

REPAIRING TORAH:
JAMES W. WATTS AND MOSES AS MEDIATOR
OF “IMMORAL” INSTRUCTIONS

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Abstract: *James W. Watts cancels the so-called “immoral” laws of the Torah by crossing them out. He calls upon all scholars and all Bible publishers to cross out all “immoral” verses in the Bible. This essay focuses only on the Torah, where most of these teachings appear. Watts views these teachings as “immoral” because they have been interpreted in defense of immoral actions. Ironically, crossing out these teachings causes massive collateral damage upon the very Torah standards Watts seeks to fix—he makes them immoral—and against the very people he desires to help. This article provides case studies to demonstrate the immoral outcomes of Watts’s proposal.*

Key words: *James W. Watts, immoral teachings, Moses, Torah, laws, devoting the nations of Canaan, same-sex relations, rape, slavery, collateral damage, context, moral instruction, biblical authority*

I. INTRODUCTION¹

James W. Watts cancels the so-called “immoral” laws of the Torah of Moses by crossing them out.² He lists every “immoral” norm in the Bible and advises biblical scholars, Bible publishers, and Bible readers to follow his lead by crossing out these “immoral” teachings.³

The thesis of the present study is that Watts’s zealous proposal to cancel the so-called “immoral” laws of Torah causes collateral damage to the very ideals for which it advocates. Eliminating legal sanctions against the other eliminates equality

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¹ The argument in this article is being reframed to serve as the basis of an accessible book with a working title *Resurrecting the Bible of Jesus* (Zondervan Reflective, forthcoming).

² To avoid confusion, this study puts quotation marks on the term “immoral” whenever it cites the assessments done by Watts.

³ Thank you to James W. Watts, Michael Morales, Nancy Erickson, and Helen Paynter for feedback and lively correspondence, especially from Watts, on an earlier draft of this essay. In personal correspondence Watts affirms that this study fairly represents his proposal. I was happy to delete an entire paragraph from this study in response to his challenge of a particular claim I had made, about which he pointed me to one of his studies that I had not yet read at that point. I am also grateful for critical feedback in response to a presentation of an earlier version of this article in an invited paper at the Torah consultation, Evangelical Theological Society, San Diego, 21 Nov 2024, as well as the blind peer reviewers and the editors of this journal. Any remaining problems are my responsibility.

of justice. Deregulating patriarchy, sexual standards, and human trafficking eliminates protections for the disadvantaged even while empowering predatory males.

This is not the first time someone has removed parts of the Bible. Londoners in 1631 who had purchased a new Bible were surprised to read, “Thou shalt commit adultery.” The so-called Wicked Bible’s removal of “not” in Exodus 20:14 was an accident.⁴ Thomas Jefferson, however, intentionally cut out what he called the “disfigured” parts of the Gospels, by which the evangelists in their “stupidity” had “pervert[ed]” the moral teachings of Jesus.⁵ Jefferson removed all elements of the divinity of Jesus to recover “his system of morality [which] was the most benevolent and sublime probably that has been ever taught.”⁶ He described his work as recovering “diamonds in a dunghill,” “the gold from the dross,” and “grain from the chaff.”⁷ Jefferson purposely produced the *Life and Morals of Jesus of Nazareth*.

In commenting on Leviticus, Watts strikes through each of its “immoral” normative teachings, resulting in something resembling both examples above.⁸ His commentary is purposeful, as was Jefferson’s “Gospel,” but with a different editorial strategy. To use Jefferson’s words, Watts strikes through only the “immoral” normative dung, dross, and chaff, leaving behind the “immoral” narratives. The collateral damage of Watts’s purposeful strike-through proposal is accidental. On the surface, this seems like an accident akin to the Wicked Bible’s infamous blunder. But the Wicked Bible had a typographical error. Watts’s dangerous teachings are the unintended consequence of his intentional “correcting” of Yahweh’s revelation.

The next section describes Watts’s rationale for censoring the so-called “immoral” legal standards of Torah. The section after that explains the collateral damage caused by Watts’s proposal. This study will conclude with a few implications.

II. CROSSING OUT THE “IMMORAL” PARTS OF MOSES’S MEDIATED MESSAGE

This section explains Watts’s proposal to strike through all of the so-called “immoral” normative teachings in the Torah. Though Watts targets the “immoral” norms of the entire Bible, the vast majority are located in Torah. As much as feasible, this study will be restricted to Watts’s claims about the Torah.

⁴ See Ray Russell, “The ‘Wicked’ Bible,” *Theology Today* 37.3 (1980): 360–63.

⁵ This paraphrase with quotations comes from several personal letters of Thomas Jefferson reproduced in F. Forrester Church, “The Gospel according to Thomas Jefferson,” in *The Jefferson Bible: The Life and Morals of Jesus of Nazareth* (Beacon Press, 1989), 10, 12, 28 [1–31].

⁶ Letter, Thomas Jefferson to Joseph Priestly, 9 April 1803, in Church, “The Gospel according to Thomas Jefferson,” 10, cf. 9.

⁷ Quoted from several of Jefferson’s personal letters in Church, “The Gospel according to Thomas Jefferson,” 17, 28, 30.

⁸ See James W. Watts, *Leviticus 11–20*, HCOT (Peeters, 2023), xxi–xxxvi. This preface is revised from “Drawing Lines: A Suggestion for Addressing the Moral Problem of Reproducing Immoral Biblical Texts in Commentaries and Bibles,” in *Writing a Commentary on Leviticus: Hermeneutics—Methodology—Themes*, ed. Christian A. Eberhart and Thomas Hieke, FRLANT 276 (Vandenhoeck & Ruprecht, 2019), 237–52.

The authority of Torah, for Watts, is interrelated to the role of Moses as mediator of Torah. Moses serves as the covenant mediator at the request of the people (Exod 20:19; Deut 5:27) and Yahweh (Exod 19:9; Deut 4:14; 5:28–31). Thus, he is a doubly “delegated authority.”⁹ The Torah itself is dominated by three voices: the narrator of the stories, Yahweh as the lawgiver who pronounces sanctions,¹⁰ and Moses as the one who provides legal motivations and legal interpretation.¹¹ Deuteronomy equates the commands of Moses and Yahweh (Deut 29:12[11]) and even merges their voices on occasion (e.g., 29:2–8[1–7]).¹² Moses alone mediates divine law.¹³ That laws are mediated is a key for Torah’s authority. Mediation is the essence of the prophetic role in Deuteronomy which makes Moses “*just* a prophet.”¹⁴ The diminishment of the role of Moses even while the laws retain authority based on their divine origin causes this authority to remain with Torah as a text.¹⁵

The authority of the legal standards mediated by Moses is at the heart of the problem of the laws Watts regards as “immoral.” Watts worries about Torah giving, in his words, “divine approval for immoral and illegal behavior.”¹⁶ Watts does not regard this statement, or his many others like it, as anachronistic. He is aware of the differences between social, political, and legal norms in the ancient Near East and the modern world,¹⁷ but he regards meaning as something produced by interpreters (see below). Watts is convinced that producing and promoting “immoral” scriptural norms implicates and makes culpable Bible publishers and biblical scholars, including himself.¹⁸

Watts has taken the initiative to strike through all of the “immoral” verses in his translation of Leviticus 11–20. He urges modern committee translations of the Bible that rely upon commentary translations like his to follow his example and strike through all the “immoral” verses in the Bible.¹⁹ He explains that striking through a verse rescinds it so that it no longer binds readers.²⁰ He goes further,

⁹ James W. Watts, “The Legal Characterization of Moses in the Rhetoric of the Pentateuch,” *JBL* 117.3 (1998): 418 [415–26]; idem, *Reading Law: The Rhetorical Shaping of the Pentateuch* (Sheffield Academic Press, 1999), 112, 117.

¹⁰ Watts says that Moses also pronounces sanctions at times. See Watts, “Legal Characterization,” 420n24.

¹¹ See Watts, “Legal Characterization,” 420; *Reading Law*, 114, 117, 146.

¹² See Watts, “Legal Characterization,” 416n6; *Reading Law*, 109n63, 120, 123.

¹³ See Watts, *Reading Law*, 79, 120.

¹⁴ Watts, *Reading Law*, 116, emphasis original; see also 113, 146; “Legal Characterization,” 419.

¹⁵ See Watts, “Legal Characterization,” 415; *Reading Law*, 89, 121, 123. In a later work Watts summarizes most of the details in this paragraph within a short passage. See James W. Watts, *Understanding the Pentateuch as a Scripture* (Wiley Blackwell, 2017), 65–66.

¹⁶ Watts, *Leviticus 11–20*, xxii.

¹⁷ See Watts, *Leviticus 11–20*, xxiii.

¹⁸ See Watts, *Leviticus 11–20*, xxv–xxvi; “Drawing Lines,” 235, 240.

¹⁹ See Watts, *Leviticus 11–20*, xxviii; “Drawing Lines,” 242, 248.

²⁰ See Watts, *Leviticus 11–20*, xxviii, xxxiv.

inviting individual Bible readers not to wait for publishers. Watts says, “Everyone is empowered to strike through immoral texts in their own bibles.”²¹

No, the previous sentence is not a paraphrase of the last verse of Judges. It is Watts’s own twice repeated invitation. Watts admits that determining which verses are “immoral” may seem controversial, yet he is confident that “[i]t will be clear to most readers.”²² But explaining his view of the meaning of texts introduces one of the major underlying difficulties with Watts’s bold proposal. Though he acknowledges that what a text says in its context aligns with plain sense,²³ Watts locates meaning elsewhere. He argues that meaning is not bound with what a text says but that meanings (plural) accumulate and are concomitant with the text’s reception over the millennia.²⁴

Watts includes within the meaning of the norms of Torah all readings by sinners, criminals, terrorists, social reform advocates, Christians, Jews, slave traders, dictatorial regimes, and anyone who applies a biblical law in any way. He observes, for example, that the conquest of Canaan was used to justify the crusades and colonial conquests.²⁵ Watts provides extensive examples of horrible actions that have been justified by referring to scriptural norms.²⁶ On this basis he strikes through biblical norms “that have been used in the past and present to justify oppression.”²⁷ For Watts, “meaning” is tied to how “real audiences actually respond,” and a text has “no meaning apart from . . . a relationship” to its readers.²⁸ Watts’s view of the meaning of Torah will be discussed further below.

Watts is eager to repeal Scripture’s “immoral” norms. However, he cautions Bible publishers and Bible readers against deleting these verses. He argues that they are necessary to appear as crossed out in order to learn from past mistakes.²⁹ Watts does not strike through any “immoral” biblical narratives. He says that to do so amounts to “hypocrisy” since modern people live in an entertainment-saturated culture that glorifies violence.³⁰ Though the decision to retain “immoral” narratives

²¹ Watts, *Leviticus 11–20*, xxviii; “Drawing Lines,” 243.

²² Watts, *Leviticus 11–20*, xxix.

²³ See James W. Watts, “Underperformed Rituals in an Unread Book,” in *Writing a Commentary on Leviticus*, 27.

²⁴ See James W. Watts, *Leviticus 1–10*, HCOT (Peeters, 2013), 2, and “Underperformed Rituals,” 31–32.

²⁵ See Watts, *Leviticus, 11–20*, xxix. For many other examples, see “Drawing Lines,” 236–38.

²⁶ See Watts, *Leviticus 11–20*, 112–18 (mistreatment of new mothers for ritual pollution of child-birth); 143–47 (penalties for skin disease); 438–41 (land vomiting out the nations of Canaan to justify crusades and settler colonization); 521–28 (capital punishment to suppress heresy and justify hate crimes); 544–45 (same-sex relations). Also see Watts, “Biblical Rhetoric of Separatism and Universalism and Its Intolerant Consequences,” *Religions* 11 (2020): 1–10; “The Historical Role of Leviticus 25 in Naturalizing Anti-Black Racism,” *Religions* 12 (2021): 1–10; “Leviticus 25’s History of Inspiring Freedom as a Moral Challenge to Literary-Historical Interpretation,” *BibInt* 31 (2023): 265–91.

²⁷ Watts, *Leviticus, 11–20*, xxxi.

²⁸ Watts, “Underperformed Rituals,” 27.

²⁹ See Watts, *Leviticus 11–20*, xxxiv, and “Drawing Lines,” 242, 248.

³⁰ See Watts, *Leviticus 11–20*, xxxiii, and “Drawing Lines,” 248.

undermines Watts's criterion of repudiating biblical texts that are used to justify hateful actions, it cannot be taken up here.

Table 1 offers a paraphrased list of all the "immoral" verses in the Bible compiled by Watts in an essay published in 2019, along with added verses marked by an asterisk from his 2023 commentary on Leviticus 11–20.³¹

Table 1: "Immoral" Teachings of the Bible Abolished by Watts

Scripture	Teaching
Leviticus	Capital punishment for false worship (Lev 20:2, 3–5), sexual offences (20:10–16), magic practices (20:27), and other offences (20:9; 21:9; 24:14, 16–17, 21b; 27:29) Slave laws (Lev 19:20–22; 25:44–46; 27:2–8) Justification for genocide (18:24–25, 27; 20:23b–24a) Purity laws with gender double standard (12:5; 21:7a, 13–15) Stigmatizing diseased and disabled people (13:45–46*; 21:17–21*, 23*; 22:4a*) ³² Prohibitions against same-sex relations (18:22; 20:13)
Other Scriptures	Capital punishment and vengeance (Gen 9:6a; Exod 21:12, 14–17, 29c; 22:18–20[17–19]; Num 35:16c, 17c, 18c, 19, 21b, 21d, 27b, 30b*, 31, 33b; Deut 13:5, 8b–11, 15–16[6, 9b–12, 16–17]; 17:5, 7, 12–13; 19:12b–13; 21:21–23b; 22:20–24, 25c; 24:7b, 16c; Ps 137:8b–9) Genocide (Gen 1:28*; Num 31:2–3, 15–18; 33:52–53, 55; Deut 7:2b, 16a; 20:11, 13–18; 25:17–19) Slavery (Gen 9:25, 26c, 27c; Exod 21:2–11, 20–21, 26–27, 32; Deut 15:12, 16–17) Patriarchy (Gen 3:16; Exod 22:16–17[15–16]; Num 5:11–31; 30:3–16[4–17]; Deut 21:10–14; 22:28–29; 24:1–4; 25:12) Genocide via antisemitism (Matt 27:24c–25; John 8:44; 1 Thess 2:14c–16) Slavery (Eph 6:5–8; Col 3:22–25; Titus 2:9–10; Phlm 8–21; 1 Pet 2:18–21a) Stigmatizing same-sex relations (Rom 1:26–27) Patriarchy (Sir 25:24–26; 1 Cor 11:3, 7–10; 14:33b–35; Eph 5:22–24; Col 3:18; 1 Tim 2:11–15; Titus 2:5c; 1 Pet 3:1–6, 7c)

³¹ The list is adapted from Watts, "Drawing Lines," 246; idem, *Leviticus 11–20*, xxxi–xxii. I have not noted the couple of minor typos in the first list, but simply followed the corrections in the second list. I have also fixed but not marked the differences in English Bible and Hebrew Bible versing in both lists (Watts uses some of each).

³² For a very different reading from Watts's, see Katherine Smith, "Should the Local Church Resist Texts in Scripture That Clash with Western Culture? The Test Case of Leviticus 21:16–24," *Themelios* 45.1 (2020).

There are some passages that Watts surprisingly does not strike through, such as Sirach's frequent disparagement of females (e.g., Sir 25:19; 42:14; *et passim*); Jesus's hyperbole of self-mutilation that has been applied literally (Matt 5:29–30); and others. Watts regards it as a complete list.³³

Watts has done a great service in presenting detailed summaries of historical cases of immorality that have wrongly turned to the Bible for support (see footnote 26 earlier in this section). It is easy to agree that readers can benefit by learning of interpretive abuse of the Bible in the service of evil. The bold step of striking through Scripture passages invites needed attention to how scholars, instructors, and ministers *have* approached, and how they *should* approach, legal instructions of Torah that have been misused to justify all manner of hateful actions.

At the same time, Watts himself has written of the laws that point to Yahweh as the champion of fairness and justice in protecting the disadvantaged as well as in punishing murders, citing some of the same verses as in his strike-through list.³⁴ Watts's research has helped readers recognize the authority of Torah and understand its rhetorical shape (see the beginning of this section). These are among the factors that require careful consideration of the significance of telling anyone who will listen to cross out and nullify "immoral" divine laws mediated by Moses. There is much at stake in empowering people to abrogate "immoral" parts of Torah. The present study can pick up only one element for evaluation—the collateral damage that goes with Watts's proposal.

III. COLLATERAL DAMAGE OF REPAIRING MOSES'S MEDIATED MESSAGE

1. Overview of collateral damage. These subsections evaluate the collateral damage of Watts's decision to repeal by strike-through the so-called "immoral" laws of Torah. "Collateral damage" refers to *accidentally* destroying or ruining something while seeking to fix or remove something else. The collateral damage in this case is enacted against the very Torah standards Watts seeks to fix—he makes them immoral—and against the very people he desires to help.

It is easy to agree with Watts concerning the need to work against immoral (not in quotation marks) use of Torah. He rightly notes widespread and long-running immoral applications of Torah. Despite affirming Watts's commitment to guide Bible readers toward righteous attitudes and actions, his annulment of parts of Torah has serious problems.

Removing punishments essentially decriminalizes many activities formerly considered illegal in Torah-mediated-by-Moses.³⁵ And deregulating "immoral" an-

³³ Personal correspondence.

³⁴ See Watts, *Reading Law*, 97–98.

³⁵ If Watts had replaced the punishments with lesser sanctions, then these laws would not be decriminalized. But Watts does not do this. He merely removes punishments. This effectively legalizes these behaviors.

cient social categories eliminates protected classes like females, slaves, children, and so on. Torah-reedited-by-Watts legalizes adultery, rape, abuse of slaves, kidnapping, human trafficking, misogynistic treatment of women, and more, as well as eliminating equality of justice for the nations of Canaan and those who practice same-sex relations. In short, Torah-reedited-by-Watts empowers male misbehavior and other vices. The argument here is that Watts did not intend these outcomes.³⁶

Table 2 offers a (nonexhaustive) list of collateral damage caused by repealing Torah passages Watts has deemed “immoral.”

Table 2: Moral Collateral Damage to Torah
from Striking Through Verses by Watts

Category	Details
Equality of Justice Canceled	Removal of equality of justice for other nations and for Israel (Lev 18:24–25, 27; Deut 7:2b) Removal of equality of justice for heterosexual and for same-sex offenders (Lev 20:10 with verse 13).
Protected Class Canceled [creation]	Removal of mandate to be responsible for creation (Gen 1:28b)
Protected Class Canceled [humans]	Removal of the special value of human life (Gen 9:6a)
Protected Class Canceled [females]	Removal of responsibility of males who have relations with unwed females (Exod 22:16–17[15–16]) Removal of the rights of single women to make decisions like a man does (Num 30:9[10]) Removal of protections of women taken captive in warfare (Deut 21:13–14) Removal of protections of females at risk of sexual assault and rape (Deut 22:25e) Removal of protections against rape (Deut 22:28–29) Removal of protections for divorced women against being accused of adultery when remarried (Deut 24:1)
Protected Class Canceled [youth]	Removal of deterrents against kidnapping (Exod 21:16) Removal of collective responsibility to protect against harming children (Lev 20:4) Removal of protection against defilement for children of high priest (Lev 21:15)
Protected Class Canceled [slaves]	Removal of time limits on debt slavery (Exod 21:2) Removal of protections for female debt slaves—now allowing selling them as sex slaves; now disallowing opportunities for redemption from servitude; and now allowing mistreatment and starvation (Exod 21:8–10) Removal of protections against slaves being beaten to death (Exod 21:20)

³⁶ That this collateral damage is an accident is confirmed by Watts in personal correspondence.

	Removal of protections against maiming, injuring, and killing slaves (Exod 21:26–27, 32)
	Removal of protection of female slaves from sexual exploitation (Lev 19:20)
	Removal of deterrents against kidnapping and human trafficking (Deut 24:7b)
New Protected Class	Removal of deterrents against murder (Exod 21:12)
Established [murderers]	Removal of punishment of murderers (Num 35:16c, 17c, 18c, 21b, 27b, 30b, 33b)
	Allowance of murderers to be set free if they have wealthy patrons who pay to release them from justice (Num 35:31)
	Allowance of citizens to keep the plunder of towns under judgement (Deut 13:16[17])
[financial opportunists]	Removal of deterrent against a couple swindling families (Deut 24:4)
Miscellaneous	Removal of deterrents against assaulting parents (Exod 21:15)
	Removal of deterrents against incest (Lev 20:11–12)
	Removal of protection of someone who is devoted by someone else (Lev 27:2–8)
	Removal of accountability for judicial witnesses in capital cases (Deut 17:7)
	Allowance of for contempt against judges and priests (Deut 17:12)
	Removal of protection of defeated enemies outside the land of promise—they no longer need to be spared from complete annihilation (Deut 20:11–16)
	Removal of deterrents for acts formerly classified as capital crimes (Deut 21:22)
	Removal of deterrents for marital infidelity (Deut 22:22)
	Removal of protection against being punished for someone else's crimes (Deut 24:16c)
	Removal of deterrents against mutilating someone else's reproductive organ (Deut 25:12)

The collateral damage listed in Table 2 is caused by removing elements of legal standards. The remaining torso of Torah after Watts's excisions does not hold anyone accountable for sexual assault of females and there are no regulations at all over the institution of slavery in ancient Israel. The former protected classes in Torah-mediated-by-Moses are now at-risk classes in Torah-reedited-by-Watts.

2. *Case studies of collateral damage to equality of justice.* While space does not allow working through all the collateral damage, evaluating a few examples will illustrate the point.³⁷ The examples represent the most difficult cases.

a. *Canceling judgment of the nations of Canaan.* When Watts repeals recompense upon the nations of Canaan, he removes the equality of justice of ancient Canaan and ancient Israel. In Torah-mediated-by-Moses both the nations of Canaan and Israel face the wrath of Yahweh for sustained immorality and its accumulated guilt. Observe the same justice in Torah.

Do not defile yourselves in any of these ways, for in all of these ways the nations that I am casting out before you defiled themselves²⁵ and the land was defiled and I punished it for its iniquity and the land vomited out its inhabitants. . . .²⁸ If you defile the land *it shall vomit you out just as it vomited out* the nations that were before you. (Lev 18:24–25, 28, emphasis added)³⁸

If Bible publishers did Watts's bidding and repealed by strike-through text verses 24–25 and 28, then Torah would no longer speak of an identical standard of judgment for Israel and the nations of Canaan. In the case of the nations of Canaan, Yahweh exercised patience and deferred judgment from the time of the Hebrew ancestors until the days of Joshua (Gen 15:16). Torah-mediated-by-Moses uses the judgment against the nations of Canaan as a prototype of the identical judgment Yahweh promises to bring against his people if and when they act the way the nations of Canaan have acted.³⁹ Vast portions of biblical narratives and prophetic collections bear witness to the wrath Yahweh brought against Israel and Judah at the hands of the Mesopotamian empires. Torah assures Israel that judgment falls upon the nations of Canaan for no other reason than their wickedness (Deut 9:4–6).

To validate repealing Lev 18:24–25, 28 and Deut 7:2b, Watts points to many historical examples of misinterpretations of these laws to justify crusades and settler colonialism.⁴⁰ The wrongful applications of these Torah instructions is not the meaning of these teachings—although Watts makes this claim (see below).

Besides the equality of judgment against the nations of Canaan and Israel in Lev 18, Watts does not acknowledge the contextual issues of the law of devoting

³⁷ For extensive interaction with the ancient and biblical contexts of each of these highly contested cases, see Schnittjer, *Resurrecting the Bible of Jesus*, chapters 4–8.

³⁸ Translations of *Biblia Hebraica* are mine unless stated otherwise.

³⁹ So also Katherine Davis, *Leviticus*, Hodder Bible Commentary (Hodder & Stoughton, forthcoming), comment on Lev 18:24–30.

⁴⁰ See Watts, *Leviticus 11–20*, 437–41.

the nations in Deut 7. While there is more to it,⁴¹ at least three contextual factors do not align with Watts's excisions. First, devoting the nations of Canaan was rooted in a vow of Israel. The first occurrence in the Bible of “devote” (חרם) applied to warfare is on the lips of Israel.⁴² Not Yahweh, but Israel vowed to devote (חרם) the people of the land of Canaan if Yahweh would help them recover the Israelites taken captive by the people of Canaan in Num 21:2. Before this vow Yahweh spoke of “wiping aside” and “driving out” the nations of Canaan but not devoting them (cf. Exod 23:23, 29, 31; 34:11). Once he delivers the captives, he holds Israel to their vow by integrating “devote” into the command in Deut 7:2.⁴³

Second, devoting the nations of Canaan is a casuistic-type pronouncement and was never meant for all times or all places or all Gentiles as though it were a decontextualized apodictic law.⁴⁴ Deuteronomy 7:1 begins with the phrase “When Yahweh your God brings you into the land.” This phrase appears five times⁴⁵ and the three appearances in Deuteronomy 6:10, 7:1, and 11:29 all refer to Israel's initial entry into the land. The syntactical function of a “when” (כִּי) clause contextualized in this way refers to “at that time” and not to an event that is ongoing.⁴⁶ The immediate context affirms this as a temporary mandate with a near expiration date by prohibiting intermarriage with the peoples of Canaan in 7:3.

Third, the issue was never ethnic, genealogical, biological, or racial but rejection of the covenant of Yahweh as noted in verses 4–5.⁴⁷ According to Scripture, Israel attacked the nations of Canaan after they had refused to make peace with Israel (Deut 2:30; Josh 11:19). The refusal of the nations of Canaan rests at least in part upon Yahweh hardening their hearts (Deut 2:30; 11:20). Nevertheless, before Israel killed one person in their invasion of the land, they made a covenant with Rahab the prostitute and her family who eventually assimilated into Judah. Explaining the law of devotion in Deut 7 is why the story of Rahab is fronted in the Deu-

⁴¹ See Gary Edward Schnittjer, *Torah Story*, 2nd ed. (Zondervan Academic, 2023), 428–32, and *Old Testament Use of Old Testament* (Zondervan Academic, 2021), 104–7.

⁴² See חרם Abraham Evan-Shoshan, ed., *A New Concordance of the Bible* (Kiryath Sepher, 1990), 401 (nos. 13, 34). [Hebrew]

⁴³ This reading of “devoting” (חרם) in Deut 7:2 comes from Moshe Greenberg, “Herem,” *Encyclopedia Judaica*, ed. F. Skolnik, 2nd ed. (Thomson Gale, 2007), 9:11–12; Michael Fishbane, *Biblical Interpretation in Ancient Israel* (Oxford University Press, 1985), 204–8.

⁴⁴ Davis makes this point about Lev 18:24–30 even without the casuistic legal literary marker. See Davis, *Leviticus*, comment on Lev 18:24–30. It seems that the casuistic-type framing of this instruction is natural since it is a command for a specific historical moment only—similar to Deut 17:14.

⁴⁵ See בוא Evan-Shoshan, *Concordance*, 159 (nos. 2398–2402), Exod 13:5, 11; Deut 6:10; 7:1; 11:29 (cf. similar phrases in Deut 12:29; 17:14; 19:1; 26:3).

⁴⁶ See *IBHS* §31.1.6b, no. 3. For the opposite case of “when” as beginning an ongoing or repeated event, see §38.7a, no. 2.

⁴⁷ So too Jeffrey Tigay, *Deuteronomy*, Jewish Publication Society Torah Commentary (Jewish Publication Society, 1996), 471; Christine E. Hayes, *Gentile Impurities and Jewish Identities: Intermarriage and Conversion from the Bible to the Talmud* (Oxford University Press, 2002), 23, 26.

teronomistic narrative (Josh-Judg-Sam-Kgs).⁴⁸ Just as not all Israel is Israel (Rom 9:6), so too not all Canaanites are Canaanites.

In sum, Watts rightly speaks out against misappropriations of Torah's instructions of judgment against the nations of Canaan to justify crusades and settler colonialism. But these instructions can only be used for this evil by interpreting them apart from their contexts. Meanwhile, the collateral damage of striking out Leviticus 18:24–25, 27, Deuteronomy 7:2b, and kindred Torah instructions is to eliminate equality of justice for Israel and the nations of Canaan since Yahweh holds them to the same standard.

b. Canceling laws against same-sex relations. Watts repeals and strikes out both the law against same-sex relations (Lev 18:22) and capital punishment for violations of it (20:13), adultery (20:10), and all other violations for sexual purity (see Tables 1 and 2). While all these excisions cause collateral damage, the present focus is narrowly on removing Leviticus 18:22, 20:13, and 20:10. The heated debate about what is being prohibited in 18:22 and 20:13, including more than twenty views,⁴⁹ falls outside the present purpose.

Torah-mediated-by-Moses enacts equality of justice against violations of adultery and same-sex relations. Watts says the use of “detestable” (תועבה) in the prohibition against same-sex relations in 18:22 aims at “ethnic vilification.”⁵⁰ This suggestion of a targeted slur flatly contradicts the comprehensive use of “detestable” in Leviticus 18. The summary at the end of the chapter warns Israel and residing foreigners not to participate in “any of these detestable acts” (מכל התועבות האלה), Lev 18:26 cf. vv. 27, 29, 30). This refers to all of the sexual prohibitions and Molek worship in Leviticus 18 including incest and adultery.⁵¹ In the same way the use of “defile” (טמא) of adultery in v. 20 does not indicate a lesser violation.⁵² The chapter summary, again, repeatedly uses “defile” as an umbrella term saying, “do not defile yourselves by any of these acts” (אל-תטמאו בכל-אלה), Lev 18:24 cf. vv. 25, 27, 28, 30).⁵³ That is, the kind of violations that lead to the land vomiting out the nations

⁴⁸ See David G. Firth, *Including the Stranger: Foreigners in the Former Prophets* (IVP Academic, 2019), 20–24.

⁴⁹ See Mark Preston Stone, “Don’t Do What to Whom?: A Survey of Historical-Critical Scholarship on Leviticus 18.22 and 20.13,” *CurBR* 20.3 (2022): 212 [207–37].

⁵⁰ Watts, *Leviticus 11–20*, 434.

⁵¹ For a survey of all uses of “detestable” (תועבה), as it relates to Leviticus 18:22 and 20:13, though getting at a different point than the present study, see Jay Sklar, “The Prohibitions against Homosexual Sex in Leviticus 18:22 and 20:13: Are They Relevant Today?” *BBR* 28.2 (2018): 174n25 [165–98]. For a helpful study of the creational ethic behind the biblical prohibition against same-sex relations, see Gordon J. Wenham, “The Old Testament Attitude to Homosexuality,” *Expository Times* 102 (1999): 359–63.

⁵² For a similar view of “detestable” (תועבה) and “defile” (טמא) in the summary of Leviticus 18, see Jacob Milgrom, *Leviticus 17–22*, Anchor Bible (Doubleday, 2000), 1569–70.

⁵³ For a similar point based on the twofold use of “these” (אלה) in Leviticus 18:24, see Katherine Smith, “Ordered Relationships in Leviticus,” in *Marriage, Family, and Relationships: Biblical, Doctrinal, and Contemporary Perspectives*, ed. by Thomas A. Nobel, Sarah K. Whittle, and Philip S. Johnson (Apollos, 2017), 25 [24–27].

of Canaan and vomiting out Israel are exactly the same and inclusive of same-sex relations and adultery, among the other prohibitions in Leviticus 18.

Torah-mediated-by-Moses affirms equality of judgment against adultery and same-sex relations by giving them the same capital punishment (Lev 20:10, 13).⁵⁴ Leviticus calibrates lesser sexual offences by attaching lesser penalties. For example, incest among siblings and step-siblings and relations during menstruation is punished by cutting off the offenders from Israel (vv. 17, 18). Capital punishment seems especially harsh to modern sensibilities for sexual crimes. But this imposes a modern individualistic frame of reference on these actions. The collective issue of the entire people being exiled into captivity—the land vomiting them out as noted in the previous paragraph—means that in ancient Israel these are not merely personal violations. These illicit sexual acts cause “relational disorder” that cannot be purified by sacrifice.⁵⁵ Putting the entire nation at risk for illicit relations helps explain the severity of the judgment.

The severity of judgment is not the issue at hand. The point here is that by revoking the punishments of adultery and same-sex relations Torah-as-reedited-by-Watts has eliminated equality of judgment.

Before moving on, it needs to be noted that Watts’s concern with those who wrongly use Scripture to promote hatred and violence against practitioners of same-sex relations is not the problem. The loss of sovereignty by the exile of the ancient kingdom of Judah in 586 BCE ended Torah functioning as a criminal code (see below). No modern person should ever try to use Torah to justify killing adulterers or those who practice same-sex relations. Watts is correct on this point. At the same time, removing the equality of divine justice deserved by those who commit adultery and same-sex relations as Watts does by crossing out these passages is not the answer. The unintended outcome of Watts’s “correcting” the Bible is the absence of teaching on the equality of justice for the sins of adultery and same-sex relations. Watts’s view allows for prejudice against certain sins.

3. *Case studies of collateral damage to the protections of the vulnerable.* Watts’s strike-through verses cause extensive collateral damage by eliminating many previously protected classes of persons including females, slaves, and many more as listed in Table 2 above. All these passages are difficult and have been subjected to continuous debate by scholars of all stripes. Only two examples will be taken up here—protections against rape and selected protections of slaves—to illustrate the kinds of problems caused by canceling these troubling laws. The limits of the present study require bracketing out everything except the issues that directly hinge on Watts’s decision to eliminate these teachings from Torah.

⁵⁴ For a similar point, see Katherine M. Smith, “Belonging to God in Relational Wholeness: A Conservative Perspective in the Old Testament’s View of Marriage and Same-Sex Relationships,” in *Marriage, Same-Sex Marriage and the Anglican Church of Australia: Essays from the Doctrine Commission*, ed. Michael R. Stead (Broughton, 2019), 120 [105–21]; cf. 116.

⁵⁵ See Davis, *Leviticus*, comment on Lev 20:11–21. On “relational disorder” cf. intro to Lev 18–20.

a. *Canceling the law of the rapist.* Watts advocates crossing out and thus nullifying the law of the seducer in Exodus 22:16–17[15–16] and the law of the rapist in Deuteronomy 22:28–29. The main focus here is on the latter but cannot be disentangled from the former, which it supplements.

Modern interpreters who claim that Deuteronomy 22:28–29 forces a victim to marry her rapist can do so only by isolating the passage from its biblical context, disregarding its connection to Exodus 22:16–17[15–16], and ignoring the variety of ancient situations to which the law refers.⁵⁶ The evidence in antiquity (next paragraph) shows that the law of the rapist was understood as supplementing the law of the seducer, which grants the father (and his daughter)⁵⁷ the right to refuse marriage to the rapist even while accepting the marital payment.⁵⁸ Viewing the related laws of Torah as supplementing their counterparts is not unusual. The Law Collection of Hammurabi, for example, includes cases of amplification of earlier laws that add new measures without restating the previous details.⁵⁹ Notice how the law of the rapist builds on the law of the seducer (underlining marks verbal parallels in Hebrew).⁶⁰

If a man seduces [פּתָה Piel] a virgin [בְּתוּלָה] who is not engaged to be married and he has sexual relations with her, he shall certainly pay the bridal price and she will become his wife. If her father outright refuses to give her to him, he must pay the silver for the bridal price of virgins. (Exod 22:16–17[15–16])

If a man happens upon a girl [נִעְרָה], a virgin [בְּתוּלָה] who is not engaged to be married and he forcibly has sexual relations with her, and they are discovered, then the man will give to the young woman's father fifty shekels of silver and

⁵⁶ For a study that comes to the same conclusion by a different route, see Sandra L. Richter, “Does God Really Command Women to Marry Their Rapists?” in *The Biblical World of Gender: The Daily Lives of Ancient Women and Men*, ed. Celina Durgin and Dru Johnson (Cascade Books, 2022), 95–111. Richter does not take into account all of the evidence presented here in following paragraphs.

⁵⁷ See b. Kiddushin 41a. In traditional interpretation, the daughter's consent before she reaches the age of majority (twelve and a half) is a consideration but not legally binding. The biblical evidence from the earliest times suggests that the daughter's consent is the norm for arranged marriages. In Rebekah's case, she is repeatedly referred to as “a girl” (נִעְרָה) (Gen 24:14, 16, 28, 55, 57). Note: “They said, ‘Let us call the girl [Rebekah] and ask her what she says [וְנִשְׁאַלָה אֶת־פִּיהָ]” (24:57). The expression rendered as “what she says” (פִּיהָ), or by formal equivalence “her mouth,” signifies her very words (*ipsissima verba*). See Joshua Berman, “Speaking ‘Mouth to Mouth’ (Num 12:8),” *VT* 75.1 (2025): 43–44 [32–45].

⁵⁸ Modern interpreters likewise normally interpret these two laws bound together. See Smith, “Belonging to God,” 113. For an example of the opposite view, namely, that Deut 22:28–29 replaces Exod 22:16–17 [15–16] in order to strip the victim's father of discretion over accepting or rejecting marriage of his daughter to her rapist, see Cynthia Edenburg, “Ideology and Social Context of Deuteronomical Women's Sex Laws (Deuteronomy 22:13–29),” *JBL* 128.1 (2009): 55–56, cf. 46n7 [43–60].

⁵⁹ See Barry L. Eichler, “Examples of Restatement in the Laws of Hammurabi,” in *Mishneh Todah: Studies in Deuteronomy and Its Cultural Environment in Honor of Jeffrey H. Tigay*, ed. Nili Sacher Fox, et al. (Eisenbrauns, 2009), 387–88.

⁶⁰ See side-by-side, color-coded presentation of these parallel laws in Hebrew and English in Gary Edward Schnittjer, *Old Testament Use of Old Testament in Parallel Layout* (Zondervan Academic, forthcoming), entry on Deut 22:28–29.

she will become his wife. Because he has violated her he shall never be permitted to divorce her. (Deut 22:28–29)

These two laws are interpreted together in late antiquity. Philo (c. 20 BCE–50 CE) infers that the father of the rape victim (Deut 22) has the right to refuse the marriage based on Exodus 22. “[I]f anyone in furious frenzy ... turns to *rapine* [Deut 22:28] and ravishment ... [a]nd if the victim of the violation has a father he must consider the question of espousing her to the author of her ruin. *If he refuses* [Exod 22:17(16)], the seducer must give a dowry to the girl, his punishment being thus limited to a monetary fine.”⁶¹ Philo’s reading demonstrates that the details of both laws, taken together, remain meaningful. Likewise, Josephus (c. 37–100 CE) interprets the laws of the seducer and rapist together affirming that the victim’s father has the right of refusal referred to only in Exodus 22:17[16] while he accepts the bridal price of fifty shekels mentioned only in Deuteronomy 22:29. “He that violateth a virgin who is not yet betrothed shall marry her himself; but *if the father of the damsel be not minded to give her away to him* [Exod 22:17(16)], he shall pay *fifty shekels* [Deut 22:29] as compensation for the outrage.”⁶² The father (and daughter) holding the right to accept or refuse marriage to the seducer or rapist continued as the standard interpretation (cf. b. Ketubot 39b).⁶³ The two laws are also blended together in the sectarian text 11QT/11Q19, 66.8b–11 and the Mishnah (m. Ketubbot 3:4–5). While neither mentions the father’s right of refusal in this immediate context, the father’s right of refusal is an overarching condition of a daughter’s marriage and her vows (e.g., m. Ketubbot 4:2, 4; Nedarim 10:1).⁶⁴ Laws of seduction and rape (though not this particular law of rape but a different one in the same context that Watts also decriminalizes in Table 1) get blended together already within Jeremiah’s infamous complaint. “*You enticed me* [פָּתֵהָ Piel; cf. Exod 22:16(15)], Yahweh, and I was enticed. *You overpowered me* [חָקָה; cf. Deut 22:25]... . For whenever I speak, *I cry out* [עָרַע; cf. Deut 22:27]” (Jer 20:7a, 8a).⁶⁵

Moderns are appalled at the suggestion in Deuteronomy 22:29—Marry her rapist?! However, moderns must consider issues in ancient Israel. First, to repeat what was said in the previous two paragraphs, the father (and his daughter) retains the right of refusal. The marriage takes place at the father’s will, not the perpetrator’s will. Second, in ancient Israel the category of rape seems to be an umbrella category for several scenarios. Rape is always unacceptable and sinful in biblical Israel wherever it falls within the category—no exceptions. This umbrella category

⁶¹ Philo, “Special Laws,” in *Philo*, vol. 7, ed. and trans. F. H. Colson, LCL 320 (Harvard University Press, 1937), III.69–70 (7:516–19), emphasis added.

⁶² Josephus, *Jewish Antiquities: Books IV–VI*, ed. and trans. H. St. J. Thackeray and Ralph Marcus, LCL 490 (Harvard University Press, 1930, 1934), 4.252b [122–23] (4.8.23), emphasis added.

⁶³ See Samuel Greengus, *Laws in the Bible and in Early Rabbinic Collections: The Legacy of the Ancient Near East* (Cascade Books, 2011), 64, 67; Tigay, *Deuteronomy*, 208.

⁶⁴ See discussion in Robert J. V. Hiebert, “Deuteronomy 22:28–29 and Its Premishnaic Interpretations,” *CBQ* 56 (1994): 214 [203–20].

⁶⁵ See Schnittjer, *Old Testament Use of Old Testament*, 275–76.

includes within it elopement and abduction, as it did in other ancient cultures.⁶⁶ As an analogy, underage modern persons cannot legally consent. Laws against statutory rape make consent irrelevant—it is rape. There are many differences between ancient and modern legal perspectives, but this point is partially analogous. Many ancient Near Eastern cultures treated elopement and abduction as rape. The male does not have a right to marry the daughter without the father's consent, irrespective of whether the daughter under his guardianship consents. It is rape. Within the scenario of elopement, which fits within the umbrella category of rape in Deuteronomy 22:28–29, a father (and his daughter) has the option to decide to accept the marriage even while the rapist loses his right to divorce—the marital payment is made no matter what the father decides. The point here is to observe one kind of ancient scenario (elopement) in which a marriage between a victim and her rapist might be accepted by a father (and his daughter).

Consider selected examples of elopement and/or abduction-rape in ancient Near Eastern legal collections.⁶⁷

If a man marries the daughter of another man without the consent of the father and mother, and moreover does not conclude the nuptial feast and the contract for(?) her father and mother, should she reside in his house even for one full year, she is not his wife. (Laws of Eshnunna §27, c. 1770 BCE)⁶⁸

If a man marries a wife but does not draw up a formal contract for her, that woman is not his wife. (Law Collection of Hammurabi §128, c. 1750 BCE, in Roth, 105)

If a daughter has been promised to a man, but another man runs off with her, he who runs off with her shall give to the first man whatever he paid and shall compensate him. (Hittite Laws §28, c. 1500 BCE, in Roth, 221)

Observe the father's right of refusal or acceptance of marriage to the perpetrator.

If a man forcibly seizes and rapes a maiden who is residing in her father's house ... her fornicator shall marry her; he shall not reject(?) her. If the father does not desire it so, he shall receive "triple" silver for the maiden, and he shall give his daughter in marriage to whomever he chooses. (Middle Assyrian Laws §A55, c. 1200 BCE, in Roth, 174–75)

⁶⁶ See Joseph Fleishman, "Exodus 22:15–16 and Deuteronomy 22:28–29—Seduction and Rape? or Elopement and Abduction Marriage?" *The Jerusalem 2002 Conference Volume*, ed. Hillel Gamoran, Jewish Law Association Studies 14 (Global Academic, 2004), 63 [59–73]; and see critical interaction in Bernard S. Jackson, *Wisdom-Laws: A Study of the Mishpatim of Exodus 21:1–22:16* (Oxford University Press, 2006), 373–76. While Jackson treats elopement and abduction as distinct, Fleishman allows for more complicated scenarios by saying that sometimes the virgin could consent and cooperate with the abduction (63).

⁶⁷ These examples are suggested by Fleishman, "Exodus 22:15–16 and Deuteronomy 22:28–29," 65–69; idem, "Shechem and Dinah—in the Light of Non-Biblical and Biblical Sources," *ZAW* 116.1 (2004): 15–17 [12–32].

⁶⁸ Martha T. Roth, *Law Collections from Mesopotamia and Asia Minor*, 2nd ed. (Society of Biblical Literature, 1997), 63. Hereafter cited parenthetically as Roth.

The issue of female consent to sexual relations is a rare concern in ancient laws.⁶⁹

If a maiden should willingly give herself [*šumma batultu ramanša*]⁷⁰ to a man, the man shall so swear; they shall have no claim to his wife; the fornicator shall pay “triple” the silver as the value of the maiden; the father shall treat his daughter in whatever manner he chooses. (Middle Assyrian Laws §A56, in Roth, 175)

Many scholars have observed the overlap between the biblical laws against seduction and rape and the legal standards of the ancient Near East.⁷¹ The ancient context of these laws directly relates to their moral force.

Torah’s compressed legal standards protecting unwed females apply to many scenarios. Under the label of “patriarchy” Watts would have these legal protections revoked from Torah.⁷² This seems to dismiss the needs of ancient young women—likely pre-teen (“girl” נַעֲרָה and “virgin” בְּתוּלָה often referring to pre-marital age)—to be protected from several kinds of predatory males under the umbrella categories of seducers and rapists. Removing the moral force of these protections eliminates all restraints against sexual exploitation and assault. What was formerly illegal is now legal in the strike-through Torah. Watts does not make an argument for the immorality of these patriarchal laws so much as presume the tacit agreement of his modern readership. In some of the laws Watts strikes through it is difficult to discern true “immorality” as opposed to a privileging of modern sensibilities over ancient Near Eastern social contexts. Watts denies binding the sense of these laws to their ancient contexts, as will be discussed below.

This case study can be summarized by a loaded question and answer. Is it moral to strip away protection of young females and unfetter male predators? That is the effect of the teaching in Torah-as-reedited-by-Watts.

b. Canceling laws to protect slaves. Watts strikes through nearly all Torah laws that regulate slavery and that protect slaves (see Table 2 above). Torah’s emphasis on protecting slaves aligns in a broad sense with extensive laws concerning slaves and slavery in the ancient Near East.⁷³ Debate about slaves as property versus as persons in these ancient legal collections cannot be taken up here. The present con-

⁶⁹ For an evaluation of numerous ancient Near Eastern legal standards concerning consensual and nonconsensual sexual relations, but without considering cases of elopement or abduction, see Yuval Darabi, “The Provisions Regarding the Rape and Seduction of an Unbetrothed Girl,” *VT* 73 (2023): 525–28 [522–45].

⁷⁰ The sense of the maiden’s consent comes from the use of the emphatic pronoun “herself” (*ramanša*). See *ramanu 3'* in *The Assyrian Dictionary of the Oriental Institute of the University of Chicago*, 21 vols. (The Oriental Institute of the University of Chicago, 1956–2006), 14:118.

⁷¹ See, e.g., Raymond Westbrook, *Laws from the Tigris to the Tiber: The Writings of Raymond Westbrook*, vol. 2, *Cuneiform and Biblical Sources*, ed. Bruce Wells and Rachel Magdalene (Eisenbrauns, 2009), 2:337–39; Brevard S. Childs, *The Book of Exodus*, OTL (Westminster John Knox, 1974), 462–63.

⁷² Watts, *Leviticus 11–20*, xxxii.

⁷³ See, e.g., Law Collection of Hammurabi §§117, 175–76, 199, 282; Hittite Laws §§4, 8, 12, 14, 16. Also note many laws concerning the special situation of females slaves, especially because of their reproductive capacities, e.g., Law Collection of Hammurabi §§119, 129, 170–71; Hittite Laws §31; Laws of Lipit-Ishtar (c. 1930 BCE) §26; Laws of Eshnunna §31. Many are listed in Childs, *Exodus*, 462–63.

cern is limited to making a very broad point, namely, many of the biblical laws provide protections for the vulnerable class of slaves in ancient Israel.⁷⁴

Torah includes laws to protect slaves: time limits for male debt slavery (Exod 21:2–6; Deut 15:12); prohibition against beating chattel or debt slaves to death, including capital punishment of the offender (Exod 21:20–21);⁷⁵ and liberation granted (and underlying debts forgiven) to slaves—inclusive of Hebrew debt slaves, foreign debt slaves, and foreign chattel slaves—injured by masters (Exod 21:26–27).⁷⁶ Childs says this latter text addresses slaves as human beings and not merely property.⁷⁷ Other laws are designed with protections for female slaves. Female debt slaves require permanent financial responsibility in cases of concubinage and/or care of a minor until she reaches an age for marriage (Exod 21:7–10). At the point of marriage to the master the female slave must be granted freedom because it is impossible to be a slave and a wife to the same person at the same time in the ancient world—the competing institutions relate to the inheritance laws of offspring.⁷⁸ Female debt slaves taken into concubinage have their provisions protected for life including food, clothing, and conjugal rights or they are liberated (and the underlying debt forgiven) (Exod 21:10–11).⁷⁹ In the case of a man having sexual relations with a female slave engaged to be married to someone else, she is not subject to the death penalty (Lev 19:20). Watts is aware of this protection.⁸⁰

Repealing the legal standards in the previous paragraph by strike through puts at risk one of the most vulnerable classes of people in ancient Israel. Torah-as-reedited-by-Watts deregulates slavery. People falling into debt may be enslaved for many additional years or even permanently. Watts has not left any protections for slaves from being maimed or killed by their masters. Removing these protections in Torah is not moral.

Watts strikes through the chattel slavery law in Leviticus 25:44–46.⁸¹ At first blush this seems on much stronger grounds relative to his agenda. But there are two problems. Relative to the present concern, the point of the law comes in verse 46, which emphasizes that fellow Israelites shall not be taken into chattel slavery. The other problem is that it applies only to the theocratic rule of Israel. Watts seeks to universalize this standard—as he does with many of the other norms—as though it applies everywhere all the time.⁸² The confusion Watts causes by decou-

⁷⁴ For extensive treatment of the biblical and ancient contexts of slavery, including the special concerns of the female slave, see Schnittjer, *Resurrecting the Bible of Jesus*, chapters 7–8.

⁷⁵ So also W. H. Paul Thompson, *Pauline Slave Welfare in Context*, *Wissenschaftliche Untersuchungen zum Neuen Testament II 570* (Mohr Siebeck, 2023), 152; cf. 152n48 for many leading commentators who take this view.

⁷⁶ So also Thompson, *Pauline Slave Warfare*, 151–52.

⁷⁷ See Childs, *Exodus*, 473.

⁷⁸ See Westbrook, *Law from Tigris*, 166, 170.

⁷⁹ Cf., Law Collection of Hammurabi §178.

⁸⁰ See Watts, *Leviticus 11–20*, 489.

⁸¹ On the abuse of this passage in proslavery writings, see Watts, “Leviticus 25’s History,” 271–72.

⁸² See Watts, “Leviticus 25’s History,” 282–84.

pling Torah's laws from their ancient and biblical context will be taken up below. Watts also strikes through the financial redemption value of persons who have been vowed to Yahweh in Leviticus 27:2–8, counting it among the slave laws. Lumping together protections for slaves, prohibition against enslaving Israelites, and redemption values for persons vowed to Yahweh, suggests an idealistic motivation behind eliminating these laws from Torah.

The ideals of abstracted morals that seem to underlie some of Watts's strike-through laws sound good on paper, but it provokes a question: What kind of laws do God's people need if they live in the ancient Near East? The gap between moral abstraction and the realities of ancient Israel is part of the reason for the deep problems caused by striking through laws designed to protect slaves.

It is easy to commend Watts's desire to speak out against the wrongful use of Scripture that promotes racial slavery. Watts rightly condemns the use of Scripture to treat people as property to serve the ends of hatred and greed. But the collateral damage of producing a Bible that no longer protects the vulnerable, as Torah-as-reedited-by-Watts would have it, is not an acceptable alternative. Watts goes too far by silencing Yahweh when he speaks of protections for at-risk slaves.

In summary, the collateral damages of repealing the legal protections for unwed females and slaves is catastrophic. These are vulnerable classes of people in ancient Israel. Deregulating sexual exploitation, sexual assault, rape, and slavery puts these at-risk classes into serious trouble. Meanwhile, restraints have been removed from male predators and violent slave owners. These immoral outcomes in Torah-as-reedited-by-Watts are the collateral damage of crossing out protections of girls and slaves.

4. *Rhetorical function of Watts's argument for strike-through verses in his commentary on Leviticus 11–20.* This subsection evaluates the rhetorical function of Watts's proposal to repeal so-called "immoral" laws in Torah. The approach of this subsection is unexpected and requires explanation.

a. *Criticism not pursued here.* Watts tends to speak of moral and "immoral" norms as though they are self-evident. He advocates ridding the Bible of its "immoral" teaching without engaging the substantial body of scholarship on (im)moral teachings and the Old Testament. This scholarship has ballooned in the last few decades, initially in response to the so-called new atheists who make claims about "immorality" in Scripture akin to those espoused by Watts,⁸³ now a lively focus of study. A small selection of these studies includes: *The God I Don't Understand: Reflections on Tough Questions of Faith* by Christopher J. H. Wright (2008); *Disturbing Divine Behavior: Troubling Old Testament Images of God* by Eric Seibert (2009); *God Behaving Badly: Is the God of the Old Testament Angry, Sexist, and Racist?* by David Lamb (2011, 2022); *Is God a Moral Monster?: Making Sense of the Old Testament God* by Paul Copan

⁸³ Watts's proposal and view of morality resembles Avalos's atheistic proposal that decanonizes all violent texts of scripture. See Hector Avalos, "The Letter Killeth," *Journal of Religion, Conflict, and Peace* 1.1 (2007): <http://www.religionconflictpeace.org/volume-1-issue-1-fall-2007/letter-killeth>.

(2011); *The Violence of Scripture: Overcoming the Old Testament's Troubling Legacy* by Eric Seibert (2012); *Holy War in the Bible: Christian Morality and an Old Testament Problem* by Heath Thomas (2013); *Seriously Dangerous Religion: What the Old Testament Really Says and Why It Matters* by Iain (2014); *Portraying Violence in the Hebrew Bible: A Literary and Cultural Study* by Matthew Lynch (2020); *The Bible Doesn't Tell Me So: Why You Don't Have to Submit to Domestic Abuse and Coercive Control* by Helen Paynter (2020); *Is God a Vindictive Bully?: Reconciling Portrayals of God in the Old and New Testaments* by Paul Copan (2022); *The Air We Breathe: How We All Came to Believe in Freedom, Kindness, Progress, and Equality* by Glen Scrivener (2022); *Flood and Fury: Old Testament Violence and the Shalom of God* by Matthew Lynch (2023); and *Blessed Are the Peacemakers: A Biblical Theology of Human Violence* by Helen Paynter (2023).⁸⁴ These scholars are not all of one mind. They argue in different ways that interpreting the questionable teachings in their ancient and biblical contexts demonstrates that they are not immoral. Watts does not interact with the scholarship that speaks against the presuppositions of his bold proposal. Whether this scholarship has already repudiated the philosophical underpinnings of Watts's presumed-but-not-argued view on "immoral" biblical teachings is an open question. Part of the reason for not interacting with this scholarship is that Watts considers the moral force of the Torah norms he has canceled irrelevant to his proposal.⁸⁵ The present study will not try to explain how Watts would interact with this body of scholarship. Instead, the present subsection will critically evaluate Watts's proposal using Watts's own approach to assessing rhetorical persuasion.

Watts frequently states the compound question to analyze rhetorical persuasion: "*Who* was trying to persuade *whom* of *what* by writing this text?"⁸⁶ After briefly focusing on Watts (Who?) and the implied readers of his argument (Whom?), this subsection will consider his strike-through proposal in relation to context, moral instruction, and authority (What?).

b. Who is Watts? Watts studied under Brevard Childs because of his emphasis on the Bible as Scripture.⁸⁷ In earlier studies Watts seeks to define the Torah in its

⁸⁴ Many of these are listed in Paul Copan and Matthew Flannagan, *Did God Really Command Genocide?: Coming to Terms with the Justice of God* (Baker, 2014), 11. Thank you to Keith Plummer for recommending some of the additional titles also listed here. The present evaluation of Watts's proposal is not based on any of these studies because Watts has chosen not to interact with them. For an overview of shifts in the debate against the so-called new atheists, see Justin Brierley, *The Surprising Rebirth of Belief in God: Why New Atheism Grew Old and Secular Thinkers are Considering Christianity Again* (Iyndale Elevate, 2023), 65–95.

⁸⁵ Even if some of the so-called "immoral" norms of Torah are moral in their ancient and biblical context, they have been used immorally in their reception history and, for Watts, need to be crossed out (personal correspondence with Watts).

⁸⁶ This is paraphrased from Watts, *Leviticus 1–10*, 87; *Understanding the Pentateuch*, 24; *Reading Law*, 131; "Underperformed Rituals," 27; and *Ritual and Rhetoric in Leviticus: From Sacrifice to Scripture* (Cambridge University Press, 2007), xv.

⁸⁷ See Watts, *Understanding the Pentateuch*, xix. While Watts shares more in his posted CV, like earning MDiv and ThM degrees from Southern Baptist Theological Seminary, his published statement of studying under Childs is the only element included in the present rhetorical evaluation.

original historical context.⁸⁸ In more recent studies Watts emphasizes the reception history of Torah, especially as rhetoric and as ritualized (on this see below).⁸⁹

c. *Who is Watts trying to persuade?* The readership Watts tries to persuade is somewhat difficult to identify because of his conflicted approach. He presumes his readers agree with him about moral standards and yet acknowledges that his view opposes the authority that his readers grant to Scripture. Watts implies a readership that shares his view of what is moral and what is “immoral” and thus does not need to be persuaded. He observes that “the issue does not require difficult ethical reasoning.”⁹⁰ He frames the “immoral” norms of Torah that he is attacking in categorical terms as genocide, indiscriminate capital punishment, slavery, and patriarchy and takes for granted that these problems “are quite clear to most or, in the case of patriarchy, at least many Jews and Christians.”⁹¹ Watts thinks that the “immoral” norms of Torah are self-evident.⁹² At the same time, he expects resistance to his bold suggestions ostensibly directed to all scholars, Bible publishers, and Bible readers. To offset expected resistance to crossing out these “immoral” teachings, Watts gives several examples of other ways that biblical texts have been edited (i.e., textual criticism and innerbiblical exegesis) without respect for moral concerns.⁹³ It is not clear how to resolve the contradiction in Watts’s implied readership—whether they share or reject his view of the moral vision of Scripture. He repeatedly expects both.

Of what does Watts try to persuade his readership? He advocates for crossing out the “immoral” instructions of Scripture. Evaluating the rhetorical function of this advocacy needs to consider context, moral instruction, and authority.

d. *Of what is Watts trying to persuade concerning context?* Watts is clear about what he means by context. It is easy to agree when he says, “Interpretation depends on context.”⁹⁴ But by his own account Watts has in mind something very different from most other biblical scholars.⁹⁵ Watts acknowledges that Leviticus has a literary and a historical context.⁹⁶ His commentary does well to identify the sense of Leviticus in those contexts, but, for Watts, that is not its meaning. Leviticus, like the rest of Torah and the Scriptures, needs to be placed in its ritualized context. This includes every interpretive reading (sermons, commentaries, articles, and so on), eve-

⁸⁸ See, e.g., Watts, *Reading Law*, 137–47.

⁸⁹ See, e.g., Watts, *Ritual and Rhetoric; Understanding the Pentateuch; Leviticus 1–10; and Leviticus 11–20*.

⁹⁰ Watts, *Leviticus 11–20*, xxii.

⁹¹ Watts, *Leviticus 11–20*, xxii.

⁹² Watts, *Leviticus 11–20*, xxix.

⁹³ See Watts, *Leviticus 11–20*, xxxii–xxxiii.

⁹⁴ Watts, *Leviticus 1–10*, 20.

⁹⁵ See Watts, *Leviticus 1–10*, 89.

⁹⁶ See Watts, *Leviticus 1–10*, 20.

ry medium that presents Leviticus in any language, and every performance of it orally, visually, and artistically, as well as all scrolls, codices, books, and the like.⁹⁷

Watts argues that the meaning of Leviticus is the aggregate of every reading and every performance of it by anyone and everyone through the ages by the process he calls ritualization described in the preceding paragraph. As Watts says it, “[T]he book and its contents have meaning, but these meanings do not come simply from the words on its pages. They are rather the accumulated product of millennia of ritualization.”⁹⁸ Watts holds that the “purpose of a commentary is to explain the meaning of a text.”⁹⁹ But he notes that his commentary “cannot stop with the book’s words, much less the original referents.”¹⁰⁰ Watts explains that the book’s “message changes every time someone” interprets it.¹⁰¹ He argues that the biblical “text means what listeners and readers say it means.”¹⁰²

Watts’s view of context contradicts his presupposition about his readership agreeing with him (see above). He knows that his approach is “unusual.”¹⁰³ About two decades ago Childs critiqued an “intertextual” approach to context that could easily be applied to Watts’s view of context and meaning.¹⁰⁴ Childs diagnoses that when a text is treated as being recontextualized without limit, then “meaning is not intrinsic, but relational, dynamic, and changing.” Childs argues that failing to respect the difference between “text and commentary” results in the “elimination of any role for authorial intent.”¹⁰⁵

Childs’s critique applied to Watts shows that context is a major problem for the rhetorical function of Watts’s proposal. For Watts, context and meaning change with every new reading of Torah. One must accept this view of context to define the normative instruction of Torah as “immoral.” But bad interpretation of Torah is not its meaning. It is bad interpretation.

Watts has done an invaluable service by demonstrating immoral (not in quotation marks) interpretation of Torah. The long history of misusing Torah to justify hate, greed, and crimes against humanity cannot be excused and should not be swept aside. All of Watts’s readers are indebted to him in that respect.

But the context of Torah is not its reception history broadly defined. This expansion of context to something like omnicontextuality wrongly identifies immoral interpretation as the meaning of Torah. Watts imposes immoral and sinful readings

⁹⁷ See Watts, *Leviticus 1–10*, 20, and see the lengthy explanation of these ritualized dimensions (iconic, performative, and semantic) across the centuries, 20–86. Watts explains how ritualization works in *Understanding the Pentateuch*, 3–18.

⁹⁸ Watts, *Leviticus 1–10*, 2. Also see Watts, “Underperformed Rituals,” 27, 31–32.

⁹⁹ Watts, *Leviticus 1–10*, 1.

¹⁰⁰ Watts, *Leviticus 1–10*, 2.

¹⁰¹ Watts, *Leviticus 1–10*, 90.

¹⁰² Watts, “Leviticus 25’s History,” 282.

¹⁰³ Watts, *Leviticus 1–10*, 89.

¹⁰⁴ Watts concurs (personal correspondence).

¹⁰⁵ Brevard S. Childs, “Critique of Recent Intertextual Canonical Interpretation,” *ZAW* 115 (2003): 177 [173–84].

of Torah back onto it as though this is what Torah says. Getting rid of these imposed immoral readings by crossing out the underlying teachings of Torah leads to the disastrous collateral damage outlined above. Watts removes equality of justice for the other and protections for the vulnerable even while empowering predator males and profiteers. These are tragic outcomes.

The context of Torah should not be confused with its reception history. A text means what it says in its context. The biblical, literary, and ancient context of Torah define the sense of its moral instruction. If, as Watts would have it, the alleged context renders a meaning that contradicts the text, then that is not the context.

e. Of what is Watts trying to persuade concerning moral instruction? Watts is categorical about the “immoral” instruction in Torah. He repeatedly lists genocide, capital punishment, slavery, patriarchy, and the like as “immoral.” Watts also lists the verses of Torah that are moral, and he encourages Bible publishers to emphasize these with boldface type and Bible readers to highlight these verses.¹⁰⁶ Watts is inconsistent at this point.

Whereas Watts identifies wrongful interpretations as the meaning of “immoral” norms, he promotes the moral teachings of Torah without regard to how they have been interpreted. Watts does not observe the racist readings of “love thy neighbor” (Lev 19:18b) in its reception history. For example, he does not count against Torah the misreadings already in antiquity by the sectarians of the Judean desert or by the Torah scholar who tested Jesus, both of whom use “neighbor” to exclude the other (cf. 4Q266/CD 6.20b–21; Luke 10:29).¹⁰⁷ In the case of virtues, Watts excludes misreadings of reception from the context of what Torah means—as he should—but in the case of vices he adds too much context by imposing misreadings of reception into the text. The rhetorical function of these contrasting hermeneutical maneuvers is to advocate for moral abstractions by categorical readings. This categorical handling of both “immoral” and moral teachings is unrealistic.

Torah offers moral instruction within its ancient Near Eastern context. The moral instructions are not abstracted ultimate ideals for people living in a morally neutral reality. They are situated in Israel’s reality. The teachings call for righteousness by a people in that ancient situation. The teachings that Watts wants to get rid of protect those at risk within difficult realities.

Torah does not present its moral norms as undifferentiated absolute ideals. For example, Torah includes five legal amendment and precedent-setting narratives that have been recognized as something of a set since at least the time of Philo.¹⁰⁸

¹⁰⁶ See Watts, *Leviticus 11–20*, xxxv.

¹⁰⁷ 4Q266/CD 6.20b–21 glosses “neighbor” (עֵר) as “brother” (אָח) in Lev 19:18b and diminishes the standing of the “residing foreigner” (גֵּר) unlike 19:33–34.

¹⁰⁸ See Philo, *Life of Moses II*, ed. and trans. by F. H. Colson. LCL 289 (Harvard University Press, 1984), §§192–245; cf. Targum Neofiti and Targum Pseudo-Jonathan at Lev 24:12; Num 9:8; 15:34; 27:5. And see Leviticus 24:10–23 (the blasphemer); Numbers 9:1–14 (alternate date for Passover); 15:32–36

Only one can be noted here. When the people appeal to Yahweh through Moses, Yahweh does not respond by saying, “Do not ask questions. Comply with the laws I have spoken.”

The ancestral heads of Manasseh did not quietly accept Yahweh’s adjustment of inheritance standards in favor of Zelophehad’s daughters (cf. Num 27:8–11). They complained that these women could marry outside the tribe and diminish the land promised to the tribe of Manasseh. The tribal leaders allude to the law of Jubilee in Numbers 36:4 to make their point (cf. Lev 25:10).¹⁰⁹ It is remarkable to compare Yahweh’s declaration about the complaint of the daughters of Zelophehad to his response concerning the complaint of the ancestral heads of Manasseh.

[Yahweh:] “What Zelophehad’s daughters are saying is right.” (Num 27:7a)

[Yahweh:] “What the tribe of the sons of Joseph is saying is right.” (36:5b)

Yahweh stands by his word to the daughters of Zelophehad. They can marry whoever they decide within their father’s tribe for they had been seeking to stop his name from being diminished (27:4). This can only happen if the land promised to Manasseh is not diminished (36:4). In this case, Yahweh tweaks his own tweak. It is Yahweh’s right to advance revelation by exegesis.

Yahweh sets the precedent to advance revelation by exegesis of earlier scriptural traditions. He himself establishes several additional streams of exegesis. Yahweh instructs the priests “to teach the people of Israel all the statutes that Yahweh has spoken to them by the mediation of Moses” (Lev 10:11; cf. Deut 33:10). Yahweh establishes the office of prophet to proclaim Yahweh’s word (Deut 18:18). The institutionalization of streams of authorized Torah interpretation points to a self-consciousness of the shifting realities of Israel and an ongoing need for recontextualization. It starts with Yahweh.

Before moving on it is important to note that tweaking by authorized exegesis of Torah should not be thought of as moral relativism. Many moral standards endure such as submission to Yahweh alone, prohibitions against murder and adultery, and the like. But even in these cases punishments are adjusted when Israel goes from political theocracy to a religious community within the empire.

As the situation of the people shifts so does the function of Torah’s moral instructions. The distressed mob that appeals to the governor in Nehemiah 5:1–5 does not speak of unjust norms. They accept as givens the heavy taxation and the

(the Sabbath-breaker); 27:1–11 (inheritance of Zelophehad’s daughters); and 36:1–12 (amending inheritance in the case of Zelophehad’s daughters).

¹⁰⁹ Westbrook says that the tribal leaders refer to Jubilee even though it only indirectly relates to the case of Zelophehad’s daughters because they wanted to base their complaint on an express law rather than inference to female inheritance not explicit anywhere except Numbers 27:1–11, against which they are complaining. See Westbrook, *Laws from the Tigris*, 2:443. While this makes sense, Morales emphasizes the problem of Jubilee not being possible for Manasseh if their lands are diminished. See L. Michael Morales, *Numbers 20–36*, ApOTC (Apollos, 2024), 489. Underlying both readings is an emphasis on Yahweh being faithful to his promise to give the land as an inheritance to the tribes.

legal mechanisms of debt. They complain about being hungry and that their children who have been sold into debt slavery are the same as the children of the affluent class with whom they stood side by side repairing the wall. Nehemiah's social reforms in chapter 5 loosely draw on numerous norms of Torah. When Nehemiah reviles the Sabbath-breakers in 13:15, 17–18 he does not seek the death penalty in spite of his political standing. The restoration assembly of Jerusalem do not live in a political theocracy under Yahweh's Davidic king. They live in a small empirical province. In this situation Torah's instructions continue as moral and religious norms but not as civil or criminal law—same laws, new setting, new application.¹¹⁰

In postexilic Israel, Torah's norms do not function as abstracted moral absolutes. They offer realistic moral norms for Israel in a new life-setting. These realities stand at odds with Watts's flat abstracted handling of these teachings.

The teachings of Jesus and the apostles do not treat Torah's moral norms as though they are decontextualized abstracted ideals. They interpret Torah's moral instruction to a marginalized people who live in the Roman empire. Jesus does not command being a perfect spouse when in Matthew 5:28 he says do not lust concerning Torah's prohibition against adultery. There is a large gap between what a spouse should be and the mere absence of lusting after someone else. Jesus raises the moral baseline a little in this case.¹¹¹ The apostles know of ideal social realities where there is no privileging for Jew or Gentile, free or slave, male or female in Galatians 3:28. But they offer moral instructions to people who live in an empire with all of these social hierarchies.¹¹²

Jesus does not act like Torah's moral norms are ultimate ideals. He accepts the right to divorce from Deuteronomy 24:1 but restricts it to cases of sexual immorality in Matthew 19:9. His followers realize that this authoritative interpretation downgrades the husband's power while it increases the protections Moses had granted to wives within an earlier patriarchal structure (cf. 19:10).

In summary of this point, neither Torah itself nor the rest of the Bible treats the moral norms of Torah as abstracted ultimate ideals. Torah's moral norms call Israel to live righteously within the ancient Near East. Postexilic writings of Israel's Scripture and the New Testament do not command ultimate moral ideals but raise the minimum moral standards for people where they live.

These are realistic readings of realistic teachings of Torah. These are very different from the unrealistic categorical abstraction that Watts promotes.

¹¹⁰ For further on these issues, see Gary Edward Schnittjer, *Ezra-Nehemiah*, Baker Commentary of the Old Testament Historical Books (Baker Academic, forthcoming), comments on Neh 5:1–5; 13:15–18.

¹¹¹ This idea is indebted to Wenham, who suggests that prohibitions reflect the “floor” of what is tolerated. See Gordon J. Wenham, *Story as Torah: Reading Old Testament Narrative Ethically* (Baker Academic, 2000), 80.

¹¹² See Kevin W. McFadden, *Hidden with Christ in God: A Theology of Colossians and Philemon* (Crossway, 2023), 83–85, 95–97. On navigating the evidence, see John Byron, “Paul and the Background of Slavery: The *Status Quaestionis* in New Testament Scholarship,” *CurBR* 3.1 (2004): 116–39.

f. Of what is Watts trying to persuade concerning authority? Watts presupposes that he and his readership possess the authority to strike through and nullify any biblical teaching that is “immoral.”

Watts does not directly assert that he and any reader have the authority to veto any teaching of Torah. He frames the issue in terms of a moral responsibility to eliminate the “immoral” norms of Torah.¹¹³ For Watts, average Bible readers do not need to be given authority. They have it already if they know the difference between right and wrong. In this way he merely empowers readers use the authority he thinks they already have.¹¹⁴

Watts’s advocacy for repealing by crossing out all “immoral” norms of Torah flatly contradicts his arguments for the singular authority of Moses to mediate Torah (section II above).¹¹⁵ Torah shows that Korah and his companions have no right to compete with the mediators established by Yahweh. They claim that “the entire congregation is holy” in Numbers 16:3, which alludes to Yahweh’s declaration at the mountain and his commands to the people (Exod 19:6; cf. Lev 11:44; 19:2; 20:26). They were swallowed into Sheol for their insolence. Aaron and Miriam assert themselves against Moses in Numbers 12:2. Miriam contracts a skin disease for seven days for the siblings’ reproach. Childs observes that Deuteronomy emphasizes the “role of Moses in his office as continuing mediator of the divine will.”¹¹⁶

Besides the authority of Moses as mediator of Torah, Yahweh institutes a series of prophets like Moses in Deut 18:15–22. One measurement of any prophet like Moses is teaching in accord with Torah as explained in 13:1–5[2–6]. A prophet like Moses does not cross out so-called “immoral” teachings of Torah.

In a discussion of Deut 12:32[13:1]—“You shall not add to it [Torah] or take away from it” (cf. 4:2)—Watts notes that “a scribe’s authority depends on claims to *accurate* transmission of the tradition.”¹¹⁷ By this standard, Torah-as-reedited-by-Watts lacks authority. When Yahweh and Moses protect the disadvantaged, Watts strips away the protections. By making what is moral immoral Watts reveals the absence of the authority to do what he has done by his own account.

None of this means that the moral instructions of Torah are static and impervious to the changing context of Israel. As noted above, Yahweh himself institutes exegetical upgrades of Torah and even tweaks his own tweaks. Yahweh establishes ongoing Torah instruction by the priests and a series of prophets like Moses. The prophets of Israel and Judah, Jesus, and the apostles are all divinely sanctioned to interpret Torah. However, unauthorized tampering with Torah could lead to collateral damage.

¹¹³ See Watts, *Leviticus 1–20*, xxv.

¹¹⁴ See Watts, *Leviticus 11–20*, xxviii.

¹¹⁵ For a summary, see Watts, *Understanding the Pentateuch*, 65–66.

¹¹⁶ Brevard S. Childs, *Introduction to the Old Testament as Scripture* (Fortress, 1979), 216.

¹¹⁷ Watts, “Legal Characterization,” 424–25; and *Reading Law*, 120, emphasis original.

IV. SUMMARY AND IMPLICATIONS

Watts identifies widespread immoral interpretations and applications in the reception history of Torah. He considers all interpretations including these misinterpretations to be the meaning of Torah and proposes that scholars, publishers, and readers repeal so-called “immoral” norms of Torah by crossing them out.

Watts’s revoking of the “immoral” teachings of Torah causes massive collateral damage. Table 2 lists collateral damage, including removing equality of justice for the other and elimination of protections for ancient socially vulnerable classes like females and slaves. One effect of this collateral damage in the teachings within Torah-as-reedited-by-Watts is to empower male predators and profiteers and to decriminalize many kinds of violence. The argument of this study is that this collateral damage is unintentional and the opposite of Watts’s hoped-for outcomes.

A rhetorical evaluation of Watts’s argument for striking through “immoral” verses of Torah reveals several issues concerning context, moral instruction, and authority. One implication concerns the space between context and imposition. Context matters. If context is framed in a way that imposed meaning contradicts the text, then the context has been misconstrued. Watts’s approach fails because he twists context so that the alleged meaning of biblical texts contradicts the texts themselves. Context needs to be aligned with the text so that it says what it means.

The most important implication of this study is the need for increased vigilance against immoral (without quotation marks) use of Torah. Watts has done a much-needed service by uncovering long-running widespread sinful interpretations of Torah. He points to the need to rethink and to reevaluate an underemphasis on pushing back against immoral uses of Torah. The present generation of students and congregants badly need to take seriously the long history of misusing Torah.

Ultimately, Watts’s transgression of the authority of Torah is deeply ironic. Just about the only people who acknowledge the authority of Torah today are practicing Jews and Christians. Practicing Christians do not study, teach, or preach from the teachings that Watts finds “immoral.”¹¹⁸ Watts crosses out inactive norms. The argument here is that Watts crosses out moral teachings that affirm equality of justice for the other and provide protections for the disadvantaged. Practicing Christians do not need to cross out these norms, instead, they need to start taking them seriously. Deuteronomy 10:19 calls on Israel to imitate Yahweh in caring for the immigrant. So too practicing Christians need to take up the causes in the norms of Torah that Watts wants to cross out to serve the ends of righteousness and mercy, even as Yahweh commands. Practicing Christians need to stop ignoring these teachings because ignoring them leads to the same effects as crossing them out.

¹¹⁸ Thank you to Dan Erickson and Bryan Murawski for independently making this observation.