Blood vengeance, places of refuge, the law of talion: these are but some of the many facets of Biblical homicide that Pamela Barmash explores in *Homicide in the Biblical World*. Barmash argues that if we look carefully at the Bible’s laws and narratives dealing with murder, we can find beneath them a society based on kinship ties and organized by community, rural and decentralized, steeped in cultic concepts of ritual purity and impurity and also concerned with individual ethical responsibility. In short, Barmash’s thesis is that the Bible’s adjudication of homicide can tell us much about the world from which those texts emerged.

The book includes seven chapters, supplemented by an introduction emphasizing methodology and a brief conclusion summarizing the arguments and suggesting further directions for research. The first chapter reads the narrative of Cain and Abel in *Genesis* Chapter Four to set the stage for the Bible’s major concerns in the treatment of homicide: ascertaining the motive of the killer, determining guilt, assigning punishment, and defining the consequences of spilled blood. Chapter Two explores the institution of blood vengeance, according to which the victim’s family undertook the task of punishing the slayer. Chapter Three discusses the related question of refuge for accidental killers. Chapters Four, Five, and Six seek to uncover the theological and legal concepts that underlie the Biblical construction of homicide. Chapter Four argues that in the Biblical worldview, blood is paradoxically both a polluting and a purifying agent, and the chapter goes on to discuss the implications of this belief for laws of homicide. Chapter Five argues that the Bible defines homicide as killing caused strictly by direct physical action, a narrow definition critiqued within Biblical narrative. Chapter Six uses the Bible’s famous and controversial principle of *lex talionis*, “an eye for an eye,” to better understand why the Bible applies capital punishment to homicide. The final chapter addresses the relationship of ancient Near Eastern law collections to one another by examining how these different legal systems deal with the case of a foreigner’s homicide. In light of the array of topics addressed, the various chapters of Barmash’s book read less like a sustained argument than a series of studies, but what the
book may lack in unity, it makes up for in comprehensiveness.

At the heart of Barmash’s book is Biblical law, but her principal concern is the contextualization of that law. Her starting assumption is that “Biblical law did not come into existence in a vacuum, and law in general is part and parcel of a cultural system.” (1) The obvious question for Barmash is how exactly one goes about contextualizing the law of a civilization that long ago ceased to exist. Barmash proffers several productive possibilities: to contextualize Biblical law (1) within Biblical narrative, (2) within Biblical society, and (3) within adjacent ancient Near Eastern cultures.

The first possibility entails a method of text analysis in which Biblical law is cross-read with Biblical narrative. One pitfall of this approach, which Barmash only partially avoids, is to treat narrative as representing a “reality” against which the legal “ideal” can be contrasted, rather than treating law and narrative as equally socially constructed. Barmash has dedicated a separate article1 to this methodological concern, which strongly echoes many of the themes of the law and literature movement and will no doubt interest the growing number of scholars in a variety of disciplines exploring the relationship between law and narrative.

The second possibility for contextualizing Biblical law entails sociological analysis. In this method, the law is considered to reflect a particular social organization; accordingly, the law can be understood only in light of this social organization. One of the potential problems with this approach is its circularity, since often much of what we know about the structure of ancient societies is gleaned from the very texts we are trying to interpret in light of that structure. It is difficult to determine to what extent Barmash’s work is subject to this problem, since the information she provides about Mesopotamian society is footnoted with works of secondary scholarship whose own sources are not evident. The other hazard of this approach is adopting the assumption that law “reflects” society in a clear one-to-one correspondence. Barmash avoids assuming that Biblical and other ancient Near Eastern laws simply mirror their societies, though she does not engage at great length in larger questions of law’s relationship to society.

The third method entails holding up Biblical law against the legal records and legal compilations from the rest of the ancient Near East.

The non-specialist will have trouble keeping track of these different collections—Barmash assumes her reader has basic familiarity with them. In dealing with this array of legal texts, Barmash is attentive to questions of genre: she differentiates between records and statutes, acknowledging that statutes may not have been used in actual courts, and she recognizes that both may represent a limited cross-section of society. Barmash is not always consistent with respect to these cautions, however: she sometimes compares statutes with records without explicitly addressing the generic differences between them.

What is most striking about Barmash’s argument is her proposal that Biblical culture had minimal exchange with surrounding cultures, at least when it comes to its adjudication of homicide. While the other ancient Near Eastern cultures had a shared scribal tradition that formed the basis of their laws, Biblical Israel did not for the most part draw on this tradition and, in fact, may have developed its laws in order to provide practical legal directives for actual courts instead.

It would have been interesting for Barmash to explore further the intercultural dynamics at play here. There are several cases of similarity between Biblical and other ancient Near Eastern laws (the case of injury to a pregnant woman and the case of a goring ox, to name two examples that Barmash discusses), and she leaves the reader wanting to know more: what exactly is the posture of these Biblical passages toward the larger Near Eastern tradition, and does the other Biblical sources’ independence from this tradition represent a rejection of it? What kinds of cultural negotiation are to be found here? Perhaps the evidence is too slim, but some adapted application of cultural theory might have permitted headway on these questions.

The reader is also left wanting further discussion of the contemporary identity politics that attend the comparative method. This method is rife with implications for the uniqueness of the so-called Judeo-Christian heritage. Barmash briefly addresses the matter in her introduction, claiming that “the comparative method is not a method of evaluating the superiority or inferiority of any culture in contrast to another.” (7) But this is precisely how the comparative method has often been used. Indeed, Barmash’s work might be read as a function of these politics, since her work ultimately confirms the uniqueness of Biblical law. Barmash could have defused such a reading by addressing the question directly and, in the process, shed some light not only on the past itself, but on how the past gets used in the ideological battles of the present.
Barmash does attend to ideology in her approach to the relationship of different Biblical sources to one another. She looks at their discrepancies not as the product of historical evolution but as the product of different theological and ideological programs. She does an excellent job of outlining these different programs and how particular laws make sense within them. She is not always consistent in differentiating among the Biblical sources, however, and often she speaks of “biblical law” or the “Bible,” leaving the reader to wonder which Bible we are talking about, given that Barmash herself has so convincingly showed us that it is composed of a mosaic of ideologies.

Barmash’s book is an important contribution towards mapping out the triangle of law, society, and culture. By contextualizing the Bible’s laws of homicide within Biblical narrative, Biblical society, and contemporary Near Eastern laws, she provides a model for how the complexity of law can be richly appreciated.

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