

## THE HEBREW ROOT *PG'* AS A LEGAL TERM

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Scholars have long recognized that the verb *pg'* in the *Qal* is a synonym for words meaning "to kill."<sup>1</sup> What has gone unnoticed, however, is the thesis of this article: The root is a constitutive element of execution command formulae in three judicial contexts and hence should be translated not as "to fall upon, strike down" but more specifically as "to execute, put to death."

Careful examination of the three contexts confirms this thesis. That 1 Sam 22:6-19 reports a trial is clear from Boecker's analysis of its terminology.<sup>2</sup> Like Deborah the judge (Judg 4:5), Saul sits in judgment at Gibeah "under the tamarisk tree on the height" with the sign of his military and judicial authority, his spear, in his hand (v 6). He accuses his Benjamite servants of conspiring with David against him (vv 7-8), but Doeg the Edomite defends them by testifying to having seen David receive aid from Ahimelech, priest of Nob (vv 9-10). So, in technical legal language, Saul summons Ahimelech before the bar (v 11), formally accuses him of conspiracy against himself (v 13), listens to Ahimelech's defense (vv 14-15), and pronounces the death penalty (v 16).<sup>3</sup> Then he orders his runners to execute all the priests of Nob (v 17: *sbw whmytw khny Yhwh*),<sup>4</sup> but when they refuse, he issues the order to Doeg the Edomite (v 18: *sb 'th wpg' bkhnym*), who quickly obliges.<sup>5</sup>

In short, this text reports the trial and execution of the priests of Nob by authority of Saul. The crime is treason against the king. Our concern, however, is with the two execution command formulae just quoted. Two observations may be made concerning them. First, each begins with a command to "turn" (*sbw//*

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<sup>1</sup>Observe the remark of J. A. Montgomery and H. S. Gehman (*The Book of Kings* [ICC; Edinburgh: Clark, 1951] 100) concerning the verb's meaning in 1 Kgs. 2:25: "a euphemism for homicide, . . . perhaps with notion of a resistless fate." Cf. also H. F. Fuhs, "hrg," *TDOT* 3 (1978) 451; V. P. Hamilton, "pg'," *Theological Wordbook of the Old Testament* (ed. R. L. Harris; Chicago: Moody, 1980), 2. 715. That this assumption is correct will become evident below.

<sup>2</sup>H. J. Boecker, *Redeformen des Rechtslebens im Alten Testament* (WMANT 14; 2d ed.; Neukirchen-Vluyn: Neukirchener, 70) 88-89. What follows draws heavily upon his discussion.

<sup>3</sup>The formula: *mut tmwt 'hymk 'th wkl-byt 'byk*. On the background and wider usage of this formula see Boecker, *Redeformen* 143-146.

<sup>4</sup>Evidently the runners customarily served as executioners; cf. H. P. Smith, *The Books of Samuel* (ICC; Edinburgh: Clark, 1951) 207.

<sup>5</sup>Note the terse report of compliance in v 18b: *wysb . . . wyppg'-hw' bkhnym*.

sb). Evidently both Saul's runners and Doeg the Edomite must first turn from Saul toward the priests in order to carry out the next and most important order. Second, a comparison of that next order in both formulae clearly shows that *pg'* here means "to kill" in some sense (*whmytw//wpg'*). There are no details given as to how that killing is to be done.

Most translations render *pg'* in v 18 as "to fall upon"<sup>6</sup> or "to strike down."<sup>7</sup> In light of the discussion above, such renderings are inadequate for two reasons. First, they convey nothing of the legal character of the *pg'*-action that is evident in the context—that is, they do not communicate that a legal action is involved. Second, they only vaguely hint at what is contextually clear—namely, that the verb means "to kill."<sup>8</sup> They do not convey that an execution is meant. In light of the verb's judicial context and verbal synonyms, I suggest that it can best be rendered here as "to put to death, execute."

The same is true of 2 Sam 1:1-16, where an Amalekite survivor of Israel's defeat by the Philistines (1 Samuel 31) briefs David on Saul's death.<sup>9</sup> In an attempt to impress David, whom he presumes is Saul's enemy, the young man reports that he himself killed Saul (v 10a). To his surprise the news sets off not celebration but mourning among David and his band (vv 11-12). Worse yet, that very evening the unfortunate fellow finds himself before David on trial for killing "Yahweh's anointed."<sup>10</sup> His earlier braggadocio backfires: David accepts his bragging as a confession of a crime, gives his "declaration of crime" (v 14), and issues the execution order to one of his young men (v 15a: *gš pg'-bw*). The terse compliance report follows immediately (v 15b: *wykhw wymt*). The pericope then concludes with David's pronouncement, using the so-called "bloodguilt formula" and referring specifically to the man's own incriminating testimony.<sup>11</sup>

Once again a legal setting is clearly evident. A trial results in the execution of a criminal for his crime—in this case, the killing of Yahweh's anointed. Here also several observations merit mention. First, as with 1 Sam 22:17-18 the execution command begins with an imperative ordering preparatory movement, specifically to "approach" (*gš*). To carry out the subsequent *pg'*-action commanded by

<sup>6</sup>*KJV; RSV; NEB*; H. W. Hertzberg, *I and II Samuel* (Philadelphia: Westminster, 1964) 186.

<sup>7</sup>*NIV*; P. K. McCarter, *I Samuel* (AB 8; Garden City: Doubleday, 1980) 361.

<sup>8</sup>Two evidences support this: (1) the fact that the commands of vv 17, 18 carry out the death penalty pronouncement of 16a; (2) the use of *mut* in the *Hiphil* in the command parallel to the one with *pg'* (v 17) and in the comment following the compliance report (v 18b). Smith, *Samuel* 208, rightly renders *pg'* in v 18b simply as "slew."

<sup>9</sup>I am indebted for much of what follows to C. Mabee, "David's Judicial Exoneration," *ZAW* 92 (1980) 89-98.

<sup>10</sup>For a discussion of this text as a report of a trial, see *ibid.*, pp. 94-96.

<sup>11</sup>The background and meaning of the bloodguilt formula has been well elucidated in three articles: K. Koch, "Gibt es ein Vergeltungsdogma im Alten Testament?", *ZTK* 52 (1955) 1-42; "Der Spruch 'sein Blut bleibe auf seinem Haupt' und die israelitische Auffassung vom vergossenen Blut," *VT* 12 (1962) 396-416; H. Reventlow, "'Sein Blut komme über sein Haupt,'" *VT* 10 (1960) 311-327.

the phrase, David's soldier must move from his present location to where the Amalekite is. The *pg'*-action takes place when the move is complete. Second, that *pg'* involves killing is evident from the statement in the compliance report that the man died. Third, the parallel verb in this context means "to strike, hit" (*wykhw*).<sup>12</sup> The implication is that *pg'* here means "to strike a fatal blow," perhaps with a sword since a soldier is involved. Finally, the fact that *pg'* occurs in a second execution command within a judicial setting suggests that the word may be a technical term for execution.

Imprecision, however, haunts the translation of v 15 since most sources render *pg'* there as "to fall upon."<sup>13</sup> That rendering not only blurs the distinction observed in the text between the movement to the victim and the *pg'*-action but also conveys nothing of the legal nature of the transaction. Similarly, the translation "to strike down"<sup>14</sup> does not communicate that the execution of a convicted criminal is being ordered, although it takes better account of the parallel verb noted above. Instead, I contend that the execution command of v 15 be rendered "to execute, put to death" and understood in a legal sense.

Finally, 1 Kgs 2:28-35 narrates Solomon's execution of Joab. Unlike the two texts just discussed, this one lacks a trial scene or other legal trappings. On the contrary, it simply reports that Joab sought asylum beside the altar in Yahweh's tent after learning of the execution of Adonijah (v 25) and the removal of Abiathar from his priestly office (vv 26-27). A supporter along with Abiathar of Adonijah's hopes for kingship, Joab rightly feared for his own life. Solomon dispatched Benaiah to the tent with the command to execute Joab (v 29: *lk pg'-bw*), a command repeated in an expanded form (v 31) and obeyed (v 34) when Joab refuses to abandon his sanctuary (v 30).

Is this a legal context in which Joab dies for a crime? One possible answer may be quickly put aside. Joab's execution does not directly result from his bloodguilt over his unjust killing of Abner and Amasa,<sup>15</sup> although it does indeed remove that guilt from David's heirs. Noth is more on target:<sup>16</sup> Solomon's reference to bloodguilt (vv 31-33) is meant to excuse his violation of the asylum law in executing Joab; Joab dies as an accomplice to Adonijah's attempt to become king. But the question remains: Is his execution a legal act?

Brueggemann has observed that the narrator presents Solomon's condemnation of Adonijah as "a lawsuit in which the king acts against an enemy of the people."<sup>17</sup> Thus, the "statement of conditions" (1:52) is followed by the indict-

<sup>12</sup>BDB 645.

<sup>13</sup>*KJV; RSV; NEB; Hertzberg, Samuel* 235.

<sup>14</sup>*NIV*.

<sup>15</sup>2 Sam 3:26-30; 20:8-10.

<sup>16</sup>M. Noth, *Könige* (Neukirchen-Vluyn: Neukirchener, 1964) 36.

<sup>17</sup>W. Brueggemann, "Life and Death in Tenth Century Israel," *JAAR* 40 (1972) 106-107. What follows draws on his observations concerning 1 Kgs 1:52-2:25.

ment and sentence (2:23-24) and execution (v 25). If Noth and Brueggemann are right, then Joab's execution is a legal spin-off of the execution of Adonijah. Joab dies as an accomplice to a crime—in this case, conspiracy against the king. The commands in vv 29, 31 may rightly be reckoned as execution command formulae.

A close look at those commands reveals several significant things. First, the first formula follows the pattern of the others studied: It begins with an imperative that orders the one carrying out the *pg'*-action to go to the victim's location (*lk*). in this case Benaiah must first go from the king's residence to the tent in order to perform the *pg'*-action. The fact that Joab is at a different location from Solomon and Benaiah no doubt accounts for the use of *lk* rather than *sb* or *gš* as in the other formulae. In 1 Samuel 22 and 2 Samuel 1 all parties involved were present at the same location. Second, in the other formula (v 31) *pg'* is preceded and followed by commands not present in the other formulae. The first one, "do as he said," clearly refers back to Joab's wish to die right where he was rather than be coaxed outside the tent (v 30). The second orders Benaiah to bury Joab after the *pg'*-action. That in itself is a clue that *pg'* here means "to kill."

The context is, indeed, replete with evidence supporting that supposition. Joab's own statement, "Here I will die," betrays painful awareness of why Benaiah has come to the tent. Further, Solomon's declaration that the *pg'*-action will remove Joab's bloodguilt clearly implies that Joab is to forfeit his life for the deaths of the two others (vv 31b-33).<sup>18</sup> Once again, however, translators render the verb in vv 29, 31 as "to strike down"<sup>19</sup> or "to fall upon"<sup>20</sup>—in other words, with the same imprecision seen above. On the other hand, if my contention is correct that Joab's execution is for the crime of complicity in treason against the king, then the commands in vv 29, 31 constitute execution command formulae. The verb *pg'* should be rendered "to put to death, execute."<sup>21</sup>

One final note: The compliance report (v 34) provides an interesting clue to the precise nature of the *pg'*-actions discussed above. There the narrator reports that Benaiah "went up, fell upon him and killed him" (*wy'l . . . wyppg'-bw wymthw*). Unless the last two verbs constitute an example of hendiadys, they report different, sequential actions—that is, first the attack, then the killing itself. If this is so, it suggests that when *pg'* is used alone its meaning encompasses a series of actions—the attack upon the victim and the actual moment of killing. In other words, it implies that all those actions take place during an execution.

In conclusion, the evidence presented has confirmed the thesis stated at the

<sup>18</sup>It may be significant that in v 32 Solomon uses *pg'* to describe Joab's bloodguilty acts. This may imply that Joab's death conforms to the *lex talionis* and its underlying moral order—that is, since he killed (*pg'*) others, he now suffers the same fate (*pg'*).

<sup>19</sup>RSV; NIV; NEB; J. Gray, *I and II Kings* (Philadelphia: Westminster, 1970) 107-108.

<sup>20</sup>KJV; Noth, *Könige* 5; E. Würthwein, *Die Bücher der Könige. Kapitel 1-16* (ATD 11, 1; Göttingen: Vandenhoeck and Ruprecht, 1977) 6-8.

<sup>21</sup>The same translation would properly render *pg'* in the report of the execution of Shimei by royal command, although the precise legality of the transaction is difficult to determine (vv 42, 46).

beginning of this article. Within three judicial settings, the verb *pg'* in the *Qal* appeared as a constitutive element in execution commands.<sup>22</sup> In two settings the crime was treason against the king; in the other, murder of Yahweh's anointed. The fact that the same verb occurs in three similar legal settings and in similar formulae suggests that in such contexts *pg'* is a technical term for execution. If this is so, I contend that there it be translated in a more technical way than simply "to fall upon, strike down"; rather, its best rendering is "put to death, execute."<sup>23</sup>

<sup>22</sup>In addition to the three commands with *pg'* studied above, one other merits mention. Judges 8:18-21 reports that Gideon carries out blood revenge against two Midianite kings, Zebah and Zalmunna, for killing his brothers. After his firstborn son refuses his command to execute them (v 20: *qym hrg 'wtm*), the two Midianites snidely challenge Gideon to show whether he is "man or mouse" by killing them himself (v 21: *qym 'th wpg'-bnw*). It is likely that the two kings have borrowed an execution command formula and used it as a sarcastic challenge to Gideon.

<sup>23</sup>This translation also applies to the compliance reports using *pg'* in the contexts considered (1 Sam 22:17-18; 1 Kgs 2:34).