

THE DESTRUCTION OF THE SEVEN NATIONS IN DEUTERONOMY AND THE MIMETIC THEORY

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The book of Deuteronomy is a narrative with two narrative voices which do not necessarily present the same perspective, the one of the narrator, the other of Moses. By employing the technique of showing rather than telling, the narrator allows his Moses to articulate a new design of the world in the Deuteronomic law. Although mimetic theory may be important to our understanding of both perspectives, I will focus here solely on that world presented by Moses' speeches.¹ A brief summary of my essay "Opfer und Säkularisierung im Deuteronomium" (Sacrifice and Secularization in Deuteronomy), in whose final section I found it necessary to turn to René Girard's mimetic model for clarification of the evidence, provides the basis for the revision and expansion of that study which follows.

Deuteronomy—a new conception of the sacred

My essay was in the form of a debate with the secularization thesis of Moshe Weinfeld, whose point of departure is the Deuteronomic centralization of sacrifice in Jerusalem.² In *Deuteronomy and the Deuteronomic School*, Weinfeld argues that all sacrifice as well as everything sacral was abolished throughout the land, that the sacred was restricted to the central cultus and all else became the profane. I sought to demonstrate that the historical assump-

¹ With regard to the narrator's perspective a central question which arises, for example, is whether Moses is a sacrificial victim or a scapegoat.

² For an early criticism of Weinfeld's work, see Jacob Milgrom (1973).

tions of his thesis are based on an erroneous interpretation of the evidence. Although I cannot review those assumptions here, it is important to point out that the evidence is more complicated than Weinfeld seems to admit.

In the book of Deuteronomy, we see that sacrifice indeed is abolished throughout the land. Less apparent is the fact that that restriction extends also to the rituals of sacrifice practiced by the central cultus. There is no mention of such rituals in Deuteronomy. A close study of the text reveals that they in fact have undergone a subtle transformation. The 14 centralization laws which describe the pilgrimage to the central sanctuary are presented in a literary form that resembles a ritual (see the tables in Lohfink 1992, 25-31). The high point of that pilgrimage is not the slaughter and offering of animals but the joy of a common meal. The killing of the animals is relatively insignificant in the light of the celebration of Israel's existence "before the countenance of YHWH." The Israel that celebrates this festival is moreover a society where there are neither poor nor needy. This ideal society constitutes in Deuteronomy the true sacred.

By comparison with the older, archaic-cultic, understanding of this sacred the transferral of the world-reality of the society 'Israel' into the sacred appears to imply its disintegration. But this is not the case. Deuteronomy embodies an extension of the sacred, not its demise. It presents a new interpretation of the phenomenon.

The process of transforming the meaning of the sacred is mirrored in designation of Israel, indeed all of Israel, as *qadosh* 'holy'. It is no longer the priests alone who are considered holy but the entire population. Deuteronomic law is framed by statements that name Israel as "a people holy to the LORD your God" (7:6; 26:19) and that promise the holiness of Israel as a future blessing (28:9).³

Now 'holiness' always means the marking of a partial realm out of a greater realm which becomes thereby the 'profane'. This is what is meant in Deuteronomy. The nation of Israel is 'holy' in contrast to the other 'nations;' it is, according to 7:6, the "people for his own possession out of all the peoples that are on the face of the earth." In 26:18ff. this rhetorical formula splits into two discrete references, the one stating that Israel will be "a people for His own possession," the other that "He will set you high above all the nations He has made." Both texts depict a system of holy-profane which encompasses all humankind, a system in which the sacred constitutes the Israel whose full reality is realized in the festival.

³ All biblical references are to the Revised Standard Version.

The affirmation of Israel as a holy people frames a specific segment of the law as well. The regulations concerning differentiations in mourning, food, and food preparation (14:1-21) restipulate the double affirmation in Deut. 7:6, both in 14:2, and in 14:21 where the first affirmation recurs as the concluding element in the frame. This segment is closely connected to the centralization law in Deut. 12. As George Braulik formulates it,

Like the three laws of 13:2-19, so also the three laws of 14:1-21 supplement and extend 12:29-31, the prohibition of rites by which the people of Canaan worship their gods. 13:2-19 took up the motif of "gods of the peoples" and dealt with the exclusive binding of Israel to its God. 14:1-21 picks up the motif of "rites of other peoples" and treats Israel's dependence on the ritual example of the peoples and the symbolism rooted in them. (1991, 34)

The sacred, which through the giving of the law of sacrifice in Deut. 12 had been drawn into the conjunctions of time and space, is now—through the differentiations prescribed in 14:1-21—extended to all of time and to the entire land.

The beginning of this extension through differentiation was already suggested in 12:13-28, the passage stipulating the distinction between the slaughter of animals at the sanctuary and the (permitted) slaughtering in the towns. For the latter, there is a special rule for the procedure with blood which includes two references to the word *tame* 'unclean' (12: 15, 22). In 14:1-21 the word becomes the key lexeme (14:7, 8, 10, 19). It is typical, it seems to me, that whereas the theme of purity for the entire people is treated, no consideration is given to special purity prescriptions for the priests. Of course, in 24:8 it is clear that Deuteronomy reckons with a specialized knowledge of what is clean and unclean. But even here it is a matter concerning all groups, not just a priestly, especially sacral, one. 'Purity', then, is the representation of 'holiness'. It does not demarcate a boundary *within* Israel but a division between Israel and foreign peoples (see Mayes 14).

Regarding Deut. 12, one often speaks of 'profane slaughter', but that is formulated from the perspective of a pre-Deuteronomomic understanding. For Deuteronomy nothing is abandoned to the profane.⁴ The sacred itself is merely

⁴ Jacob Milgrom has shown how difficult this assumption would be with respect to employment of the lexeme *zavach*. The instances in Deut. 12:15, 21 would be the only cases where *zavach* is not "a cultic term" (2). Milgrom offers an ingenious solution to the problem

shifted, concentrated now in the Israel assembled in the festival as YHWH's people. This is not a delimitation but a broadening of the sacred. There is no longer anything in Israel that would not be holy.

We can pursue this question linguistically. In Deuteronomy the language field of the sacral encompasses, in addition to *qadosh* 'holy', still other lexemes. If one follows their tracks it becomes apparent that, on the one hand, Israel's total holiness corresponds to Israel's entire 'land',⁵ and on the other hand, Israel's sacrality is concentrated not only in the feasts but in other phenomena as well, namely in the "assembly of YHWH" and in the "army camp."

The land which YHWH gives because of his oath to the patriarchs is nowhere in Deuteronomy directly designated as 'holy'. It cannot in fact be named as 'holy', because heaven alone is the place of God's holiness (Deut. 26:15). His holiness touches the earth, as it were, only through his holy people. In the context of Deuteronomy one must therefore be careful about speaking of a 'holy land' and, at the same time, be clear on the notion that the Deuteronomic nimbus of the 'land' given to Israel is connected to the holiness of the whole of Israel.⁶

This is demonstrated already in Deut. 7, a text central to the holiness affirmations. The introduction says, "When the LORD your God brings you into the land which you are entering to take possession of" The passage is concerned with the land. The holiness affirmation follows as the basis for the command to destroy all pagan altars, cult posts and pillars, and graven images throughout the land (7:5). The same theme is again taken up at the

which is congruent with the Jewish tradition of exegesis: in Deuteronomy, he explains, *zavach* corresponds to the *shachat* of the priestly language, because in that language *zavach* is limited to the presentation of the *zevach-sacrifice*. In Deut. 12:15, 21, the priestly *shachat* clarifies the meaning of *zavach*: it prescribes the killing of the animal through 'ritual slaughter.' This constitutes again a restriction of a sacralizing nature.

⁵See also Eckart Otto's study of the connection between the holiness of the land and Deuteronomic criminal law.

⁶It is not possible to transfer the priestly reciprocal relation of the binary concepts 'holy-profane' and 'clean-unclean' into Deuteronomy. The Deuteronomic extension of the sacred beyond temple and priesthood necessarily entails certain displacements. Yet it is not completely clear whether Deuteronomy has worked out a fully new system. Here precise investigations are lacking. In the commentary that follows, my point of departure is that Deuteronomy consciously gave a new reference only to the sacred, whereas it presupposes as unchanged the categories of 'clean' and 'unclean'. Deuteronomy has no difficulty in employing such categories when opportunity arises. However, it does not turn them into supportive building-blocks of its world structure. Nevertheless, where they appear they signal the proximity of the tension between 'sacred' and 'profane'.

conclusion of the chapter (7:25ff.) where we encounter the expression "abomination to the LORD your God." In Deuteronomy, the concept of *to'evah* 'abomination' means more than that which is unseemly or arouses disgust; it denotes a negative form of the sacred (see also the verb *f^éb* in 7:26). The command to purify the land of false places of cult in 7:5 is repeated in 12:2-3 where it produces the laws about the centralization of sacrifice.⁷ This is sufficient evidence in itself to assert that the latter stands in direct connection with a land cleansed of all pagan cult.

The land is also the focus of the law about murder by an unknown person (21:1-9). This is the only passage in the Deuteronomic law where the word *kipper* 'atone' appears. Its use shows that this specific law is concerned with sacrality. Yet the atonement is achieved without 'sacrifice' in the traditional sense. So once again we see the new Deuteronomic conception of holiness.

Instances of the connection between the land and the law appear now to multiply in quick succession. The conclusion of the law about the burial of the executed criminal (which must take place on the day of death itself) says, "You shall not defile your land which the LORD your God gives you for an inheritance" (21:23). Again, the prohibition against a man's remarrying a woman whom he previously divorced, and who subsequently remarried and was again repudiated or left a widow, is explained as follows: ". . . [the husband] may not take her again to be his wife, after she has been defiled; for that is an abomination before the LORD, and you shall not bring guilt upon the land which the LORD your God gives you for an inheritance" (24:4). Divorce, in other words, sets up a boundary of clean-unclean between two persons whose transgression affects the sacrality of the entire land. Finally, the link between "land" and "abomination before the LORD" is again invoked in the law concerning false weights and measures: the law stipulates that right conduct brings long life in the land given by God (25:15) and that dishonesty is an "abomination before the LORD your God" (25:16).

These passages culminate in the ritual covenant protocol in 26:16-19 in which we find the most expansive affirmation of Israel as "YHWH's holy people." It seems that when the text approaches this great affirmation, the land as the living space of this holy people must also be expressly mentioned. The concluding sentence of the law collection is the entreaty to YHWH to look down from heaven, the dwelling of his holiness (*me^éon qodsheka*), upon the

⁷ Deut. 12:2-3 immediately follows the determination of the purview of the following laws, which are to be in effect in the land promised to the fathers (see Lohfink 1989, 1990).

people Israel and upon "the land which thou hast given us, as thou didst swear to our fathers. . . ."

Deliberations about Israel's holiness are not confined to references to the festival meals at the central sanctuary alone. There are two other contexts in which this theme also is concentrated. The one is the *qahal yhwh* spoken of in 23:2-9. Precisely what this term means is disputed, generally it is understood to mean every cultic assembly of all Israel or, more abstractly, the totality of those who belong to the people Israel. Nevertheless, the *qahal yhwh* is not automatically identical with the *qahal* that heard the Decalogue at Horeb or with the *kol qahal yisra'el* 'the whole assembly of Israel'—I prefer 'the plenary assembly of Israel'—to whom Moses presented his song (31:30), for neither is said to be a *qahal yhwh* 'assembly of YHWH' (see Lohfink 1993, 275-8). The position of the law of the *qahal yhwh* immediately before the law of the camp (23:10-5) speaks rather for understanding the "assembly of YHWH" as something military (Braulik 1992, 179; 1991 88ff.). In the "army camp" the holiness of Israel becomes manifest in any case. So perhaps the holy "assembly of YHWH" and the holy "army camp" treat the same subject. In any case, in the law of the "assembly of YHWH" the verb *t'eb* (23:8) comes up, and in the "army camp" law the camp is designated as *qadosh* because YHWH walks in its midst (23:15).

The nexus between the sacred and the military leads us to a final connection which must not be omitted, to the *cherem* (traditionally translated 'ban'), the destruction of the "seven nations." The root *ch-r-m* occurs in Deut. 2:34; 3:6; 7:2, 26; 13:16, 18; 20:17.

Chapter 7, so important for Deuteronomy's declaration of holiness, is framed by the key word *cherem*, 'consecrated to destruction'. In the 'land' into which Israel is led 'seven nations' are situated whose names are listed (7:1). YHWH gives those nations over to Israel so that Israel can strike them militarily. Once this has occurred, Israel may not enter into any sort of treaty with the nations but must, rather, condemn them to destruction (7:2; *hacharem tacharim otam*).

Even if the word *cherem* has been emptied of its exact original meaning in Deuteronomy and becomes only one of the many words for 'complete destruction',⁸ nonetheless it is found together with those other words in the

⁸In contrast to the original usage in which *war-cherem* designated renunciation of booty and devotion of all possessions to the divinity, in Deuteronomy it means the annihilation of human beings, while the property—apart from cult objects—should be taken over undamaged by the conquerors. For further details see Lohfink 1982 (especially 309-12)

semantic field of the sacred, i.e., in its new dimension of definition. If Israel may distinguish itself from most of the other peoples as the holy from the profane, it must distinguish itself from the seven nations who dwell in the holy land Israel as the positive holy from the negative holy. For the sake of the preservation of the positive holy, the negative holy must be eliminated. In 7:3ff. this connection is represented in a highly rationalized fashion—as the danger of temptation to idolatry through marital relationships. But the connection is there. At the end of the chapter, in the matter of sacral booty, the connection between *cherem* and *to^cevah* is clearly shown (7:26).

The same association and the same rationalization determines the law of battle (20:10-18) in 20:17-18. This law makes a clear distinction between the besieging of cities which "are not cities of the nations here" and the besieging of "the cities of these nations that the LORD your God gives you for an inheritance" (20:15-16). I assume that the relative clause "which YHWH your God gives you for an inheritance" is to be taken as referring, analogously to usage elsewhere in Deuteronomy, to the cities rather than to the nations. So only the cities of the holy land are subject to the *cherem*. The other cities are of profane reality. Against them there is to be warfare—regulated by even ecological statutes like the one concerning the treatment of fruit trees—but not *cherem* (20:19ff.).

In one passage the *cherem* on the seven nations of Canaan is admittedly widened: in the law on the apostasy of an Israelite city to the cult of other gods (13:13-19).⁹ In this case the ban should be carried out on the city, and indeed not only, as with the seven nations, on the human beings but also on all objects and cattle (13:16-18). The regression of a part of Israel to a status like that of the seven nations before the arrival of Israel is thus still more heavily charged with negative sacrality than the seven nations at that time. It must be treated, therefore, even more severely.¹⁰

which includes a classification of the strata of the individual *cherem*-passages.

⁹Concerning the three laws of Deut. 13 see especially Paul Dion. Since the laws are **in** accord with one another, what certainly holds true in this law is somewhat more extensively **unfolded** in the second law: that the object of concern is the gods—"any of the gods of the **nations** that are around you, whether near you or far away from you, from one end of the earth **to the other**" (13:7). Here a connection to the seven nations of Canaan is not established, but a **much** later situation is envisaged, long after their destruction.

¹⁰Chapter 13 seems, on the whole, to describe a moderate reform of the *chei-em-law* **from** the Covenant Code. For according to Exodus 22:19 every sacrifice in the worship of another deity is to be avenged with the punishment of the *cherem*. In Deuteronomy this key **word** occurs only in the third law, concerning the apostasy of an entire city. Thus we have a restriction. Still, everything is yet more complicated. On the one hand, in Deuteronomic

The word *to'evah*, the key word in the semantic field of the sacral, occurs, like *cherem* also, only in the third law of chapter 13 (13:15), not in the previous two laws. Obviously the reality of the 'holy land' is jeopardized only in the case of the apostasy of an entire city.

Something more: the burning down of the city is designated in 13:17 as "a whole burnt offering to the LORD your God." The word *kalil* 'burnt offering', or better, 'holocaust', is a sacrificial concept (see the blessing on Levi, Deut. 33:10). The word is perhaps used here metaphorically. To that extent we are not warranted in classifying the burning of fallen cities as part of the sacrificial system developed in Deuteronomy. Yet the utilization of a sacral metaphor can itself be suggestive. And this is important for the following consideration, which links up with René Girard's ideas.

I wonder: Is the archaic system of sacrifice, which according to Girard is to be explained by reference to the scapegoat mechanism, really abolished in Deuteronomy or not? Is it really eliminated by Deuteronomy's far reaching abolition of most of the sacrifices, and by its interpretation of the remaining 'sacrifices' as festal meals and a comprehensive reinterpretation of the sacral? In my opinion this question must be posed if one holds the secularization thesis of Weinfeld to be erroneous. It is an issue for the new sacrality as conceived in Deuteronomy.

A hypothesis: remembered scapegoating instead of ritual scapegoating

At first it looks as though there were no more mimetic problems and there could be no reason to speak of a 'scapegoat'. The human sacrifices of the people of Canaan are solemnly rejected in Deuteronomy as *to'evah* 'abomination' (12:31; 18:10). Yet the connection of the holiness theory to the *cherem*

language *cherem* seems almost interchangeable with other words for 'kill, destroy.' To this extent, even though the verb *cherem* is not found in them, both laws (13:2-6, 7-13) in which capital punishment is decreed for an individual Israelite because of apostasy, are to be viewed as parallel to the destruction of the seven nations. Something is to occur which was also imposed on the nations. We do not know precisely, however, how the *cherem*-punishment of the Covenant Code was distinguished from ordinary capital punishment. Presumably not only the guilty person, but the person's entire family, together with all possessions, was consecrated to destruction. This would be exactly what was to happen to the apostate city according to Deut. 13:16-18. In this sense the punishment of the Covenant Code might actually have been restricted to this special case. And therefore the word *cherem* would be utilized only here, namely in the ancient sense in which it is employed in the Covenant Code.

of the nations, indeed the designation of the ban for a fallen city as *kalil* 'holocaust', speaks for the contrary position.

The hypothesis I now present attempts to address this paradox: Archaic sacrality is still present. The slaughter of sacrificial animals is doubtlessly disengaged from the scapegoat mechanism. In the feast there is no longer an elimination of the scapegoat. The killing and destruction of scapegoats has been reduced to that onetime and *in illo tempore* act of founding, to that conquest of the land in which its holiness is grounded. This was no cultic symbolic event, perhaps executed only on animals; rather, it was a massive destruction of human beings. From that time on the murderous violence was no longer repeated in ritual. Yet it remains a recollection that accompanies this ritual.¹¹

This remembering is experienced anew, according to Deut. 31:10-13, at the feast of booths every seven years when a solemn proclamation of law is made before all the people. In the case of the apostasy of a city the *cherem* is even provided not as a ritual, but as a new, historically executed act of justice.

Do we actually have here a disintegration of the archaic scapegoat event? No, it is rather a matter of shifting of the same structure of thinking and acting into the narrated and remembered primal time. The archaic structure of avoiding violence described by Girard is therefore still present, even if in another manner.

In order to strengthen the assumption that mimetic thinking plays a significant role in these connections, I would attach to the foregoing an additional series of observations.

¹¹ There is in Deuteronomy something like typological thinking. Its original readers are Jews in the Babylonian exile or later who could see in the events that brought Israel into its land prototypes of the events accompanying the return to the homeland after the exile. In this regard is the destruction of the seven nations perhaps something more than a mere remembrance? Is it rather, perhaps, at the same time, an instruction for action? I doubt it. For where Moses comes to speak expressly about events after the exile, he never speaks of this destruction. In the decisive passage, Deut. 30:1-20, he speaks only of God's action in the context of the return. The sole exception is the statement that the Israelites would again 'possess' the land, but this formulation alone does not imply a repetition of the battles to conquer the land under Moses and Joshua. Later Jewish exegesis connected the *cherem*-command always to the seven specifically named nations. Since they exist no longer in the period of the exile and most certainly will not exist in the time of the Messiah, the command—although it belongs to the 613 commandments of the Torah that are always valid—can no longer be observed.

Corroborating observations on the importance of mimesis in Deuteronomy

The *cherem* of the nations at the beginning of chapter 7, as I said, is motivated quite rationalistically (7:4): "For they would turn away your children from following me, to serve other gods." The intermarried persons from the seven nations could seduce Israel to the service of other gods. One could portray the said seduction as talking the Israelites into that forbidden worship. The idea seems to be similar to that in Deut. 13 where each of the three cited instances includes the speeches of the seducers. But this idea is only secondary; the primary Deuteronomic idea is different. In the framing of the laws on the centralization of sacrifice we have, unambiguously, the idea of mimesis.

At the beginning of chapter 12 the demand for the destruction of the cult places of the seven nations is repeated from chapter 7 (12:2-3). This is followed in 12:4 by the demand of the one cult place for YHWH, which is introduced as follows: "You shall not do so to the LORD your God." The verbal phrase *ʿasah kenlike* 'to do so/to do like', represents in such contexts, as the later evidence will show, the concept 'to imitate'.

The text is not fully consistent. Previously not only the plurality of cult places was mentioned but also their furnishings and rituals. What follows is nevertheless a law concerning only one cult site of YHWH. After that, in verse 8, the text permits the initial presence of many cult sites until the building of Solomon's temple. Thus the inconsistency increases. Although this can be clarified diachronically through text history, such an approach is not wholly effective since the amplifications themselves can be introduced in a consistent way. There must have been an interest in raising the idea of mimesis immediately before the most important of all Deuteronomic laws—otherwise the obviously later layer at the beginning of the chapter would have been added in a much more fitting way. The warning about mimesis becomes fully understandable only in the last part of the framework at the end of chapter 12. Here it recurs, and here the perspective is extended. It is no longer a matter of the one cult place, but of the entire cult in all its aspects:

... do not inquire about their gods, saying, "How did these nations serve their gods?—that I also may do likewise." You shall not do so to the LORD your God; for every abominable thing which the LORD hates they have done for their gods; for they even burn their sons and their daughters in the fire to their gods. (12:30-31)

The mimesis at the beginning of 12:30 is depicted as a *n-q-sh* 'trap' into which Israel could fall ('Niphal'; see *moqesh* 7:16).

The theme of mimesis occurs again at the beginning of the law of the prophet (18:9-22), where prophecy in Israel is contrasted not, let us say, with the manticism of other nations, but precisely with that of the seven nations. We observe a resumption of the thread from the end of Deut 12. In the historicizing introduction to the command of 18:9, the formulation of the historicizing introduction in 12:29 is taken up.¹² The general stipulation that then follows speaks of the 'abominable practices of those nations', which can only be understood as a reference back to the formulation of 12:31.¹³ Then follows, as the first example of the intended "abomination of those nations," the sacrifice of children. That is surprising here in the context of magic and divination, but it is recognizable all the more clearly as the resumption of the only example of the "abomination to YHWH" which is mentioned in 12:31.¹⁴

¹² The historicizing introduction to the commandment in 18:9 is almost identical to the one in 17:14, which introduces the law of kingship. There are certainly also connections in structure (see Braulik 1991, 254-6). Yet the small difference in formulation is also noteworthy. The law of kingship has a verbal sentence with *yiqtol*, thus it reaches out, starting with Moses, into a genuine future (Saul, see 1 Sam. 8:5, 20); whereas the law pertaining to prophets has a participial nominal sentence, thus it could recall the immediately imminent future after the conquest of the land. Correspondingly, 17:14 deals with the imitation of the nations around Israel, while 18:9 deals obviously with the imitation of the seven nations in the land. The singular participle of *bw'* occurs in a historicizing introduction to commandments only in 12:29 and 18:9 within Deut. 12-26. Before that, throughout the entire speech of Moses in Deut. 5-26, instances of a commandment introduction are found with the participle *ba* only in 7:1 and 11:29. Both of these texts introduce us to textual fields which we are of interest to us. The reference to the end of chapter 12 may also be perceived in the historicizing commandment introduction of 18:9. Further references yet to be named may also be added.

¹³ In the text in between, 13:1-18:8, the word *to'evah* never occurs in reference to the seven nations. It is found in 13:15, 14:3, 17:1, 4. In 12:31 the phrase, "the abominable practices of those nations," is used first in Deuteronomy and only in 20:18 will it return implicitly and, at the same time, be explained by the use of the verb. Also, the plural occurs in Deuteronomy only in 18:9 and 20:18. Here, in 18:9, it can be understood only as a summary of the detailed formulation relating to YHWH in 12:31. With respect to the seven nations, before 12:31 it was a matter only of *to'evat yhwh* (7:25) or simply of *to'evah* (7:26). The normal formulation in Deuteronomy is *to'evat yhwh* 'abomination (to) YHWH.' Udo Rütterswörden is certainly correct when he reckons "Ferndeixis" with *haggoyim ha hem* 'those nations' (82). Yet the facts shown, which he has not observed, indicate that the primary reference point of the data goes far beyond 17:14—his point of focus. The latter passage speaks of the later neighboring nations.

¹⁴ The wording is somewhat tighter and there is another verb. The reason may be a diachronic one, but that is not the only possibility. More probably there was an intention to pick

Of utmost importance is the formulation of the general stipulation in 18:9: "You shall not learn (*lo'-tilmad*) to follow (*la^casot ke*) the abominable practices of those nations."

This is now the full mimetic theory. Not only is the abstract verbal expression *la^casot ke* there,¹⁵ but also a verb that refers to a process of mimetic appropriation: *lamad* 'to learn'. The word *lamad* is, moreover, in consideration of the sacral, anything but neutral. It is not, as we might initially expect, a word for the learning activity associated with wisdom. The appropriate subject of *lamad* seems to be the divinity or a religious institution (on the use of *lamad* in Deuteronomy, see Braulik 1993). The word recurs in 20:18 in the Piel (an intensification of the Qal, or simple verb stem) with the nations as subject now in the sense of 'teach'. By now, however, it has been already clarified that what is at stake is a 'teaching' which is exercised when one is a mimetic rival at the other's disposal.

Deuteronomy 20:18 forms the concluding sentence of the three battle laws. It distinguishes the wars of Israel against far away cities and wars against "the nations here" (20:15). Once again it is emphasized, through reference to the command of YHWH already given, that those nations, which are listed with names in 7:1,¹⁶ are to be extinguished through the *cherem* (20:16-17). The purpose clause in 20:18, introduced by *lema^can* 'so that', finally grounds this stipulation in the danger of cultic mimesis. Here the knot is definitively tied between destruction of the nations and prohibition of mimesis, a knot already recognizable at the beginning of Deut. 7.

I would only add that we are dealing here with a terminologically marked theory which is specific to Deuteronomy. In Genesis through Numbers the only exceptions in question occur in Exodus 23:4, in the concluding part of the "Covenant Code," and in Leviticus 18:3, which is part of the "Holiness Code." The first passage is usually considered Deuteronomistic and one could assume the last one to be a unique allusion to a concept found in Deuteronomy. Some Deuteronomistic summaries of the books of Kings could be added.¹⁷ Yet, in

up the thread by a technique of variation and abbreviation. In this connection see Lohfink, 1991 97.

¹⁵ The equivalent formulation *la^casot ken* is found in 12:4, 30, 31. This expression must be employed when the objects of mimesis were previously named and do not have first to be identified anew.

¹⁶ Here the list is of only six, but this probably can be explained on a diachronic basis. With a synchronic understanding no distinction in the reference may be present, because the specific members of this list of nations are no longer to be held individually in view.

¹⁷ 1 Kings 14:24; 21:26; 17:11; 21:2. With these passages one must reckon with the literary layers which are found also in Deuteronomy (see Lohfink 1981, 96ff.). 2 Kings

these books, the expression 'to do as' serves rather to characterize the mimetic conduct of individual kings in relation to their predecessors (positively as well as negatively).¹⁸ The viewpoint there has therefore shifted, though the posing of the mimetic question remains. Otherwise there are of course many statements in the Old Testament about mimesis, but not with such a thoroughly worked out conceptual and textual system as in Deuteronomy.

It is also interesting that the analyzed passages are not simply directed to the other gods as objects of the cult. They refer much more frequently to cultic usage. This corresponds to the Girardian point that first the desire of the other is imitated, and only through that does the other's object of desire then come into view (1972, 202).

Furthermore, there are no statements about something like a mimesis worthy of recommendation, a mimesis of good models.¹⁹ The counterpart is not an imitating person but the person who is obedient to the word of God. Even this can be expressed by utilizing the expression *'asah ke* 'do as' in the sense of 'acting according to a command' (Deut. 4:5; 5:32; 17:10; 20:15; 24:8; 26:14; 31:4ff.; 34:9). Can this to be explained in the same way Girard (1978,18-28) explains the many prohibitions we observe in archaic societies that he considers to be a technique of avoiding the dangers of mimesis?

The great role that mimesis accordingly plays in Deuteronomy should thus confirm that there is at least a secret locus of scapegoating. According to my hypothesis this locus is no longer in ritual as such but is to be sought in the remembered time of origin.*

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17:25 jumps out of this series. Here it is a matter of the surrounding nations' mimesis (on this see Ezekiel 11:12; perhaps also Ezekiel 5:7). In Chronicles only one of these passages has been preserved (2 Chron. 33:2).

¹⁸ 1 Kings 11:33,38; 15:1; 21:25; 22:54; 2 Kings 3:2; 8:18, 27; 14:3; 15:3,9,34; 16:2; 17:2, 41; 18:3; 21:3, 20; 23:32, 37; 24:9, 19. See also Judg. 2:17; 8:35.

¹⁹ The only conceivable exception that I see is found in the law of kingship. It takes into account the possibility that in Israel the following desire could arise: "I will set a king over me, like all the nations that are round about me" (Deut. 17:14). Yet then an instruction to introduce kingship does not follow, but rather a concession. Then, in the phrases which immediately follow, conditions are set which remove, in so far as possible, the similarity to kingship among the surrounding nations. To that extent this law is antimimetic too. In the books of Samuel and Kings, moreover, the monarchy is represented as the historical breach that leads to Israel's ruin.

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