ ἔσχατος, 24:3) because she has been 'polluted' (μετὰ τὸ μιανθῆναι αὐτήν). For this is an abomination before the Lord your God (βδέλυγμά ἐστιν ἔναντι κυρίου τοῦ θεοῦ σου). Such pollution must not pollute the land given as an inheritance.

¹⁰ Cf. Otto, *Deuteronomium*, 1623.

¹¹ *Ἐὰν δέ* then appears in 22:6.

¹² While verse 10 begins with a mention of going out to war against enemies, its main theme is how to treat a captured woman whom an Israelite man wishes to take as his wife in his country.

¹³ For much more on other contextual interconnections, see Otto, 1624–1626. His contextual observations on the Hebrew text are also applicable to the Greek one. Other connections within the Greek version of Deuteronomy will be pointed out at the appropriate points in the explanation.

From a purely formal-syntactical point of view, precisely due to the smooth flow of the text through the paratactic conjunction *καί* and the verbs in the future indicative (in main clauses),¹⁴ vv. 2–8 can be considered as one extensive *apodosis*. Then, verse 1 states a condition, a case causing a certain legal problem to be solved, which, if fulfilled, in turn causes a whole series of consecutive actions, together forming one process unit, by which the problem is to be solved.

The Septuagint version of Deuteronomy frequently employs a specific conditional sentence structure, in which after the *protasis* there follows the *apodosis* containing at least two future tense verbs connected by the conjunction *καί*. This pattern appears in at least 23 out of more than 60 conditional sentences introduced by the conjunction *ἐάν* *δέ*:¹⁵ Dt 13:6–11 (7–12 R); 13:12–16 (13–17 R); 14:23–26 (24–27 R); 15:16–17; 17:2–7; 17:8–11; 19:11–13; 19:16–20; 20:12–14; 21:1–8; 21:10–13; 21:18–21; 22:2; 22:13–19; 22:20–21; 22:23–24; 22:25–26a; 22:28–29; 23:24 (25 R); 24:1–4; 24:5; 25:1–2; 25:5–6; 25:7–10. In all these instances, a consistent casuistic structure can be identified. This structure can be broadly summarised as follows: ‘If a particular situation arises (*protasis*), then a specific set of sequential actions must be undertaken to resolve it (*apodosis*).’ It is assumed that *all* the described actions are integral components of the solution for the given situation. From the extensive nature of these texts, it is understandable that specific structuring and appropriate punctuation are necessary to ensure clarity in the translated language.

Verse 9a is not part of the broader *apodosis* for two reasons: (1) the continuity of the paratactic use of the conjunction *καί* is broken here using the particle *δέ*; (2) the first part of verse 9 serves as an *apodosis* to verse 9b, forming an independent conditional sentence with a reversed order of *protasis* and *apodosis*.

However, a different scope of grammatical *apodosis* can also be considered in 21:1–9, as evidenced by the different punctuation in the translations: (1) Verses 2–4¹⁶ can be understood as one long *apodosis* of a conditional clause based on the content compactness formed mainly by the terms *γερουσία*, *πόλις* and *δάμαλις*.¹⁷ (2) It can be limited only to verse 2,¹⁸ with its own logic, including content, because at the beginning of verse 3 a different subject (*ἡ πόλις*) is mentioned than in the previous verse (*ἡ γερουσία καὶ οἱ κριταί*).

To enhance clarity, the analysed text is divided into three main sections here – (1) case description: verse 1 presents the case in the form of the *protasis* of a conditional sentence; (2) resolution procedure: verses 2–8 comprise the extensive *apodosis*, which outlines the procedure for resolving the situation. This section is further divided into individual procedural steps expressed by future indicative verbs connected by the paratactic conjunction *καί*; (3) community implications: verse 9 outlines the consequences for the community’s behaviour arising from the presented case.

(1) The *protasis* of the pericope (v. 1) introduces the reader to the initial situation: a case of a dead man found in the field, killed by an unknown person.

¹⁴ Of course, this cannot be applied to relative clauses (v. 3, 4), causal clauses (v. 5), or direct speech (vv. 7–8).

¹⁵ The length and character of the *protasis* can vary considerably in the cases mentioned. Similarly, this also applies to the *apodosis*, of which the length depends on any embedded subordinate (relative or other) clauses.

¹⁶ This delimitation we can observe, for example, in Cécile Dogniez and Marguerite Harl, *Le Deutéronome. Traduction du texte grec de la Septante, introduction et notes* (Paris: Cerf, 2007), 243; Cristina Termini, ‘Δευτερονόμιον, Deuteronomio,’ in *Pentateuco*, Seconda edizione riveduta, ed. Paolo Lucca (Brescia: Morcelliana, 2019), 809–1019, here 929.

¹⁷ This compactness is interrupted by verse 5 with quite different terminology describing a new group of participants coming on the scene.

¹⁸ See, for example, Mohrmann *Deuteronomion*, 117. *Septuaginta Deutsch. Das griechische Alte Testament in deutscher Übersetzung*, ed. Wolfgang Kraus and Martin Karrer (Stuttgart: Deutsche Bibelgesellschaft, 2009), 199.

(2) In the *apodosis*, the characters ἡ γερουσία καὶ οἱ κριταὶ first enter the scene determining which city will accept responsibility for the execution of all further actions (v. 2). The representatives of that city (ἡ γερουσία τῆς πόλεως ἐκείνης) will then, in the further continuation of the *apodosis*, prepare the conditions for the performance of the reconciliation ritual itself at the prescribed place and in the prescribed manner (vv. 3–4).

In verse 5, which seems to be a kind of insertion to the reader, the description of the ongoing actions slows down: new figures necessary for the ceremony come on the scene, namely the priests, the Levites, whose rank, position and function are explained (ὅτι) quite extensively here.

In vv. 6–8a there is a description of the reconciliation ceremony itself performed by the council of elders of the designated city (ἡ γερουσία τῆς πόλεως ἐκείνης) consisting of a symbolic act (v. 6) and a prescribed formula (vv. 7b–8a).

Verse 8b is very likely not to be taken as part of the spoken formula itself: it switches from the dialogical address in the second person singular to the ‘impersonal’ statement in the third person, which fits well into the developed *apodosis* and follows the statement in verse 7a (καὶ ἀποκριθέντες ἐροῦσιν ... καὶ ἐξυλασθήσεται αὐτοῖς). In its content, it concludes the procedural aspect of the entire purification ritual: after performing the entire prescribed ceremony, God¹⁹ will free his people from the guilt of bloodshed in the Promised Land by an unknown perpetrator, and therefore irredeemable by ordinary legal procedures.

(3) The pericope is closed in v. 9 with a conditional clause with the reverse order of protasis and *apodosis*. It acts as a sentence expressing the consequence of the performed ceremony for the addressed community of Israelites.

Explanation

1 Case description

The situation that needs to be addressed according to this text is the finding of the person indicated by the Greek word τραυματίας. This term evoking the idea of someone else’s causing injury leading to death²⁰ usually refers to people killed in battle.²¹ In Deuteronomy, it is then used only in 32:42 in the context of Lord’s fight against his adversaries. Here in 21:1, it is not about killing in battle, which was not considered a crime with any legal consequences.²²

The verb πατάσσω is used in three different ways in other passages of Deuteronomy: (1) to kill the enemies in combat (1:4; 4:46), being repeatedly explicitly specified that this involves their complete extermination (2:33; 3:3; 7:2; 20:13); (2) to kill another person from the Israelites, a ‘neighbour’ (19:4, 6, 11); (3) of God striking people with some punishment, usually disease (28:22, 27, 28, 35; 32:39). In Dt 21:1, the first and third meanings can be completely ruled out. In chapter 19, the verb πατάσσω suggests a scenario where an Israelite kills a fellow tribesman, a neighbour, and therefore there is strong reason to believe that also in 21:1 the person killed was an Israelite. However, there are no details about the identities of either the killer or the victim here. The verse states that the killer is unknown (οὐκ οἶδασιν τὸν πατάξαντα), implying there are no witnesses. Consequently, the standard judicial procedure reliant on witness testimony cannot be applied in

¹⁹ The passive form ἐξυλασθήσεται in the given context cannot be interpreted other than as a divine passive.

²⁰ Cf. Dogniez and Harl, *Deutéronome*, 242; Termini, ‘*Δευτερονόμιον*,’ 928 n. 835. The text does not specify how (e.g., stabbed, shot) or with what (e.g., sword, dagger, arrow, stone) he was killed. From the usual association of this noun with battle, it is certain that he was killed with a weapon.

²¹ In the Pentateuch see Gn 34:27; Nm 23:24; 31:8 (2x); cf. Nm 19:16, 18.

²² Cf. Otto, *Deuteronomium*, 1619.

this case. The victim's identity remains completely unknown, as the case is not centred around him.

The words ἐν τῇ γῇ ἣ κύριος ὁ θεός σου δίδωσίν σοι κληρονομήσαι explicitly define the area to which the following regulations apply. Thus, the prescription of the expiatory rite applies only to the internal geographical framework defined substantially theologically as the land of God's chosen people. The verb κληρονομέω is found a total of 50 times throughout the Greek Deuteronomy, consistently (from chapters 1 to 32),²³ and in only four cases (2:9; 9:1; 11:23; 33:23)²⁴ is it not explicitly connected to the land (or a part of it) that the Lord gives Israel for an inheritance. 'To inherit the land' (κληρονομεῖν τὴν γῆν) is thus a central key theological theme of the entire Greek Deuteronomy, which runs through it like *cantus firmus*.²⁵ However, it is a land that *Lord, God, gives* to the Israelite people; it is His land. Everything that happens on it, everything that is connected to it, is thus directly and immediately concerned with the (Israelite) God himself. The shedding of blood on it is strictly and directly forbidden: οὐκ ἐκχυθήσεται αἷμα ἀναίτιον ἐν τῇ γῇ σου, ἣ κύριος ὁ θεός σου δίδωσίν σοι ἐν κλήρῳ (19:10a). Therefore, since innocent blood has been shed (21:7–8) in the land given by God to Israel, the people must be free from guilt of blood (19:10b: οὐκ ἔσται ἐν σοὶ αἷματι ἔνοχος) and cleanse themselves of this innocent blood (19:13b: καθαριεῖς τὸ αἷμα τὸ ἀναίτιον ἐξ Ἰσραὴλ) by an expiatory rite.²⁶

The perfect participle active πεπτωκώς characterises the 'state' of the slain person who fell and whose body had been lying on the field for some unspecified (and perhaps even unidentifiable) time until it was found 'in the field'. The noun πεδῖον in other places in Deuteronomy refers to a plain in contrast to mountains, or together with them to express the entire space designated (1:7: εἰς ὄρος καὶ πεδῖον; 8:7: διὰ τῶν πεδίων καὶ διὰ τῶν ὀρέων). Or, it refers to the space outside cities (22:25: ἐν πεδίῳ; cf. 22:23: ἐν πόλει) and a place for sowing seed (28:38: σπέρμα πολὺ ἐξοίσεις εἰς τὸ πεδῖον καὶ ὀλίγα εἰσοίσεις). The wording of verses 2 and 3 clearly indicates, that the location ἐν τῷ πεδίῳ in 21:1 means in the context of the case being discussed that the murder took place outside of any city.²⁷

²³ According to the statistics in *Logos Bible Study* 27.3.26. Copyright 2000-2023 Faithlife, LLC: 1:8, 21, 39; 2:9, 24, 31; 3:12; 4:1, 5, 14, 22, 26, 38, 47; 5:33; 6:1, 18; 7:1; 8:1; 9:1, 4, 5, 6, 23; 10:11; 11:8 (2x), 10, 11, 23, 29, 31 (2x); 12:2, 29; 16:20; 17:14; 19:14; 20:16; 21:1; 23:20; 28:21, 63; 30:5 (2x), 16, 18; 31:13; 32:47; 33:23.

²⁴ While verses 9:1 and 11:23 mention ἔθνη μεγάλα καὶ ἰσχυρότερα μᾶλλον ἢ ὑμεῖς, this can be interpreted as an indirect but clear reference to a specific country.

²⁵ The very great interest of the Greek Deuteronomy in the theme of the land as a God-given heritage can be further evidenced by other terms etymologically connected to the verb κληρονομέω. The noun κληρονομία refers to the land in 2:12; 3:20; 12:9; 19:14; in other places it refers to the people (9:26 [only in G], 32:9) and the law (33:4). The verb κατακληρονομέω is used in connection with the land or the peoples inhabiting it: 1:38; 2:21; 3:20, 28; 12, 10, 29; 15:4; 18:4; 19:1, 14; 25:19; 26:1; 31:3, 7. Only in 21:16 (G) does it refer to the distribution of inheritance to sons. The noun κληρὸς is most often used of the land (3:18; 4:21; 5:31; 11:31; 12:1; 15:4; 17,14 [R]; 19:10; 21:23; 24:4; 25:15, 19; 26:1; 29:8 [7 R]), then of the inheritance of the Levite (10:9; 12:12; 14:26 [27 R], 28 [29 R]; 18:1 [2x], 2 [2x]) and of the people as an inheritance (2:5, 9, 19; 9:29).

²⁶ As can be observed, in the case under discussion, neither specific 'murderous' terminology as φονευτής (4:42; 19:3, 4), φονεύω (4:42; 5:18; 19:6; 22:26), φόνος (13:15 [16 R]; 20:13; 22:8; 28:22), nor 'general' terminology for killing as ἀποκτείνω (9:28; 13:9; 22:22; 22:25; 32:29) or θανατῶ (17:7) is used, referring to either the killer or his act.

²⁷ Mohrmann, *Deuteromion*, 362 considers a broader concept: 'Starting with the "land" (γῆ – v. 1) and narrowing the focus to "field" or "plain" (πεδίῳ) does not imply, for example, that the following material pertains only to unsolved murders committed in the countryside. This language merely points toward any circumstance where a surreptitious murder had allowed someone to mortally wound someone and leave the scene undetected. Certainly, a remote location would make that easier. By using a scenario set in a field though, the lawmaker has added complexity. A question of jurisdiction is a compounding factor: "What if jurisdiction is not obvious, as opposed to a murder *within* a city on a dark, quiet alley?"'

2 Resolution Procedure

Since the murderer cannot be identified,²⁸ it is unclear who is responsible for performing the prescribed special conciliatory ceremony. Because this is a case of murder without witnesses, ordinary judicial procedures as documented in Deuteronomy cannot be applied. Two groups are responsible for the initial steps in resolving this situation: the council of elders (ἡ γερουσία) and the judges (οἱ κριταί).²⁹ In the absence of further details, we can assume these involve the council of elders and judges from the cities potentially affected by the case. The surrounding cities (τὰς πόλεις τὰς κύκλῳ τοῦ τραυματίου) are identified as the closest to the victim. They are then compared to determine (ἐκμετρήσουσιν) the absolute closest one. This process suggests it would not be used if the responsible city for the reconciliation ceremony was already clear.³⁰ Once the distance is measured out and responsibility established, the ‘city’ closest to the slain person (καὶ ἔσται ἡ πόλις ἡ ἐγγίζουσα τῷ τραυματίᾳ) ‘will take over the case’.³¹ The elders of that city (ἡ γερουσία τῆς πόλεως ἐκείνης, vv. 3.4.6) then take the necessary actions.

The judges (οἱ κριταί) only appear initially here to determine the closest city through distance measurement. In most passages of the Greek Deuteronomy where they are mentioned in the plural³² (1:15; 16:18; 19:17; 21:2; 29:10; 31:28), they are listed alongside other specific social or religious groups among the Israelites. Based on three verses where they are mentioned alone, their primary roles seem to be: 1. court interrogation (1:16: διακούετε; 19:18: ἐξετάσωσιν), 2. judicial decision-making (1:16: κρίνετε δικαίως), and 3. overseeing punishment (25:2: καθιεῖς αὐτὸν ἔναντι τῶν κριτῶν καὶ μαστιγώσουσιν αὐτὸν ἔναντιον αὐτῶν). Interestingly, in 21:2, the judges appear to have an arbitral role in determining the nearest city, of which the council of elders would then be responsible for the prescribed ritual.

They bring an animal required for the ritual, a heifer which has not yet been used for work and has not been harnessed to the yoke (δάμαλιν ἐκ βοῶν, ἥτις οὐκ εἵργασται καὶ ἥτις οὐχ εἵλκυσεν ζυγόν). In the rest of the Pentateuch LXX, δάμαλις is found in Gn 15:9 and Nm 19:1–10; 7 as a sacrificial animal. There is a similar description of a ritual involving a red heifer in Nm 19:2: δάμαλιν πυρρὰν ἁμωμον, ἥτις οὐκ ἔχει ἐν αὐτῇ μῶμον καὶ ἥ οὐκ ἐπεβλήθη ἐπ’ αὐτὴν ζυγός. However, in that passage the heifer is burnt, but not in Dt 21. The ashes from its burnt body are then used as part of the ‘water of sprinkling’ (ὕδωρ ῥαντισμοῦ, 19:9). Nm 7 lists heifers as part of the offerings that each of the twelve tribes of Israel should bring to the Tabernacle.

The heifer is to be brought into a ‘rugged ravine’, φάραγμα τραχεῖαν:³³ this Greek phrase is found only here in Dt LXX.³⁴ The Greek text leaves it ambiguous as to why the heifer is brought here, to a location of this nature, rather than, say, to the place where the corpse was discovered. Here we read about an inhospitable, uninhabited, and uncultivated place, the desired character of which is explained by the immediately following characteristic: ἥτις οὐκ εἵργασται οὐδὲ σπείρεται.

²⁸ If the murderer was known or found out, it would not be necessary to perform this conciliatory ceremony.

²⁹ The textual variant σου in both groups found in R variant explicitly introduces a stronger personal emphasis.

³⁰ Although it was no longer a dispute, the conciliatory ceremony still had to be performed in the presence of priests.

³¹ Mohrmann, *Deuteronomion*, 362.

³² The singular form κριτής is used only in 17:9, 12.

³³ John William Wevers, *Notes on the Greek Text of Deuteronomy* (Atlanta, Georgia: Scholar Press), 199, 335: ‘a rugged wadi’. Takamitsu Muraoka, *A Greek-English Lexicon of the Septuagint* (Louvain: Peeters, 2009), 685 suggests an equivalent ‘wildly flowing’ for τραχὺς in this place, but his translation is evidently under the influence of the Hebrew (MT) version.

³⁴ The adjective τραχὺς occurs in Dt only here; the noun φάραγμα in Dt a total of 10 times in 8 verses 1:24; 2:13 (2x); 2:14; 2:24; 2:36; 4:46; 21:4 (2x); 21:6.

This corresponds to the characterisation of the heifer in verse 3b (ἥτις οὐκ εἰργασται καὶ ἥτις οὐχ εἴλκυσεν ζυγόν).

The mention of ‘not-working’ (οὐκ εἰργασται) in this context is very interesting. The verb ἐργάζομαι appears in Dt LXX in only two other places besides this. In the Decalogue (5:13), work is prescribed for six days of the week (ἕξ ἡμέρας ἐργᾶ καὶ ποιήσεις πάντα τὰ ἔργα σου), while the seventh day is reserved for rest for the Lord, when all living creatures (including all livestock, πᾶν κτήνός) must abstain from work (5:14). According to 15:19, every firstborn male is consecrated to the Lord, and therefore the firstborn calf must not be worked (οὐκ ἐργᾶ ἐν τῷ πρωτοτόκῳ μόσχῳ σου). These two uses show that ‘not-working’ grants a specific time (σάββατα) and a specific living creature (πᾶν πρωτότοκον) a special, but fundamental theological value of exclusivity, or being exclusively dedicated for God. Thus, the verbatim repeated characterisation of the heifer and the ravine in Dt 21:3 and 4 οὐκ εἰργασται can be understood as an expression of their specific theological value, which makes them suitable for a purification ritual. In both cases, the general phrase οὐκ εἰργασται is supplemented by another, more specific characteristic that the chosen heifer and ravine must meet, οὐχ εἴλκυσεν ζυγόν and οὐδὲ σπείρεται. Therefore, it can be said that both the animal and the land are chosen, because they have not yet been ‘devalued’ or ‘profaned’ by human labour. Both are thus appropriate as parts of the ritual communication with God. This interpretation can explain the unusual phrase φάραγμα τραχεῖαν.³⁵

The members of the council of elders of the city in question will then cut the heifer’s tendons (νευροκοπήσουσιν, v. 4b).³⁶ This act does not lead directly to the death of the animal; it leads to its mutilation, the consequence of which is a slow and long dying. It is therefore not a form of direct killing, and therefore not a kind of sacrifice. In the given context hence, it can be considered a certain ritual-symbolic analogy to the fate of the mortally wounded man: in both cases fatal injury leads to death.

The fifth verse of the text requires the presence of ‘priests, Levites’ for the ritual. This phrase characterises the Levites in their specific priestly role. In the five other occurrences in Dt LXX, it is used in connection with their specific function associated with: the God-chosen place, where they act as part of the highest judicial authority (17:9) and preserve the text of the Law intended for the king to transcribe (17:18); the highest legislative authority directly connected to God when they proclaim and mediate the binding Law of God (24:8); or the same authority as Moses, when they together commit the people to a future (after entering the land) pronouncement of a curse (27:9). They are introduced through this phrase at the very beginning of the section 18:1–6 offering a comprehensive description of their special position among the people and their functions.³⁷

³⁵ Mohrmann, *Deuteronomion*, 363 suggests a symbolic interpretation: ‘Symbolism continues in the law’s stipulation that these civic leaders take the animal to a remote location that has “neither been cultivated nor sown with seed” (οὐκ εἰργασται οὐδὲ σπείρεται – v. 4). A gorge or valley is mentioned (φάραγμα), and it is preferable if it is also a wasteland (τραχεῖαν; “rugged”, “treacherous” – LSJ). This setting parallels the people’s lost tranquility. Accordingly, it is in this symbolic space of hardship the ritual will be performed.’ But a symbolic analogy, if any, would be better on the level of ‘rough act – rough space’. The adjective τραχύς can also be used of a person; cf. Henry George Liddell and Robert Scott, *A Greek-English Lexicon. With a Supplement* (Oxford: Clarendon Press, 1996), τραχύς, I, 4: ‘of persons, their acts, feelings, or conditions, rough, harsh, savage’.

³⁶ This very rare verb occurs only five times in total in LXX, in all cases applied to animals; besides Dt 21:4, 6 also in Gn 49:6b; Jo 11:6 and 11:9.

³⁷ In the Dt LXX, the ‘Levites’ are also characterised in other stereotyped ways: (1) unlike the other tribes, they have no share in the land (10:9; 12:12; 14:26, 28), (2) they reside in the cities of the other Israelite tribes (14:26; 16:11; 18:6), and (3) together with proselytes, orphans, and widows, they belong to the socially disadvantaged groups that require special care (26:12, 13).

Their presence in the ritual (21:5) is in an extensive way explained (ὅτι) by the fact that they are chosen³⁸ by God himself (αὐτοὺς ἐπέλεξεν κύριος ὁ θεός) to stand before Him, to bless in His name and to decide every controversial case and every injurious ‘touch’ in their presence (ἐπὶ τῷ στόματι αὐτῶν ἔσται πᾶσα ἀντιλογία καὶ πᾶσα ἀφή). However, since they do not pronounce any words of blessing during the ritual, it can be inferred that they are present primarily because of their ‘arbitral’ position. Mentioned just in the middle of the preparatory phase of the ritual and its very performance, they therefore appear as the decisive factor for the prescribed ritual. According to Dt 17:8–9 LXX, the priests, Levites, together with the judge, act as the supreme judicial body on the place chosen by the Lord, deciding legal matters that cannot be resolved at the local court level. Among the cases mentioned is a dispute concerning ἀφή. This Greek word here denotes some type of injury³⁹ and in this sense is also used in 21:5,⁴⁰ where in the context it can be factually related to the fatal injury from verse 1. Since this is a case that occurred in the land donated by God to Israel and which cannot be resolved by the usual court procedure, the presence of the priests, Levites, as a supervisory authority seems to be necessary.⁴¹

At the same time, and above all, they are the ones who mediate the direct contact or communication with the God of Israel. Their presence thus confirms that the case of innocently spilled blood directly affects the relationship between Israel and its God. They come to a task that is reserved only for them, and not for the gerusia, even though it performs the relevant ritual.

Notably, the verb λειτουργέω (‘to perform a religious service’),⁴² which appears in a similar formulation in 18:5,⁴³ and in the remaining three occurrences in Dt LXX always affirms the essential function of the Levitical priesthood (10:8; 17:12; 18:7). In all four of these occurrences, the verb παρίστημι is present as well, which is also found in 21:5. The absence of λειτουργέω in this verse might be explained by the nature of the described activities in the other passages. In those cases, the Levitical priests are always connected with the Lord’s chosen place (cf. 17:10; 18:6) or with carrying the Ark of the Covenant (10:8). In other words, their specific priestly duties are most closely associated with a particular location or object. Here, however, that is not the case. They do (and can) not perform any ‘liturgical’ act here.

The ritual itself is performed by πᾶσα ἡ γερουσία τῆς πόλεως ἐκείνης. The added adjective πᾶσα implies the idea that in the previous steps assigned to the city council of elders, not all of its members had to be necessarily present. However, this is no longer the case for the ritual itself. In

³⁸ Interestingly, this is the only occurrence of the verb ἐπιλέγω in the entire Dt LXX. For ‘choosing’ someone or something (place, people, fathers’ offspring, ruler) by God, the verb ἐκλέγω is used everywhere else. This fact further confirms and strengthens the overall specific character of the interpreted text.

³⁹ Dogniez and Harl, *Deutéronome*, 224: ‘le mot grec *haphē*, don’t le sens classique est “le sens du toucher”, “le contact”, est employé dans la Septante pour une “plaie”, une “blessure”, notamment celle de la lèpre (Lv 13 et 14).’

⁴⁰ In 24:8, it is further specified as ἐν τῇ ἀφῇ τῆς λέπρας.

⁴¹ Otto, *Deuteronomium*, 1648–1649: ‘Eid (...), der vor Priestern geleistet werden muss.’ However, it may not be entirely clear whether they (1) only supervise the performance of the ceremony; or (2) they are also the performers of the ceremony, cf. Wevers, *Notes on the Greek Text of Deuteronomy*, 337: ‘Since the verse begins with καὶ I suspect that what is joined are “the Levitical priests (shall approach)” and “all the eldership of that city”; (...), i.e. both are to take part in the ceremony of washing the hands.’ Dogniez and Harl, *Deutéronome*, 243 also interprets and translates the text in this sense.

⁴² Johan Lust, Erik Eynikel, and Katrin Hauspie, *Greek-English Lexicon of the Septuagint*. Third Corrected Edition (Stuttgart: Deutsche Bibelgesellschaft, 2015), 369.

⁴³ ὅτι αὐτὸν ἐξελέξατο κύριος ὁ θεός σου ἐκ πασῶν τῶν φυλῶν σου παρεστάναι ἔναντι κυρίου τοῦ θεοῦ σου λειτουργεῖν καὶ εὐλογεῖν ἐπὶ τῷ ὀνόματι αὐτοῦ, αὐτὸς καὶ οἱ υἱοὶ αὐτοῦ ἐν τοῖς υἱοῖς Ἰσραὴλ.

the phrase οἱ ἐγγίζοντες τῷ τραυματίᾳ, the present participle should be understood in the sense of ‘being near’ rather than ‘approaching’ (cf. verse 3: ἡ πόλις ἡ ἐγγίζουσα τῷ τραυματίᾳ).⁴⁴

They shall wash their hands over the head of the hamstrung heifer. The phrase νίβονται τὰς χειρᾶς is found only here in Dt LXX⁴⁵ and nowhere else in the Greek Pentateuch in performing this act over the head of the animal. Since nothing in the text suggests the presence of a place with water, it must be assumed that the water for this symbolic act was brought here. The washing of hands is generally a purifying ritual act in cult (cf. Ex 30:19; Lv 15:11). Here too it is a symbolic act that confirms the innocence of those who perform it, that they did not shed blood in this case (cf. also Mt 27:24), that they have hands clean of blood.⁴⁶

In the Pentateuch, there are several mentions of the placing of hands on an animal’s head⁴⁷ as a ritual gesture, mostly associated with sacrifices for sin (Ex 29:10, 15, 19; Lv 1:4, 10; 3:2, 8, 13; 4:4, 15, 24, 29, 33; 8:14, 18, 22; 16:21). Interestingly, an analogy can be drawn between this act and the washing of hands, as both are seen as parts of an atonement ritual performed over the animal’s head.⁴⁸ A heifer (δάμαλις) as a sacrificial animal is somehow associated with purification (cf. Nm 19:2, 6, 9, 10) and with peace offerings (Nm 7 passim) and a bull (μόσχος) with offerings of various types, e.g., for a burnt offering (Nm 7 passim; cf. Nm 28:11, 19, 27. etc.), or for sin (Lv 4 passim; 8:2, 14; Nm 8:8; cf. Nm 15:24).

In the ritual formula, the representatives of the responsible city declare their innocence (vv. 7–8a): Αἱ χεῖρες ἡμῶν οὐκ ἐξέχεαν τὸ αἷμα τοῦτο, καὶ οἱ ὀφθαλμοὶ ἡμῶν οὐχ ἐωράκασιν.

The verb ἐκχέω in the Deuteronomy LXX is always associated with the ‘pouring out of blood’ (12:16, 24; 15:23; 19:10; 21:7). This idiom signifies the act of killing a human being,⁴⁹ as evidenced in the present case where it clearly refers to the committed murder.

With the words οἱ ὀφθαλμοὶ ἡμῶν οὐχ ἐωράκασιν, they declare that there is no witness from among the Israelites present to the act. This formal statement confirms the initial information about an unknown killer from v. 1 (οὐκ οἶδασιν τὸν πατάξαντα). This is why the case cannot be judged by ‘standard’ procedure and the purification ritual must take place.

The adjective ἴλεως is found only here in Deuteronomy. The phrase ἴλεως γενοῦ as an address to God is found in the entire Pentateuch only in Ex 32:12 in Moses’ plea for the people who worshiped the golden calf.⁵⁰ While his plea here serves to avert the Lord’s anger and punishment for the crime committed, in Dt 21:8 it seems rather like a plea to God to show such favour to his people that it will prevent the further crime of killing an innocent person. It cannot also be

⁴⁴ See translations in Dogniez and Harl, *Deutéronome*, 243; *Septuaginta Deutsch*, 199. To the number change *ad sensum* see Cornelis den Hertog, Michael Labahn, and Thomas Pola, ‘Deuteronomion / Deuteronomium / Das fünfte Buch Mose’, in *Septuaginta Deutsch. Erläuterungen und Kommentare zum griechischen Alten Testament. Band I. Genesis bis Makkabäer*, ed. Martin Karrer and Wolfgang Kraus (Stuttgart: Deutsche Bibelgesellschaft, 2011), 523–601, 526.

⁴⁵ The verb νίπτω is only used here in the entire Dt; χεῖρ occurs 80 times in Dt.

⁴⁶ Cf. Otto, *Deuteronomium*, 1649.

⁴⁷ We can also find instances in the Bible with placing hands on a person’s head. In Gn 48:18, it signifies a blessing, while in Lv 24:14, it foreshadows death.

⁴⁸ Cf. Dogniez and Harl, *Deutéronome*, 243.

⁴⁹ Cf. Dirk Büchner, Romina Vergari, and Ilaria Ponti, ‘αἷμα’, in *Historical and Theological Lexicon of the Septuagint. Volume I. Alpha – Gamma*, ed. Eberhard Bons (Tübingen: Mohr Siebeck, 2020), 345–374, 361.

⁵⁰ The phrase with the verb in the 2nd person singular indicative form is found in Nm 14:19 (ἴλεως αὐτοῖς ἐγένου); in the 1st person singular indicative in Nm 14:20: Ἰλεως αὐτοῖς εἰμι; and without verb in Gn 43:23 (Ἰλεως ὑμῖν). John William Wevers, *Notes on the Greek Text of Genesis* (Atlanta, Georgia: Scholar Press, 1993), 733: ‘What is meant is “God has been gracious to you,” or possibly as a polite wish “may God be gracious (to you).” The word is used in LXX only of God.’

overlooked that in both cases the granting of the request is immediately confirmed by the passive form (*passivum divinum*) of the verb ἰλάσκομαι (Ex 32:14),⁵¹ or ἐξιλάσκομαι (Dt 21:8).⁵²

The verb λυτρόω occurs in all places in Deuteronomy in the middle voice (7:8; 9:26; 13:5 [6 R]; 15:15; 21:8; 24:18) and its subject is always God and always refers to His redeeming act from Egypt on His people Israel.⁵³ If the formulation οὗς ἐλυτρόσω⁵⁴ is explicitly stated in Dt 21:8, one can ask what function this theologically important and fundamental statement has in the case discussed here.⁵⁵ Is it mentioned here regarding the defilement of the granted land with the blood of a murdered person? Or is it intended to serve as a certain intensification of the unique relationship between God and his people Israel? In any case, one can agree with Mohrmann's words: 'As so often happens in Deuteronomion, the Lord's redemptive work (ἐλυτρόσω; 7:8; 9:26; 13:6; 15:15; 24:18) in the Exodus story is applied by analogy to Israel's present life. Here that epic story of mercy founds their present request for mercy.'⁵⁶

By this request, the gerusia expresses its wish that there will be no more 'innocent blood' among the people (ἵνα μὴ γένηται αἷμα ἀναίτιον ἐν τῷ λαῷ σου Ἰσραήλ). 'This word-group [αἷμα ἀναίτιον] constantly denotes the blood of a murdered innocent that usually sullies the souls of men.'⁵⁷ This phrase thus represents a certain theological classification of the act mentioned in verse 1, which justifies the performance of the entire ritual. It is the shedding of innocent blood in the land given by the Lord. The shedding of innocent blood demands justice.⁵⁸ Ideally, this comes through the lawful imposition of the death penalty. However, even when the legal system fails, a sense of vengeance lingers. Innocent blood stains not only the murderer's soul, but the very ground where it is spilled.⁵⁹ Thus, the land and its people must be cleansed of the stain of murder.⁶⁰

In a symbolic gesture of washing their hands and a solemn declaration of their innocence, the people's representatives have formally 'washed away' the guilt from themselves. The purpose of the plea for mercy is to eliminate such cases of innocent bloodshed in the future.

⁵¹ καὶ ἰλάσθη κύριος περὶ τῆς κακίας, ἣς εἶπεν ποιῆσαι τὸν λαὸν αὐτοῦ.

⁵² καὶ ἐξιλασθήσεται αὐτοῖς τὸ αἷμα.

⁵³ Friedrich Büchsel, 'λυτρόω', in *Theological Dictionary of the New Testament, Volume 4*, ed. Gerhard Kittel, Geoffrey W. Bromiley, and Gerhard Friedrich (Grand Rapids, MI: Eerdmans, 1967), 349–351, 349: 'The act. denotes the action of one who has to free prisoners of war etc., hence "to let free for a ransom." But it can also be used of the one who gives the ransom, hence "to buy back by a ransom." The med. means "to purchase for a ransom (...)." Throughout Deuteronomy, there are repeated references to redemption 'from slavery' (ἐκ τῆς δουλείας) or from the 'house of slavery' (ἐξ οἴκου δουλείας), i.e., from Egypt. Only in Dt 7:8 do we encounter the phrase ἐκ χειρὸς Φαραὼ βασιλέως Αἰγύπτου used in this context. The Pentateuch is silent on the matter of what price God paid Pharaoh in exchange for Israel. There are indications that the Egyptians themselves 'paid' for it: with their gold, silver and clothing (cf. Ex 11:2) but above all with the lives of their firstborn (Ex 11:4–8).

⁵⁴ In R, there is an addition ἐκ γῆς Αἰγύπτου in this verse. In all other instances of the Dt LXX, the connection between the verb λυτρόω and the exodus from Egypt is explicitly stated in some way (7:8; 9:26; 13:5 [6 R]; 15:15; 24:18).

⁵⁵ The verb ἐξάγω is much more common in this context. While in itself theologically neutral, it is always used in connection with God's deliverance of Israel from Egypt, except for five instances out of a total of 25 (8:15; 17:5; 21:19; 22:21, 24).

⁵⁶ Mohrmann, *Deuteronomion*, 364.

⁵⁷ Constantinos Raïos and Eberhard Bons, 'αἰτία, αἴτιος, ἀναίτιος, παραίτιος, μεταίτιος', in *Historical and Theological Lexicon of the Septuagint. Volume I. Alpha – Gamma*, ed. Eberhard Bons (Tübingen: Mohr Siebeck, 2020), 415–436, 431.

⁵⁸ In the case of the unintentional killing of another person, this is legally 'taken care of' by the institution of cities of refuge (cf. Dt 19:1–10). Perhaps the only case of killing a 'guilty' person 'in the field' could be considered blood revenge on a person who intentionally killed a neighbour (cf. 19:11–13). In this case, ὁ ἀγχιστεύων τοῦ αἵματος ('avenger of blood') is not prosecuted.

⁵⁹ Cf. Büchner, Vergari and Ponti, 'αἷμα', 362.

⁶⁰ Cf. Raïos and Bons, 'αἰτία', 431.

The sentence in v. 8b καὶ ἐξιλασθήσεται αὐτοῖς τὸ αἷμα is no longer part of the ritual formula. This can be substantiated by the change of the grammatical person from 2nd sg. (in addressing God) to the 3rd sg. (simple statement) and by the overall character of the apodosis structured according to the conjunction καί and the grammatical form of the future active of the verbs. The verb ἐξιλασθήσεται is etymologically related to ἴλεως,⁶¹ which seems to indicate that the request for mercy will be heard after the ceremony has been duly and properly completed.

3 Community Implications

In verse 9a, the words of the exclusion formula (σὺ δὲ ἐξαρεῖς τὸ αἷμα τὸ ἀναίτιον ἐξ ὑμῶν αὐτῶν) are used to formulate the consequences for the community that arise from the entire situation described. Compared to its usual use in Deuteronomy, there are two significant differences here: 1. the object of exclusion is not a person characterised as ‘the wicked’ (13:5 (6 R); 17:7, 12; 19:19; 21:21; 22:21, 22, 24; 24:7), but ‘innocent blood’; 2. the exclusion formula is here linked to a condition (in 9b); and (3) in the given context, it is not formulated as a punishment for an offense against the law.

The condition ἐὰν ποιήσης τὸ ἄρεστον καὶ τὸ καλὸν can be quite well applied to the previous ritual,⁶² in the sense of: when you properly perform this ritual, which is acceptable and good before the Lord, then you will remove from the people the guilt that rests on them arising from the innocent person who was killed and whose murderer is unknown and could not be punished by law. If this condition were to be understood in a general moral sense,⁶³ then the formula for removing innocent blood would apply to any future doing ‘the pleasing and good’ without reference to the described case. But then, verse 9 would essentially be a separate (but meaningful) statement attached to verse 8 only on a single word association (αἷμα ἀναίτιον). So, it could finally be interpreted as an independent textual unit, without necessary reference to the previous text and not as its organic part.

Conclusion

In Deuteronomy 21:1–9, Moses provides instructions to the Israelite people on how to proceed in the event of a murdered person being found outside the cities in the land given to them by God. Innocent blood has been shed and has stained the land God had promised to Abraham, Isaac, and Jacob (1:8; 6:10; 9:5; 30:20; 34:4). Since the murderer, the one who is truly ‘guilty of blood’ (αἵματι ἔνοχος, 19:10), is unknown, the case cannot be resolved through standard legislative means or procedures. An expiatory ritual must be performed to ensure that the guilt for the ‘innocent blood’ does not fall on the people, who are God’s holy people (7:6; 14:2, 20 (21 R); 26:19; 28:9). Both the land and the people must be cleansed of the stain of homicide.

The passage we encounter here in Deuteronomy addresses a matter of exceptional seriousness, directly impacting the unique and exclusive relationship between God and his chosen people. The profound seriousness of the issue is underscored by the text’s deeply theological nature and its emphasis on core religious principles. First, this is indicated by the phrase κύριος ὁ θεός σου in vv. 1 and 9, creating an *inclusio* and framing the whole pericope. The Lord, God is the one who gives the land to Israel as an inheritance (v. 1), he is therefore its rightful owner. He is also the one

⁶¹ Robert Beekes and Lucien van Beek, *Etymological Dictionary of Greek. Volume One* (Leiden/Boston: Brill, 2010), 586–587.

⁶² This can be supported by referring to the presence of the definite article in both the phrase τὸ αἷμα τὸ ἀναίτιον and τὸ ἄρεστον καὶ τὸ καλόν.

⁶³ Thus, for example, Otto, *Deuteronomium*, 1650.

who chooses his special staff, the priests, the Levites, who are to bless and decide disputes in his name, and whose presence is necessary at the ritual (v. 5). He himself redeemed the Israelite people from Egyptian slavery (v. 8). The Lord is the only one to whom his people turn with a plea for reconciliation and who will forgive his people (v. 8). The Lord, God ultimately determines and judges what behaviour of his people in the Promised Land is acceptable and good in his eyes (v. 9). His basic requirement is ultimately ἀγαπᾶν κύριον τὸν θεόν σου, εἰσακούειν τῆς φωνῆς αὐτοῦ καὶ ἔχθαι αὐτοῦ· ὅτι τοῦτο ἡ ζωὴ σου καὶ ἡ μακρότης τῶν ἡμερῶν σου κατοικεῖν σε ἐπὶ τῆς γῆς, ἧς ὤμοσεν κύριος τοῖς πατράσιν σου Ἀβραὰμ καὶ Ἰσαὰκ καὶ Ἰακώβ δοῦναι αὐτοῖς. (Dt 30:20)

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