

The Contributions of Recent Research on Levitical *Herem* and *Herem* in the Mesha Stela to a Definition of *Herem*

Charlie Trimm
Biola University
charlie.trimm@biola.edu

Abstract: The definition of the word *herem* is difficult to determine not only because of the lack of a clear English translation but even more because of the diversity of ways that the word is used in the Old Testament. The word has often been defined, based on the warfare texts in Deuteronomy and Joshua, as “destroy.” However, this paper demonstrates that the way that the word is used in Leviticus and the Mesha Stela reveals the need for a broader definition to include such things as voluntarily donating items to God not by destroying them, but by giving them to the priesthood. The core of the definition of *herem* is devoting something to God and not profiting from it, which could then have a variety of different practical outworkings.

Keywords: *Herem*, Mesha Stela, Leviticus, Moabite, Holy War

The divinely commanded destruction of the Canaanites is the most serious ethical problem in the Old Testament. It is the reason I wrote a book called *The Destruction of the Canaanites*: to help people grapple with the theology and ethics of this part of the Old Testament.¹ How can a good and kind and loving God command something that looks very similar to what we have defined as genocide in the modern world?

However, this ethical difficulty is compounded by a lexical problem: the word commonly rendered as “completely destroy” in these texts (*herem*), especially in Deuteronomy and Joshua, is quite difficult to translate. Understanding and translating the Hebrew noun *herem* and related verb *haram* (*hifil*) has been a significant challenge ever since the Septuagint attempted to translate these words into Greek. Partly the reason for this is that the concept does not map neatly onto one English word but requires an English phrase. But the word is difficult to understand as well because it is used in different ways in the Old Testament. To provide a broader perspective on the word, in this essay I will focus on recent research on the use of the word in Leviticus as well as in the Mesha Stela to help us understand it in a variety of different contexts. The final part of the paper will analyze various proposals for defining *herem* based on its use in Mesha and Leviticus.

¹ Trimm, *Destruction of the Canaanites*.

Mesha Stela

The closest parallel for the word *herem* outside the biblical text is from around 850 BCE in Moabite—a language very similar to Hebrew.² The country of Moab plays a prominent role in the Old Testament as it is geographically close to Israel, and the Moabite language is almost identical to Biblical Hebrew.³ Mesha was a Moabite king who is mentioned in the Old Testament (2 Kgs 3:4) and wrote a lengthy inscription that is in the Louvre today.⁴ In the Mesha Stela, Mesha describes his rise to power after the death of his father through the help of the Moabite god Chemosh. One of his primary tasks as king was to restore the parts of Moab that had been captured by the Israelites. The most relevant line for the discussion about *herem* is in the context of his conquest of Nebo, where he said he “killed all of them, seven thousand men and boys and women and girls and maidens because to Ashtar-Chemosh I had *heremed* it” (line 17).

From the time the text was translated over a century ago, it was clear that this line was a parallel to the biblical texts that use the word. Here is a list of some parallels between the use of *herem* in the Mesha Stela and in the Old Testament.

1. The objects *heremed* are said to be “for” (*lē-*) a deity (line 17; Josh 6:17).
2. *Herem* is connected to killing (*hrg*) (lines 16–17; Deut 13:9–18[10–19]).
3. *Herem* is associated with conquering a city (line 14–17; Num 21:1–3).
4. The object of *herem* can be humans, including women and children (line 16–17; Deut 2:34).
5. The battle happened at the command of a deity (line 14; Deut 7:1–5).

However, in recent scholarship on Moabite texts scholars have argued that our understanding of the *herem* in Moab should be advanced in two ways beyond the parallels with the Old Testament. First, a recently discovered Moabite text describes Ammonite prisoners who were pressed into construction work for Moab.⁵ In his study of the text, Bob Becking argues that these Ammonite prisoners were *heremed* by the Moabites, illustrating that the *herem* did not involve killing people. Based on this, he thinks that the seven thousand people in Nebo mentioned in the Mesha Stela in connection with *herem* were not killed but were forced to labor for Mesha. That is, instead of reading the list of people as the identity of the all who were killed as the inscription is usually understood—“I killed all of them, seven thousand men and boys and women and girls and maidens

² The word also appears in an early first millennium Sabeian royal text. Since this text is both geographically and linguistically distant from the Old Testament, not as much research has been done on it (a search on “Sabeian” in Old Testament Abstracts results in only eight entries). However, further detailed research on this text will be helpful. For studies of the text, see Monroe, “Israelite, Moabite and Sabaean War-*hērem* Traditions”; Monroe, *Josiah’s Reform*, 45–56.

³ Jackson, “Language of the Mesha Inscription”.

⁴ Unless otherwise noted, I follow the Moabite text from Ahituv, *Echoes from the Past*, 392. Translations are my own unless otherwise noted.

⁵ Ahituv, *Echoes from the Past*, 422.

because to Ashtar-Chemosh I had *heremed* it”—he reads the list of people as separate from the object of the killing: “I killed all of them. Seven thousand men and boys and women and girls and maidens - because to Ashtar-Chemosh I had *heremed* it.”⁶ However, this is unlikely because in that understanding the list of the people has no grammatical connection and remains free-floating in the sentence. More seriously, the text about the Ammonite prisoners does not use the word *herem*. Therefore, it is unlikely that this Moabite text helps us understand *herem* better.

Second, Josey Bridges Snyder and Brent Strawn have recently highlighted the high level of parallel elements found in the section in the Mesha Stela about ‘Atarot (lines 11–13) as compared to the section about Nebo (lines 15–18). Here are the parallels following their translation (line numbers are in parenthesis).⁷

I fought against the city (and) I seized it. (11)

I fought against it from the break of dawn until noon (and) I seized it. (15–16)

(And) I killed all the people. (11)

(And) I killed all: 7000 men, boys, women, [girl]s, and concubines. (16–17)

The city *h/ryt* to Kemosh and to Moab (12)

Because to *štr kmš* I devoted [*heremed*] it. (17)

(And) I returned from there *r’l dwdh*. (12)

(And) I took from there t[he vesse]ls of Yhwh. (17–18)

(And) I dragged it before Kemosh in Qiryot (12–13)

(And) I dragged them before Kemosh. (18)

As can be seen, the parallels between the two sections are quite strong. The sections both begin with an attack on a city and the seizure of it, employing identical verbs. This leads to the killing of many people in both places, once again using the same verb. The next stage of each section details a religious activity, which will be the focus of our attention here. The final two stages refer to plundering items that are most likely connected with the Israelite deity and bringing them before Chemosh.⁸ Although the word *herem* only appears in the second section, it clearly fills the same

⁶ Becking, “Exile and Forced Labour in Bêt Har’oš”, 8–10. My translation that reflects his understanding of the grammar.

⁷ Snyder and Strawn, “Reading (in) Moabite Patterns”, 44.

⁸ The translation of line 12 has been the subject of much discussion, for an overview see Snyder and Strawn, “Reading (in) Moabite Patterns”, 72–77.

part of the structure as what is left untranslated by Snyder and Strawn as “*h/ryt*” in the first section. Hence, to understand this word in line 12 will help us understand what the word *herem* means in line 17.

However, understanding this parallel to *herem* remains challenging. First, it is extremely difficult to even read the word because it appears in a crack. While the Mesha Stela was found intact and a squeeze was taken of the text, it was broken into pieces before it was bought, and one of the cracks is in this area.⁹ Early transliterations of the text read the word as *ryt*, which is difficult to understand because it does not appear elsewhere in Moabite or Hebrew.¹⁰ The root could be *rwh*, which is connected to liquids through the idea of drenching something (Isa 16:9; 34:5; Jer 31:12). However, how that definition fits into this text is unclear. If it referred to pouring out a liquid offering, then it could be connected to sacrifice in some way. For example, the translation of K. A. D. Smelik reads, “I killed all the people [from] the city as a sacrifice(?) for Kemosh and for Moab.”¹¹ However, such a translation is unlikely because the root is never used in a sacrificial context in the Old Testament.

Instead, the root *rwh* is sometimes used in the Bible in connection with military imagery. For example, it is used in the same context as *herem* in Isa 34:5, where a sword “drinks (*rwh*, *piel*) its fill” in a battle against enemies who are said to be under *herem*.¹² While the military context matches the Mesha Stela, it remains unclear what *ryt* might mean here since a subject like “sword” is not available. Another possibility is to connect it with “seeing” via the root *r’h*, since it is also sometimes connected to warfare (Ps 54:9 [7]).¹³ But it is also unclear what that would mean in the Mesha Stela since it is lacking a subject who might do the seeing.

Going in a different direction, Andre Lemaire has resolved this problem by advocating for reading this word as *hyt* rather than *ryt*. This argument is based on his firsthand study of the text as well as the squeeze and makes for a clearer etymology (the common verb *hyh*) and translation.¹⁴ Following Lemaire’s lead, Shmuel Ahituv translates the line this way: “the city became the property of Kemosh and Moab.”¹⁵ Aaron Schade has responded in a series of articles with the contention that *ryt* is indeed the correct reading, but he bases this on some marks in the text that are different from

⁹ For the history of the finding of the stela, see Graham, “Discovery and Reconstruction of the Mesha Inscription”.

¹⁰ Because of the very strong similarity between Moabite and Hebrew, this discussion will assume that words mean the same in the two languages.

¹¹ “Inscription of King Mesha”, translated by Smelik (*COS* 2.23:137–38).

¹² Snyder and Strawn, “Reading (in) Moabite Patterns”, 67–68.

¹³ *Ibid.*, 68.

¹⁴ Lemaire, “New Photographs and *ryt* or *hyt*”.

¹⁵ Ahituv, *Echoes from the Past*, 394.

what was read as the *resh* in the past.¹⁶ Lemaire has replied to Schade in several publications since then, pointing out that this *resh* is too low to fit the line. In his most recent work, Lemaire says “from the squeeze, the reading HYT is practically certain.”¹⁷ Some scholars, such as Ziony Zevit, remain committed to reading *ryt*.¹⁸ However, in general, scholars have followed the *hyt* reading. For example, Erasmus Gass adopts it in his book on the Moabites,¹⁹ and Hannah An offers a detailed defense of it in an article.²⁰ Lawson Younger even declares that in light of Lemaire’s reading “the debate over the meaning of *ryt* is eliminated.”²¹ Given the scholarly consensus, it is unlikely that we should read the word as *ryt*,²² but the text and the squeeze are so damaged it is difficult to know if *hyt* is the correct reading either. If we must make an educated guess, that is the best option. But it must remain a guess rather than a clear reading.

To circle back around to our original question: what does the parallel section teach us about the word *herem*? It remains difficult to say much because we are not sure what the important word in the parallel text even is. In the less likely case that the reading is *ryt*, it is possible that a city was given sacrificially to a deity and a country (though how exactly *ryt* connects to sacrifice remains unclear). If the reading is *ryt*, it is more likely to be part of military terminology that denotes destruction. In the more likely case that the reading is *hyt*, then we have a parallel to *herem* where a city becomes the property of both a deity and a country.

It is also important to note a difference between these two parallel accounts: the attack on Nebo that involved *herem* was commanded by Chemosh, but the attack on ‘Atarot has no reference to a divine command. Zevit argues that this is a significant difference: one case is a divinely commanded action, while the other is an opportunity for the Moabites to serve their god, but not one that was commanded. Zevit sees this as parallel to the biblical difference between the divinely commanded *herem* of the Canaanites (corresponding to the Moabite attack on Nebo commanded by Chemosh) and the opportunity given to the people of Israel in Leviticus and Numbers to offer something as a *herem* offering (corresponding to Mesha’s attack on ‘Atarot).²³ Given this difference, it is possible that we should not look too closely for an exact parallel to *herem* in the earlier section.

So what can we learn about *herem* from Moabite texts? Unfortunately, they do not provide a clear answer that helps us understand the Hebrew Bible better. The supposed illustration of *herem* in the

¹⁶ Schade, “New Photographs Supporting the Reading *ryt*”; Schade, “RYT or HYT in Line 12 of the Mesha Inscription”.

¹⁷ Lemaire, “The Mesha Stele”, 27.

¹⁸ Zevit, “Mesha’s *ryt*”.

¹⁹ Gass, *Die Moabiter*.

²⁰ An, “Some Additional Epigraphic Comments on the Mesha Stele”.

²¹ Lawson Younger, Jr., “Some Recent Discussion on the *Herem*”, 515.

²² Even Schade himself says that his *resh* is quite low on the line.

²³ Zevit, “Mesha’s *ryt*”, 237.

Moabite text talking about Ammonite prisoners doing labor for the Moabites must remain only a tantalizing possibility given that the word *herem* does not appear in that text. The parallel section in the Mesha Stela helpfully provides a comparison to *herem*, but the broken text limits our ability to know what that parallel word is. At the very least, it portrays a city offered to a deity in some way and that was repopulated with other people (and hence not destroyed). However, given that parallels are rarely exact, this does not bring us very far in defining the nature of *herem*.

Levitical *Herem*

After the underwhelming conclusion about the Mesha Stela, I will now turn to recent research on the use of *herem* in Leviticus and Numbers. As noted earlier, the most famous uses of the *herem* root in the Old Testament are in connection with the Canaanites, whom YHWH commanded Israel to *herem*. However, the focus in the second half of this essay is on the use of the word in Leviticus and Numbers, where it refers to gifts given to priests, looking in particular at the work of Jacob Milgrom. The Levitical *herem* appears in two texts. First, Numbers simply says to the priests that “every *herem* thing in Israel shall be yours” (Num 18:14). Second, more detail is provided in Lev 27:21–29, which describes how land and other kinds of property could be given to the priests as *herem* gifts.

These texts offer a way to worship God by giving property to him. Naturally, giving property to God is quite common in the Old Testament: this is the heart of the sacrificial system as the Israelites gave their animals and agricultural products to YHWH by burning them on an altar. (One exception to this is the fellowship offering—also often translated as the peace offering—which was only partially burned as the remaining part was eaten together in community.) However, could the Israelites worship YHWH by giving him property in other ways? Some one-time opportunities presented themselves, such as the gathering of materials for the building of the tabernacle at Sinai, but these *herem* laws in Leviticus and Numbers offered a pattern for future non-sacrificial gifts to YHWH. This is particularly the case with land: it would have been impossible to burn up land as a sacrifice to YHWH. So the *herem* gift category provided a way to offer him land. Jacob Milgrom calls this a “peace-*herem*” as a way for a person to irrevocably give property to YHWH, differentiating it from the *herem* connected to warfare elsewhere.²⁴

The text from Numbers is laconic: it merely says that everything that was *herem* would belong to the priests (Num 18:14). However, it does not offer any detail on what kind of items that might include, or how one might make a *herem* offering. The Leviticus text is more detailed, though it introduces the topic of the *herem* offering merely to explain a different topic: when a dedicated field was not redeemed, then it remained with the priests. To explain this, it says that it has become “like the *herem* field” (Lev 27:21). The off-hand way that the expression is used would lead us to expect that this is a common phrase. Instead, this is the first time the phrase is used in this way in

²⁴ Milgrom, *Leviticus 23–27*, 2392.

the Torah! All we learn about the *herem* offering here is that it could be a field and that it remained with the priests, apparently without any destruction of the field.

After talking about a few other topics, Leviticus returns to the topic of the *herem* offering later in the chapter. It begins by stating what the concept was used to illustrate earlier in the chapter: a *herem* offering cannot be sold or redeemed but remains with the priest. This is summarized with the expression that it is “most holy to YHWH” (27:28). The descriptor “most holy” was used to describe items that were dedicated to the temple, such as the various altars and items constructed in Exodus (30:29). It also refers to a variety of sacrifices (Lev 2:3; 6:10 [17]; 7:1). However, this does not inherently mean destruction, as the families of priests were able to eat things that were most holy (Num 18:9–14).²⁵ Milgrom says that the descriptor “most holy” only means these *herem* offerings could not be redeemed, not that they had a special innate state.²⁶

Leviticus 27:28 also describes which kinds of things could be a *herem* offering: a human, an animal, or an inherited field. While not designed to be an exhaustive list, this would cover the items that would most likely become a *herem* offering. While the land makes sense, an animal as a *herem* offering is less clear, and a human as a *herem* offering is disturbing. For the animal, why not sacrifice it as a normal offering, whether a burnt offering or a sin offering or a fellowship offering? For the human, was this some kind of human sacrifice? The Old Testament condemns human sacrifice elsewhere (Lev 18:21; 20:3; Deut 12:31), so it would be unexpected to find it here. The following verse (Lev 27:29) provides more details about the human *herem* offering, and this merely reinforces our unease about this text: the human *herem* offerings were not to be redeemed but to be put to death.

To understand these Levitical *herem* laws, we will move through the three different scenarios in more detail, beginning with land. In the land division texts, we learn that the Levites were not allotted any land (Josh 13–21). However, this text in Leviticus demonstrates that they were able to receive land if it was freely given to them.²⁷ Unlike other transfers of land, this *herem* transfer was permanent and did not revert in the Jubilee. The giving of land as a *herem* offering makes the most sense (compared to offering animals and humans), because this is the only formal way for land to be given to YHWH.

However, the possibility of offering animals as a *herem* offering is more unexpected. One simple answer would be that this keeps the animal alive: the animal would be given to the priests to use in the normal way that the animal was used. Why would someone want that kind of destiny for the animal? That we can only speculate about. Maybe they would have already given animals for a more common sacrifice, and this additional sacrifice was an extra gift that felt more significant. Or maybe they just wanted the animal to stay alive. Or maybe this was a concrete way to have the

²⁵ Ibid., 2395.

²⁶ Ibid., 2394–95, 2418.

²⁷ Ibid., 2386.

priests support themselves. Some sacrifices provided food for the priest for the immediate occasion, but a goat that provided milk on a regular basis or a donkey that could do agricultural work would provide food for the long term.

The hardest cases are the humans: why would someone offer a human as a *herem* offering? Some scholars understand verses 28 and 29 as referring to the same situation; that is, that the *herem* of verses 28–29 requires the death of the person. For example, Richard Nelson says, “What was *herem* was killed or destroyed in order to render it unusable to humans, not to transfer its ownership.”²⁸ Likewise, Jannica A. de Prenter understands verse 21 (and Num 18:14) to refer to a *herem* item separated for the cult, but verses 28–29 describe it as prohibited for any kind of ordinary usage.²⁹ If that is the case, then this regulation would be very limited in its application, as one could only offer a person who was owned as *herem*. Since Israelite slaves were released after six years (Exod 21:1–7), they could not become *herem* if it required their death. Hence, one could only offer a foreign slave as *herem*.³⁰

However, Jacob Milgrom argues that Leviticus presents two pathways for a *herem* person: one pathway is in 27:28 and the other is in 27:29. The two pathways represent different ways to become *herem* and different outcomes of that *herem* status. Verse 28 presents the situation of an owner freely giving a person as a *herem* gift, who would then serve the sanctuary/priests.³¹ I will call this the *gift-herem*. One possible scenario is that the human was a servant who was working off a debt (Exod 21:1–7). Giving this person to a priest would then provide the priest with free labor until the person paid off their debt and went free.

On the other hand, verse 29 presents the situation of a person sentenced to proscription by a legal mechanism, which would lead to their death. I will refer to this as the *judgment-herem*. The main reason for seeing this as a different pathway is that verse 28 includes an explicit reference to a person, which would make verse 29 redundant if all proscribed people were killed.³² In addition, the passive in Lev 27:29 implies that this was a sentence passed down on a person rather than a free gift, similar to how the law collections frequently refer to a judgment in the passive with phrases such as “shall be put to death” (Exod 21:17). This kind of *herem* related to judgment would then correspond to the situation envisioned in Exod 22:19 [20], where a person is declared *herem* (using a passive verb) if they are guilty of idolatry. Another parallel is the commanded *herem* of a

²⁸ Nelson, “*Herem*”, 47.

²⁹ Prenter, “Contrastive Polysemous Meaning of *Hrm*”, 480–81.

³⁰ Stern, *Biblical Herem*, 130–35.

³¹ Nelson, “*Herem*”, 45, holds a similar view: something *herem* “had to be completely withdrawn from human use, either destroyed or given over to the priests or the temple treasury.” See also Schäfer-Lichtenberger, “Bedeutung und Funktion von *Herem*”, 271.

³² Milgrom, *Leviticus 23–27*, 2396.

city of Israelite idolaters in Deut 13:13–19 [12–18], where not only would no spoil be taken but the city itself was not to be rebuilt.

In sum, the Levitical texts give us a picture of two different kinds of *herem*. First, the gift-*herem* of 27:28 was a *herem* offering an Israelite freely gave to God by entrusting it to the priests, who used it rather than destroying it. Second, the judgment-*herem* was a punishment of the legal system on someone who was sentenced to death.

Definitions of *Herem*

In the final part of this essay I will look at the definition of *herem* based on the evidence from the Mesha Stela and Leviticus. In most English translations today, the word “destruction” is used in some way to translate the root, such as “devoted to destruction,” “destroyed,” or “utterly destroyed.” However, the Levitical *herem* texts (and possibly the Moabite texts) demonstrate that *herem* does not necessarily include destruction. As scholars have struggled with defining *herem*, they have proposed a variety of different meanings for the word. Here I will categorize them based on how they handle the different uses of *herem*: are there two distinct versions of *herem*, or does one overarching idea cover all the uses of the word?

Two Versions of *Herem*

Some scholars have proposed that the Old Testament has two different versions of *herem*. For example, Aire Versluis argues that the noun *herem* functions differently from the verb *haram*. He contends that the verb is always connected with the destruction of the Canaanites, while the noun describes “a certain sacral status of persons or objects.”³³ If the verb was consistently used in the Canaanite texts and the noun with the Levitical texts, this would be a helpful distinction. However, as the verb appears in the Levitical texts (Lev 27:28) and the noun appears in various Canaanite texts (e.g., Josh 6:17), this simple approach is not the best way to approach a definition.

Susan Niditch also identifies two types of *herem* but does so in a more conceptual way.³⁴ *Herem* as God’s portion, an ancient practice, was an offering of the defeated enemy to the God who made victory possible and who delighted in sacrifice of humans. The sacrifice of the most valuable part of the spoil (the humans) to God allowed the Israelites to take the remaining spoil for themselves. On the other hand, she sees *herem* as God’s justice as a later definition that views the enemy (or Israelite apostates) as unclean sinners deserving of God’s judgment. The Israelites enacted God’s justice against their enemies but were prohibited from taking spoils because of the danger of uncleanness. She does not split this distinction cleanly between Leviticus and Deuteronomy.

More simply, Mina Glick also identifies two types of *herem*: sacred *herem*, a voluntary handing over of items to YHWH (Lev 27; Num 21:1–3), and sin *herem*, a commanded handing over “based

³³ Versluis, “Devotion and/or Destruction?”, 244.

³⁴ Niditch, *War in the Hebrew Bible*, 28–77.

on sin (Exod 22:19 [20]; Deut 7; 13; 1 Sam 15). In her view, Joshua 6–7 incorporates elements of both types of *herem*. She also believes that *herem* in narrative marks important turning points: the beginning of success in battle (Num 21:1–3), the beginning of the conquest of Canaan (Josh. 6), and the switch from a focus on the community to the failure of an individual (1 Sam. 15).³⁵

One Version of *Herem*

Other scholars take the opposite approach and try to find a common meaning to all cases of *herem*, downplaying the differences. One way to do so is to separate *herem* from the concept of destruction. This finds possible support in the biblical texts. When the Israelites are first commanded to put the Canaanites to *herem* (Deut 7:1–5; 20:16–17), the text complicates the matter by immediately including prohibitions against making covenants with the Canaanites, showing mercy to them, and intermarrying with them (Deut 7:2–3). This combination of *herem* with commands that imply the continued existence of the Canaanites plays an important role in the discussion about the ethics of *herem*, leading some to argue that *herem* is a metaphorical denunciation that does not necessitate actual killing. If *herem* includes the destruction of all Canaanites, why would Deuteronomy go on to prohibit intermarriage with them? Nathan MacDonald interprets *herem* as a metaphor for religious devotion to YHWH, in which the only things destroyed were religious paraphernalia.³⁶ Likewise, according to Douglas Earl, Deuteronomy 7 defines the content of the *Shema* and commands separation from the nations, but not their destruction.³⁷ Another possibility comes from Markus Zehnder, who argues that, based on its use only with cities in Joshua and in Deuteronomy 20, *herem* was only for the Canaanites who lived in cities; therefore, the prohibition against intermarriage was then still relevant for the Canaanites in rural areas.³⁸

Going in a different direction, Jason Tatlock argues in an article on the Deuteronomistic history that all *herem* cases in those texts were sacrificial. While not drawing on Leviticus to make his argument, it would also fit there since Leviticus places *herem* squarely within the sacrificial system. Tatlock highlights in particular how Deut 13:17–18 [16–17] connects *herem* with the sacrificial term *kālil*, which he uses to argue that all *herem* is sacrificial at heart.³⁹ Another possibility comes from Richard Nelson, who contends that *herem* was not a warfare concept or a sacrifice, but a “culture map category,” parallel to “holy” and “unclean.” However, he argues that *herem* was not a sacrifice because *herem* was not transferred to the divine realm. He defines *herem* as “the state of inalienable Yahweh ownership.”⁴⁰

³⁵ Glick, “*Herem*”. See also Park, *Finding Herem?*.

³⁶ MacDonald, *Deuteronomy and the Meaning of “Monotheism”*, 108–22.

³⁷ Earl, “Christian Significance of Deuteronomy 7”.

³⁸ Zehnder, “Annihilation of the Canaanites”, 273.

³⁹ Tatlock, “Deuteronomistic Endorsement”.

⁴⁰ Nelson, “*Herem*,” 44.

Coming from a different perspective, one could also argue that all the texts refer to destruction. For example, Philip Stern understands the Levitical *herem* texts as a late adaptation of the war-*herem*. Even though Num 18:14 says that the *herem* offerings come under the control of the priests, Stern interprets this to mean that the priests had the right of refusal only: since *herem* always meant death for a human *herem* offering, the only options available to the priests were whether they received the death of the *herem* offering or not. Therefore, Stern envisions such *herem*-offerings only for foreign slaves, as an Israelite slave would not be able to be killed according to the slave laws covering Israelites that required them to be released from slavery after six years (Exod 21:2).⁴¹

Another way to draw the two different uses of *herem* together is to refer to them all as taboo and then note that something/someone can become taboo either because it is defiled or because it is holy and set apart from human usage. Although for dramatically different reasons, they result in the same effect: they are off limits for ordinary humans.⁴²

John H. Walton and J. Harvey Walton argue for a more unified view of *herem*, which they argue means “the removal of something from human use.”⁴³ For their first point of evidence, they point to Hittite texts in which a city is dedicated to a deity and bulls are allowed to graze on the land.⁴⁴ While this is a helpful comparison, it does not use any word connected to *herem*. In addition, these texts explicitly include destruction: the cities were not to be rebuilt after they were destroyed. But more persuasive for the Waltons’ case is Leviticus, as these *herem* offerings allow for items to be devoted to God without being destroyed. When used in the context of warfare, the Waltons argue that *herem* refers to the removal of a Canaanite identity rather than the killing of Canaanites.

Conclusion

Before reaching a conclusion about the definition of *herem*, I will review what we can learn about *herem* from Mesha and Leviticus. The use of *herem* in the Mesha Stela indicates that in Moab *herem* was connected to both warfare and dedication to a patron deity. However, dedication did not explicitly involve temples or priests, and the area dedicated was available for secular resettlement. The parallel section in the Mesha Stela might indicate a different scenario in which something is devoted to their god, but not at the command of the deity (however, this section does not use the word *herem*). In Leviticus, a *herem* gift was dedicated to YHWH in two possible ways. A gift-*herem* involved giving something (animals, a person, or property) to YHWH by means of offering it to the priests for their use of the *herem* gift in its normal function (that is, it is not destroyed). The judgmental-*herem* involved devoting a person to God because of their idolatry and executing the sentence of death.

⁴¹ Stern, *Biblical Herem*, 130–35.

⁴² Prenter, “Contrastive Polysemous Meaning of *Hrm*”, 478–79.

⁴³ Walton and Walton, *Lost World of the Israelite Conquest*, 170.

⁴⁴ Taggar-Cohen, “Between *Herem*, Ownership, and Ritual”.

Looking at these texts along with Deuteronomy and Joshua, the most natural way to think of *herem* is to see the common core to all the uses as *irrevocable dedication of something to YHWH*. In particular, a person—or Israel as a whole—could not themselves profit from what was *herem*. However, this common core could be expressed in three very different ways.⁴⁵ One method is the gift-*herem* offering in which an individual gave YHWH something by offering it to the priests. (In this case, the priests, but not the one giving the gift, could profit from it.) This pathway could potentially be seen in the ‘Atarot section of the Mesha Stela and is clearly evident in Leviticus.

Another pathway to *herem* is the judicial-*herem* in which a person or city guilty of idolatry was dedicated to YHWH and killed for their sin: no Israelite could profit from this. The clearest examples of this are in Exodus 22 and Deuteronomy 13. Finally, YHWH sometimes gave direct commands about dedicating inhabitants of Canaan as war-*herem*, from which Israel was not allowed to profit (except in cases where the inhabitants were declared *herem* but not their possessions). But the commonality of all three patterns is that something *herem* was devoted to YHWH and not available to be profited from by the one giving it. The Mesha Stela exhibits a form of this as Chemosh commanded Mesha to attack Nebo and it was *heremed* (though the city was able to be resettled). Within the biblical texts, the war-*herem* is seen most clearly in Deuteronomy and Joshua. These observations mean that the heart of *herem* is not destruction: the verses that combine *herem* with killing (such as Deut 2:34) are not providing the definition of *herem* but telling the reader what *herem* means in that circumstance. As illustrated with the help of texts like Leviticus 27, the core of *herem* is consistently devoting something to YHWH, but the practical result of that could vary significantly in different situations.

⁴⁵ For a similar categorization, see Lohfink, “חָרָם *hāram*”.

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