The task of writing a history of Israel requires moving beyond the Hebrew Bible’s metanarrative and finding new ways of framing the question. The question itself begins with a basic problem of definition: What was Israel? Daniel Fleming’s *The Legacy of Israel in Judah’s Bible* rises up to this task and offers a unique and compelling view of ancient Israel’s history. Fleming’s book examines the ways in which the social body known as Israel came to be defined collectively through its political actions. In order to do this, Fleming critically engages biblical literature in order to disentangle the traditions of Israel from their later reworking by scribes from Judah. Fleming’s approach, examining northern traditions as earlier and separate from the southern kingdom, is in some ways familiar to archaeologists, yet his book represents a significant literary contribution to a question that had previously been relegated to discussions of material culture.

Fleming divides his monograph into four parts, “Introduction: Israel and Judah,” “Israelite Content in the Bible,” “Collaborative Politics,” and “Israel in History.” The point of the study is to examine closely the varied social and political makeup of Israel

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1. See, for example, the recent suggestion that the Shephelah site of Kh. Qeiyafa belonged to the “north Israelite entity” (Finkelstein and Fantalkin 2012, 52–58).
and Judah in order to better identify and assess “materials from each domain” (16). In the second chapter Fleming unfolds a study in contrasts by problematizing tribes and tribalism (19). According to Fleming, the emphasis should be placed on questions of identity (or “names”). Although Fleming acknowledges archaeology’s importance in exploring this problem, he argues that it is imperative to begin with the written material. That is, rather than using artifacts to reconstruct ethnic identities, Fleming makes observations based on the portrayal of collective action in the Hebrew Bible. The priority that Fleming gives written material establishes the structure of the book, beginning with the first ten chapters (part 2), which are largely focused on the critical analysis of biblical literature. Fleming does utilize nontextual materials in the third part (ch. 12, “Outside the Near East”), where he draws from anthropological and archaeological studies of Mesoamerican, American Southwestern, and Viking cultures. The final chapters of this part, chapters 13 and 14, return to the Near East and include careful examinations of epigraphic sources from Mari and the Levant during the Iron Age (specifically Aramean cultures). The fourth part largely synthesizes the biblical material from the second part with the extrabiblical material in the third part.

Fleming looks at two actions that brought together the collective association of peoples known as Israel: association in war and collective interaction with individual leaders. With these two factors in mind, Fleming organizes his discussion of the Hebrew Bible’s “primary narrative” (in part 2) by beginning with the book of Judges in chapter 4. Following an overview of the literary issues (ch. 3, “Writing from Judah”), Fleming looks at Judges as an example of a narrative that describes the people in the land in a period of decentralized political setting (ch. 4, “An Association of Peoples in the Land [The Book of Judges]”). In chapter 5 he examines the narrative in Genesis, which also (like Judges) bears witness to traditions that reflect multiple groups of people. In Genesis, the association of multiple groups is organized according to a genealogical pattern tied to an apical ancestor, Jacob. In this chapter Fleming looks at modern studies of oral genealogies among the Bedouin of Jordan. This anthropological analogy is important because it highlights the historiographical problems regarding the static (or fixed) sense of written genealogies (here Jacob’s lineage in Genesis) versus the dynamic nature of oral genealogies.

In chapter 6, “Collective Israel and Its Kings,” Fleming examines the idea of kingship in relation to the people in order to understand northern Israel better. According to Fleming, the centralized power of a king foregrounds an otherwise “messy” power network between the ruler and an association of peoples that are collective and decentralized. Fleming explores this idea through an analysis of two kings: David and Omri. For the latter, he argues convincingly that 1 Kgs 16:15–28 offers a rare view into the northern concept of kingship (92–97). In chapter 7 Fleming examines narratives set in
the Transjordan, analyzing Num 20–21 and 22–24, along with Deut 2–3. Here Fleming works to shift the perspective in order to reclaim an eastern orientation for exodus traditions. Through close analysis, he argues for the priority of Deut 2–3, which he sees as particular and unique within pentateuchal literature. These passages represent the local claims of an eastern Israelite entity, where the Transjordan is divided between Bashan (ruled by Og) in the north and Heshbon (ruled by Sihon) in the south. According to Fleming, Og and Sihon are cast as Amorites in order to antiquate the eastern Israelite tradition and situate it as historically earlier than the Iron Age II reality of Israelite-Moabite existence in the Transjordan.

In chapter 8 Fleming looks at the types of military association that are preserved in the ḫērem traditions of the book of Joshua, effectively separating the conquest accounts of Jericho and Ai before discussing the literary reasons for their compilation. In this chapter Fleming suggests that a victim’s narrative of the ḫērem can be read into the story of the Benjaminites in Judg 20. This bold suggestion relates to Fleming’s theories regarding the origins of Benjamin, which are discussed in chapter 8. The depiction of Benjamin and its military organization suggests a social entity that was originally separate from early Israel. Fleming takes this further and draws a connection with the Binū Yamina of the Mari letters, despite the temporal and geographical distance between the two. Given Fleming’s status as a cuneiform scholar specializing in Mari, his discussion of Benjamin and the Binū Yamina should not be taken lightly. This is, of course, a resuscitation of an older theory, but it is consistent with Fleming’s larger concept of social bodies as opposed to ethnic identities. In other words, the phenomenon reflects the survival of names through enduring forms of social organization. As Fleming suggests: “The Bin-yamin category is not so far removed from that of the Amorites, another term that originates in Mesopotamia, with a genealogical line to the first-millennium Levant that is no clearer than that for Bin-yamin” (145).

The general thrust of Fleming’s thesis works well on several levels, precisely because it is concerned with modes of social organization rather than origins of ethnic groups. Fleming’s application of this concept to the problem of the ʿapiru in chapter 16 is particularly interesting. He presents his evidence through a careful assessment of the cuneiform sources, arguing in the end that the ʿapiru represent a military unit that was organized politically outside traditional social boundaries (i.e., kinship groups and tribal affiliations). The hypothesis represents an intriguing new way of looking at the ʿapiru as a group who could occasionally be described pejoratively due to their outsider status. Furthermore, his analysis of the ʿapiru in the El-Amarna letters together with the Hana of the Mari letters provides a textually based analogue in chapter 17 for an early Israelite presence as a decentralized political entity, beginning already in the Late Bronze Age. The arguments here are based on textual evidence, and in Fleming’s study of the Iron I and
IIA there is no discussion of the hallmark artifacts that are typically used by archaeologists to distinguish early Israelites. This absence is not damaging, however, as these materials (collared-rim jars, four-room houses, etc.) tend to essentialize early Israelite culture in ways that would not be helpful for Fleming’s project. Yet I have one qualm regarding his use of terminology that comes from the archaeological search for Israelite origins. Fleming attributes the term “proto-Israelites” to Israel Finkelstein, when in fact the term and its origins are generally attributed to William Dever (see Dever 1995, 204). Although perhaps a minor point, it touches upon the different theories of Israelite origins argued by Finkelstein and Dever. For Dever, the term reflects a developmental stage in the emergence of a people in the highlands who originated in the lowlands. Dever’s theory was supported by what he saw as cultural continuities shared between the Late Bronze Age lowlands and the Iron Age I highlands. Finkelstein, on the other hand, challenged this notion and argued instead that Israelite origins should be sought in the cyclical process of pastoralists becoming sedentary. In the publication cited by Fleming at the top of page 20, Finkelstein (1988, 27) uses the term “Israelite” as a technical term for highland peoples who became/were becoming sedentary (1988, 28). (Later on 247 Fleming gives an accurate description of Finkelstein’s earlier position in 1988.) Dever’s origin theory is more akin to social change, while Finkelstein’s is one of shifting subsistence strategies that were determined in part by environment.

One substantial problem lies with Fleming’s use of West Semitic sources from the Iron Age, which stands in contrast to his expert handling of second-millennium cuneiform sources. He is dismissive of recent studies on scribal culture and Hebrew epigraphy, stating, “we appear to have a collection of Israelite writing, with the practices of Judah visible only once it was the only realm standing” (302). However, there are inscriptions from Arad that date to the ninth and early-eighth centuries. Admittedly, these are short inscriptions, but they indicate scribal activity in Judah prior to Israel’s destruction. Similarly, Fleming evades the question of northern Hebrew. Although he acknowledges northern Hebrew as a classification, Fleming states that the regional characteristics are small and insufficient for the study of the political landscape. This is a valid statement, insofar as the evidence is both limited and scattered. Fleming, however, cites only one monograph by Gary Rendsburg along with a quote from Randall Garr’s seminal work on dialect geography (in both cases, in notes on 302). There are no references to works that have attempted to develop a methodological approach to northern Hebrew. Fleming’s lack of attention to research in this area not only undermines his attempts to sidestep the

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2. In fact, it was a point of distinction between Finkelstein and Dever (note, for example, the scare quotes whenever Finkelstein uses the term in his 1996 response to Dever).

3. Setting aside for the moment the earlier alphabetic inscriptions from Izbet Sartah, Kh. Raddana, Gezer, Kh. Qeiyafa, and Tel Zayit, which raise their own peculiar historical problems.
question of northern Hebrew; it also brings to the forefront further questions regarding his use of Hebrew epigraphic sources. For example, the Samaria ostraca are distinctly northern artifacts that display features reflective of Israelite culture and language (see below). Among other things, these ostraca (along with seals and seal impressions) show that the Yahwistic theophoric element in personal names was consistently spelled –yw, which aligns with the inscriptions from Kuntillet ‘Ajrud. This feature of northern Hebrew is distinguishable from the predominant forms –ywḥ and –yḥ that are found in southern epigraphic sources as well as the Hebrew Bible. Not only are there salient orthographic variances in the regional forms of Hebrew; there are also important lexical differences that mark one culture from the other (see Suriano 2007; refer to Sasson 1981; Stager 1983), recognized through semantic equivalence (Schniedewind and Sivan 1997). The point here is that the features of language found in Israel and Judah were more substantial than the few points made in a single footnote.

To be sure, many aspects of Fleming’s thesis raise fascinating questions regarding West Semitic inscriptions from the Iron Age Levant. A notable example is his analysis of the term Hana at Mari, a proper noun formed from √ḥny, “to camp” (208–12). Fleming suggests that in certain contexts this term could designate politically organized fighting units from the Binū Sim’al under Zimri-Lim (see also Fleming 2004, 85–90). This is an important element in his reconstruction of the collective political organization at Mari, which serves as an early analogue for Israel. Fleming’s discussion here suggests new ways of looking at the root in Aramaic, where it can be rendered “army.” A specific example of this can be found in the stela from Tell Afis in which Zakkur, the king of Hamath and Lu’ath, describes how he withstood a siege by an alliance led by the king of Aram-Damascus, Bir-Hadad son of Hazael. In lines 5–7, Zakkur lists each enemy king in formulaic style: “King of X, and his army (mḥnt).” Following the specific mention of names, lines 8–9 concludes the description of the alliance: “and seventy [kings, t]hey and their armories (mḥntw).” The basic meaning of the term, “camp,” works within this context, and indeed the alliance here involved larger political entities such as the kingdom of Sam’al. But it is really a question of organization rather than scale; within the framework of Bir-Hadad’s alliance the basic element of military participation is defined by the term mḥnt. One wonders if the term’s meaning here bears any similarities to the use of Hana in the Mari archive. Fleming’s book warrants such comparisons, for in a later chapter (14: “Israel’s Aramean Contemporaries”) he effectively draws from his concept of political organization to suggest cultural continuity between the earlier Amorites and the Arameans of the Iron Age, a continuity that is observable across the shared space of Syro-Mesopotamia. In this chapter Fleming states: “The occasional affiliation of Aramean peoples for military purposes raises the question of whether groups that came to be part
of Israel may likewise have joined in an earlier period for mutual defense without sharing the name” (233).

Significant questions regarding military and political organization, in fact, can be asked of the Gideon stories found in Judg 6–8, which are biblical texts that Fleming draws from extensively in his fourth chapter. For instance, the root ʰny occurs throughout the account of Midianite oppression. The term is used almost exclusively in the description of Israel’s enemies, and its basic meaning (“camp”) is applicable given the transhumance-type depiction of these eastern groups that move across the Jordan Valley (“Midianite, Amalekite, and all of the sons of the east,” according to Judg 7:12). But in Judg 8:10 the combined enemy forces are described as the Midianite kings Zebah and Zalmunna “and their camps” (maḥânēhem). The verse specifies the number of fighting units (‘eleph), including the camp of the ambiguous “sons of the east” (bēnê-qedem). The plural “camps” occurs only here, contrasting with the singular “camp” defeated by Gideon in Judg 8:11–12. Fleming notes the appearance of the term “camp” in 8:10–12, though he does not draw a parallel with Hana at Mari. However, the references to multiple rulers, where each is described with his own camp and working together in a military alliance, is reminiscent of the Tell Afis stela and by extension Fleming’s definition of Hana at Mari. This is not to highlight one obscure verse but to draw an example from literature that plays an important role in Fleming’s book. Regarding the Transjordan account of Gideon in Judg 8:4–21, Fleming observes astutely: “The ambiguity of the political situation displays a world where individual authority had to be negotiated constantly and sometimes violently with local communities” (63). This ambiguity, however, can be observed throughout the stories of Gideon in Judges. The literature of Judg 6–8 has been redacted and reshaped into its current biblical form, and Fleming concentrates first on Judg 8:4–21 as the earliest account. This is partly due to the absence of “Israel” as an organizing entity; instead, Gideon leads a small fighting force and negotiates with individual cities (Succoth and Penuel). Fleming then notes that the account in Judg 7:23–8:3, where the Midianites were led by Oreb and Zeeb, was attached to the Transjordan campaign through a literary process that augmented the larger Gideon tradition in order to conform to the themes of the book (69). Fleming’s objective is to look carefully at the story of Gideon, along with those of Deborah and Barak, to see how they fit within an “Israelite scribal setting” (70). The regional nature of the various heroes indicates this setting. According to Fleming, the regional stories “probably date from different stages in the development of Judges as a book, yet their variety suggests a pattern that emphasizes Israelite collaboration and decentralization” (71). His intriguing observation here leaves us with many questions. Gideon’s principal identification in Judges is with the clan (‘eleph) of Abiezer rather than the tribe of Manasseh.4 What does this affiliation say about the social and political

4. Note that there are alternative etymologies possible for ‘eleph beyond the numerical sense.
organization in ancient Israel? As Fleming notes, Judg 7:23–25 involves a tribal alliance of Asher, Zebulun, and Naphtali, with Manasseh getting a separate mention (cf. also Ephraim in v. 24). The tribal reference in this verse, however, seems to be superfluous in some ways to the core of the Gideon stories. Gideon is only loosely affiliated with Manasseh, which seems to be reflected in his statement in 6:15. Indeed, in his dispute with the people of Ephraim, Gideon contrasts that tribe with his clan rather than with Manasseh (8:2).

The story of Gideon in Judg 6–7 indicates that the sociopolitical boundaries were fluid and negotiable during times of military conflict, which is generally consistent with Fleming’s thesis. However, Gideon’s association with Abiezer broaches questions that are left unanswered regarding the organization of the sociopolitical landscape in the highlands of western Palestine during the Iron Age IIA–B. Again, to return to the Samaria ostraca, these epigraphic sources provide a picture of the social environment surrounding the royal capital, listing both villages and clans.\footnote{This is to simplify the matter; for more detailed treatments of the ostraca’s settlements, see Schloen 2001, 155–66; Niemann 2008.} The reconstruction of the clan names from these epigraphic sources, set within the local topography, indicates that they correspond to the clans of Manasseh in Josh 17:2, including Abiezer (and, intriguingly, the daughters of Zelophehad in Num 27:1). The administrative records of the Samaria ostraca, which come from the royal acropolis, indicate a level of control over local kinship networks by a central government (embodied in the individual rule of the king). What the ostraca suggest, however, is that individual authority over such groups could be organized around feasting rather than military cooperation. (The shipment of wine from Abiezer is intriguing in light of Gideon’s own words in Judg 8:2.) Obviously, political organization was not limited in its application; the examples here are meant to show how the sociopolitical complexity of the Israelite highlands is reflected in both biblical and epigraphic sources.

In light of these criticisms, it is important to note that the strength of a thesis such as Fleming’s rests not only in the evidence he musters to support it but also in the possibilities that exist within the wider available sources. Fleming’s expertise is in cuneiform literature, and his reading of second-millennium texts from Mari offers new prospects for studying West Semitic literature from the first millennium. The perspective that Fleming brings, as a scholar of Mesopotamian studies, represents a unique contribution to the problems involved in Israelite history. This point should not be understated, for the reaction against pan-Babylonianism over the past century, together with Benno Landsberger’s Eigenbegrifflichkeit, has increasingly separated the study of ancient Israel from that of Mesopotamia. Israelite history, however, has its place within

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the study of the ancient Near East, and it is my hope that The Legacy of Israel in Judah’s Bible is not Daniel Fleming’s last word on the histories of Israel and Judah.


