



## Research article

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**JURIDICAL IMPLICATIONS OF ISRAEL AND GIBEONITES' TREATY IN JOSHUA 9:3-27: HONOURING ONE'S PROMISE**

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Concluding a treaty should lead to the realization of the existence of God as the absolute Being to whom all vows and promises are made. It should also promote human values, especially faithfulness, and trust. However, this goal is farfetched. Nowadays, it remains difficult to know which principles and values humanity still holds on to because of the constant breaking of vows and promises. The Gibeonites' ruse shows human deception to honor its promises, and this endangers human society and its values. The failure to honor the promises threatens human society, for it brings about a lack of confidence and trust. Joshua's faithfulness to the treaty calls for human faithfulness to its life commitment that promotes human and divine values. Faithfulness to treaties leads to the finding and confirmation of God's perpetual presence and actions in human life. The paper calls on humanity to honor its promises and vows as a way of building a better human society grounded in faithfulness and confidence.

**Keywords:**

*Gibeonites' ruse,  
Unfaithfulness, Treaty,  
Heroic Leadership.*

**Introduction**

Nowadays, breaking promises and agreements is prevalent. This widespread unfaithfulness has endangered human society in all its dimensions. Human values and principles fall apart, and this breaking of principles threatens human life. How can humanity restore its trust, confidence, and truthfulness? What should lead humanity to faithfully and unfailingly honor its promises? Why should one honor promise first of all? These and related questions help to discuss the importance and the implications of a treaty at both a personal and community level. The paper begins with a brief historical context of chapter 9:3-27 and its summary, after which it explores the Gibeonites' ruse and Israel's unfaithfulness to Yahweh's instruction. The discussion proceeds by investigating the treaty, its implications, and its binding power on the agreeing parties. Before concluding, the paper applies the message of the pericope to the contemporary world. The paper calls for the restoration of responsibility and faithfulness to treaties as a way of reestablishing human confidence and trust. It sets Joshua's faithfulness as a model to follow in the current world that seems to hold on to nothing. Honoring a treaty leads to the realization of the existence of a higher reason that binds humanity together.

**1. A Historical Background and Summary of Chapter 9.**

The book of Joshua describes a historical conquest that the Israelites achieved by taking the Promised Land. With the death of Moses at the end of Deuteronomy (Dt 34: 1-8), Joshua became Moses' successor who led the Israelites into Canaan (Dt 34:9; Joshua 1:1-5). However, before entering the land, the Israelites had to fight various bloody battles against the inhabitants of the land to cleanse it, as Yahweh God had instructed (Joshua 5:13-7; 8:1-29; 10; 11). Thus, Joshua had to organize his army (1:10-18), send two spies (2:1-24), help the people cross the River Jordan (3:1-18) and capture the cities progressively, including Jericho (6) and Ai (8:14-25), and defeat two Amorite kings east of Jordan. At the same time, the Israelites had to remain faithful to God by honoring their oath and following God's instructions. Israelites advanced triumphantly into the land. Meanwhile, some kings organized coalitions against Joshua's people (9:1-2) though in vain since Yahweh God was fighting for the Israelites. Chapter 9:3-27 unfolds an intriguing story, narrating a binding treaty that was concluded between Israel and the Gibeonites, though the latter malignly manipulated the treaty to preserve their lives. The chapter shows the importance of seriousness and faithfulness to Yahweh's instruction and law. It also invites every human being to always consult Yahweh before undertaking any action. The chapter contains many themes that deserve careful consideration.

After learning how the Israelites destroyed the cities of Jericho and Ai, the inhabitants of Canaan panicked; some kings, instead of fleeing, submitted to them. The representatives of four Hivite cities, Gibeon, Chephirah, Beeroth, and Kiriath-Yearim came to the Israelites in search of a treaty: "Your servants have come from a country very far away, because of the fame of Yahweh your God; for we have heard of him and of all that he did in Egypt, and of



all that he did with the two Amorite kings who used to live at Ashtaroth.” (Joshua 9:9-10) To persuade the Israelites, the Gibeonites said, “Here is our bread, it was warm when we took it from home to provide for our journey the day we set out to come to you, and now, you can see, it is dried up and crumbling. These wineskins were new when we filled them; you can see, they have burst, and these clothes and sandals of ours are worn out from traveling such a long way.” (9:13) They “come to Joshua with all their aged things and greatly beg of him that they may be saved.”<sup>1</sup> And “Joshua made peace with them, and made a treaty (*berith*) with them to let them live.” (Joshua 9: 15) The *motif* of the fear of the Canaan’s inhabitants suggests “the theocratic viewpoint which imbues biblical historiography” that the spirit of Psalm 2 expresses.<sup>2</sup>

After three days, Israel discovered that the Gibeonites had deceived them. Indeed, they were not from a distant city; they were Israel’s neighboring people, living in Israel’s region (Joshua 9:16). This group, like all Canaan’s indigenous population, was supposed to be exterminated for the Israelites to occupy the land.<sup>3</sup> However, in their tradition, any treaty or oath was made under Yahweh’s name, therefore making Yahweh the guarantor of their pact. (Joshua 9:19) This means that the Israelites could not retract their oath. Thus, Israel could not attack the Gibeonites because of the treaty and the land remained theirs, though they made them serfs, as “wood-cutters and water carriers for the whole community and the altar of Yahweh.” (9:27)

## 2. Gibeonites’ Ruse and Israelites’ Unfaithfulness to Yahweh

The Gibeonites appealed to the argument “of living at a far distance” because, according to Michael David Coogan, Deuteronomy 20:10-18 “prescribes application of the ban of cities in the land but not those which are distant; the Gibeonites implicitly appeal to this law by claiming to be from a distant land.”<sup>4</sup> Blenkinsopp purports Coogan’s thought, “The ban was to be applied to all Canaanite cities whether they surrendered or not; but if distant cities offered peace, they were to be spared but put to forced labor.”<sup>5</sup> The previous arguments explain why the Gibeonites tell the Israelites, “They come from a distant land, and since once the oath is sworn, they cannot be touched, they are put to forced labor, if of a rather special kind,”<sup>6</sup> but at least, their lives are preserved. Israel acted against Yahweh’s instruction to

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<sup>1</sup> John R. Franke and Thomas C. Oden, eds., *Ancient Christian Commentary on Scripture: Joshua, Judges, Ruth, 1-2Samuel*, Old Testament IV (Downers Grove, Illinois: InterVarsity Press, 2005), 54.

<sup>2</sup> M.H Woudstra, “The International Commentary of the Old Testament: The Book of Joshua,” ed. R.K Harrison (Michigan: William B. Eerdmans Publishing Company Grand Rapids, 1981), 158.

<sup>3</sup> Leslie Hoppe, *Joshua. Judges: With an Excursus on Charismatic Leadership* (Wilmington, Delaware: Michael Glazier, 1982), 61.

<sup>4</sup> Michael David Coogan, “Joshua,” in *The New Jerome Biblical Commentary*, ed. Raymond E. Brown, Joseph Fitzmyer, and Roland E. Murphy (Bengaluru: Theological Publications in India, 2019), 120.

<sup>5</sup> Joseph Blenkinsopp, “ARE THERE TRACES OF THE GIBEONITE COVENANT IN DEUTERONOMY?” *The Catholic Biblical Quarterly* 28, no. 2 (1966): 207.

<sup>6</sup> Blenkinsopp, “ARE THERE TRACES OF THE GIBEONITE COVENANT IN DEUTERONOMY?”: 207



exterminate all inhabitants of the Promised Land, and this resulted in a reduction of their territory.

Israel's failure to consult Yahweh and the Gibeonites' ruse raises questions: Who is to blame for the violation of the war rules? Is it likely that the Israelites would have been so easily fooled? Why are the Gibeonites described as wise people, especially when it comes to making treaties? Joshua trusted the Gibeonites' words though the latter had other intentions. "The possibility that the ambassadors were speaking the truth and came from a far country is thus entirely natural and plausible to Joshua and the princes, although a faint doubt arose since they knew that there were Hivites in Canaan."<sup>7</sup> Joshua went ahead to conclude a treaty with the Gibeonites without seeking the Lord's direction. Because of his treaty, sworn by solemn oath, "Joshua did not destroy the Gibeonites and devote their cities to the Lord. He thus permitted the first of the Canaanite enclaves (small cities and villages occupied by non-Israelites), in the midst of the land."<sup>8</sup> This denotes that the Israelites' intuition and fear of the Gibeonites living among them became true; "For all we know, you may live right among us." (Joshua 9:7) The story successfully shows the author's plan to offer a double thread of etiology explaining "the Gibeonites' alliance with Israel and another their diminished status as cult servants."<sup>9</sup> Richard D. Nelson further argues that the tale of the Gibeonite trick is to give an etiological reason explaining why the enclave of the Gibeonites exists among the Israelites.<sup>10</sup>

### 3. The Power of a Covenant and its Implications in the Jewish Society.

There were three types of treaties. The first one concerned countries of equal status also called "a treaty of Brotherhood and Peace". In this treaty, "all obligations and stipulations held for good for both sides."<sup>11</sup> This kind of treaty does not apply to the present instance we are dealing with in Joshua 9 since the Gibeonites wanted to become Israelites' servants. The second pact was called *Kuirwanasman* (binding on two parties). "In this case, the obligations are binding on both parties though they are not of equal status. The protégé responds to a letter from his king or superior with a letter and an oath."<sup>12</sup> The present one forbids the protégé to correspond with the enemy. The protégé also must appear before the "Great King" every year though when he enters, the vassals will rise in his honor.

The vassalship is the third treaty in which the inferior partner is regarded simply as the subject of his king. The superior, by virtue of his authority, has privileges over the subject. He adjures the vassal to perform obligations of many kinds. "The vassal is bound to

<sup>7</sup> Jehoshua M. Grintz, "The Treaty of Joshua with the Gibeonites," *Journal of the American Oriental Society* 86, no. 2 (1966): 123, accessed October 6, 2021, <https://doi.org/10.2307/596424>.

<sup>8</sup> William Sanford Lasor, David Allan Hubbard, and Frederic Wm Bush, *Old Testament Survey: The Message, Form and Background of the Old Testament* (Cambridge: Wm. B. Eerdmans Publishing, 1996), 115.

<sup>9</sup> Richard D. Nelson, *Joshua: A Commentary* (Louisville, Kentucky: Westminster John Knox Press, 1997), 124.

<sup>10</sup> Nelson, *Joshua: A Commentary*, 128.

<sup>11</sup> Grintz, "The Treaty of Joshua with the Gibeonites."118

<sup>12</sup> Grintz, "The Treaty of Joshua with the Gibeonites."118



appear before his lord every year; to supply military aid; [...]; to keep away from all foreign policy and not wage war on his initiative against an enemy country, or another vassal of the Great King, or against a rebel within his own land”<sup>13</sup> among many obligations to fulfill. On his part, the king, in this case, Israel, had “to protect the vassal at all times against internal insurrection as well as against an external enemy and to assist him or his heir and help the latter succeed to the throne.”<sup>14</sup>

The discovery of Gibeonite’s ruse after maliciously contracting the treaty sowed a dilemma among the Israelites. They decided to let the Gibeonites live rather than bring retribution down upon themselves on account of the oath that they had sworn to them. However, Israel punished the Gibeonites by making them woodcutters and water carriers in the house of Yahweh. (Joshua: 9:20-22). Conscious of their ruse, they put themselves at the disposition of the Israelites. In the awareness of their condition, the Israelites state, “Yahweh your God had ordered his servant Moses to give you the whole of this country and destroy all its inhabitants before you; also, because as you advanced on us, we feared very greatly for our lives. Now as you see, we are at your mercy; do to us whatever you think good and right.” (24-25) The pact saved them from the hand of the Israelites, who did not kill them. (26-27) According to Richard D. Nelson, “Their story is cast into convincing, devout Deuteronomistic language that seeks to indicate that their motives are of the highest.”<sup>15</sup> The book of Deuteronomy 20:11, adds that “If it accepts these [peace terms] and opens its gates to you, all the people inside will owe you forced labor and work for you.”

The tradition narrates that the Gibeonites came to make a treaty with the Israelites, to become their servants. The making of a treaty implies a non-aggressive attitude toward the opponent as discussed above; it meant making peace with them, though they might have been opponents. No one would go against the treaty lest they be struck by Yahweh’s anger as often any treaty was marked by the striking of animals into two pieces, which was consumed by both parties (Leviticus 3) as a sign of communion. Consequently, “an oath once taken cannot be recalled or changed; it can only be broken. The leaders of Israel took an oath and were therefore under compulsion to keep it”<sup>16</sup> despite their discovery of Gibeonites’ guile and dishonesty. Hence, “the treaty could not be broken, for it was formed under oath in the name of Yahweh. For their deceit, the Gibeonites were cursed by Joshua, but the curse could not negate the treaty; it could only make the obligation heavier.”<sup>17</sup> The Israelites-Gibeonites treaty suggested providing military aid in case of foreign attack and a promise not to kill the Gibeonites. These implications explain why Joshua was compelled to help the Gibeonites when the common enemy attacked them. (Joshua 10:6-7) The fact that Yahweh continued to

<sup>13</sup> Grintz, “The Treaty of Joshua with the Gibeonites.”118

<sup>14</sup> Grintz, “The Treaty of Joshua with the Gibeonites.”118

<sup>15</sup> Nelson, *Joshua: A Commentary*, 129.

<sup>16</sup> F. Charles. Fensham, “The Treaty between Israel and the Gibeonites,” *The Biblical Archaeologist* 27, no. 03 (1964): 98.

<sup>17</sup> Fensham, “The Treaty between Israel and the Gibeonites.”99





help Israel, even under the confederation with Gibeonites, denotes Yahweh's involvement in the treaty since Yahweh was the guarantor and protector of the treaty. Thus, once struck, no one could reverse it.

The treaty was a covenant with God; thus, the Gibeonites' dishonesty was less important than the promise the Israelites made before God. Breaking a treaty would bring severe consequences to the nation. Plagues, failures, divine abandonment, and famine were a result of the breaking of treaties (2Samuel 1:14). The end of chapters 6 and 7 highlights the severe consequences from Yahweh through the Israelite community imposed on Achan son of Carmi who violated the curse of the destruction of Jericho by simply taking something that fell under the curse of destruction. (Joshua 6:17-7:26). Therefore, once the leaders swore an oath it cannot be violated, "For Yahweh will not leave unpunished anyone who uses his name for what is false" (Exodus 20:7; Deuteronomy 5:11). Hence, for instance, "when Saul did violate the oath, the famine that ensued was regarded as divine wrath (2 Sam. 21:1-2)."<sup>18</sup> The princes were afraid of such a possibility; thus, they opted to maintain the treaty because of the oath they swore unto them. They feared Yahweh's wrath on them and their whole community (Joshua 9:20). This calls for faithfulness and seriousness in our promises and vows to the Lord, and one another.

The Israelites pledged to protect the Gibeonites (10:6), while the latter assumed the obligation of supplying military aid. However, the Israelites reviewed the treaty after their early confidence had been shaken; "they decided to employ them not as combatant soldiers but as transport troops, drawers of water, and purveyors of provisions to the fighting men. Thus, they remained on with the congregation as helpers of the army, but their employment on nonmilitary tasks was a sign of degradation and, in this way, the congregation was appeased."<sup>19</sup> As a result of their concluded pact, the Gibeonites continued to live in their native cities as an autonomous group until the time when they opened their towns to the Israelites.

Any attempt to transgress the Israelite-Gibeonite treaty was punished thoroughly. When Saul killed some Gibeonites, famine came as a consequence, leading King David to investigate the course to find that Saul broke the oath binding the Israelites and the Gibeonites. To appease Yahweh's anger, the king and Gibeonites concluded to dismember Saul and seven men of his descendants before Yahweh at Gibeon; these men were put to death. (2 Samuel 21-14). This calls humanity to be bound by the vows and engagements and not to violate them, and to always remain faithful to them lest it faces the consequences that result in their disobedience. The Gibeonite-Israelite treaty "encourages Israelites to obey Deuteronomistic law about foreign entanglements and to seek the will of God about them."<sup>20</sup>

<sup>18</sup> Grintz, "The Treaty of Joshua with the Gibeonites"124

<sup>19</sup> Grintz, "The Treaty of Joshua with the Gibeonites."124

<sup>20</sup> Nelson, *Joshua: A Commentary*, 132.



Nevertheless, some scholars question the actual occurrence of the conquest. How could an army in rags, traveling with women, children, and the aged, emerging after decades from the desert, possibly mount an effective invasion? How could such a disorganized rabble overcome the great fortresses of Canaan, with their professional armies and well-trained corps of chariots? Did the conquest of Canaan really happen?”<sup>21</sup> Historically, it is said that there was a group named Israel somewhere in Canaan by 1207 BCE. However, “the evidence on the general political and military landscape of Canaan suggests that a lightning invasion by this group would have been impractical and unlikely in the extreme.”<sup>22</sup> In addition to this, the story raised other questions: Why did Yahweh choose to take the land from the inhabitants of Canaan instead of giving the Israelites an unoccupied one? Why were the inhabitants of Canaan exterminated under Yahweh’s command? Does Yahweh allow evil? From the paper’s perspective, this human failure to understand the Israelites’ triumph over Canaan occupants denotes God’s hidden hands that continuously intervened and fought for them until their victory.

#### **4. Lessons from Joshua 9:3-27 and their Application to the Contemporary World.**

The themes discussed above invite humanity to put its trust in God and cooperate with God’s messengers. It is through them that God speaks to every human being. “Israel’s story was seen through the eyes of the prophet, and the message was coined to give them hope and instruction since they were frightened and scared by the Assyrians.”<sup>23</sup> The same narratives make us understand God’s faithfulness as a promise-keeping God. Joshua’s narratives give a fulfillment of God’s long-awaited promise that God made to Israel’s forefathers, through Abraham. For many centuries, the same promise made to Abraham was repeated to Isaac and Jacob and renewed to Moses. It was repeated to the sons of Israel in the wilderness through Yahweh’s miracles (Exodus 19-36).

Joshua too was commissioned to lead the Israelites into the Promised Land. The fulfillment of divine promise attests to God’s faithfulness to divine promise. God always aims at saving humanity from their slavery and the same God fulfills the promises. However, patience is needed for humanity to live its promises. God also invites humanity to contribute with little effort, to cooperate with God in the divine salvific mission. Thus, one can still say that God needs humanity to carry out its salvation. Humanity is a living sign of God’s presence in the world. This requires any human being to remain faithful to their vows and consult God, that is, through prayer and discernment before undertaking any action following

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<sup>21</sup> Israel Finkelstein and Neil Asher Silberman, *Bible Unearthed: Archeology’s New Vision of Ancient Israel and the Origin of Its Sacred Texts* (New York, 2001), 55.

<sup>22</sup> Finkelstein and Silberman, *Bible Unearthed: Archeology’s New Vision of Ancient Israel and the Origin of Its Sacred Texts*, 60.

<sup>23</sup> William Sanford Lasor, David Allan Hubbard, and Frederic Wm Bush, *Old Testament Survey: The Message, Form and Background of the Old Testament* (Cambridge: Wm. B. Eerdmans Publishing, 1996), 113.



the example of the Israelites who constantly listened to God as their ultimate Commander.<sup>24</sup> Thus, every human person has to exercise patience and faithfulness to God's promise. The story also challenges humanity to value truth and faithfulness in its life, for these values constitute fundamental principles for society.

The pericope has a promising message for the current world. Many people are desperate, eagerly waiting for God's time to perform miracles in their lives because of issues they are faced with. Joshua 9:3-27 shows that God always intervenes in human lives: God cares about humanity, listens to it, and uses all possible means, including unimaginable ways, to save any human being. The Israelites could not think of themselves being victorious over the Canaanites because of their powerful armies. However, God fought for them, and this suggests God's unfailing faithfulness. Thus, faithfulness and seriousness in one's engagement, promises, and vows remain challenging values in the current society. Nowadays, vows or engagements either in religious or married life do not last long. People do not value the binding power of engagement; they regard them lightly and do not commit themselves to their engagement. This engagement failure has, in part, caused a crisis of human confidence, which jeopardize human relations.

The same unfaithfulness and lack of seriousness observed in the pericope are still prevalent today in all social life. Religious as well as married people quit their life a few days or some months after making their serious commitment which suggests a lack of understanding of that commitment. Couples divorce a few days after their weddings because of a minor or silly issue; politicians do not fulfill the promises they make to their people. At a political level, peace agreements, truces, and political promises remain a paper narrative, while their implementation is far-fetched. This unfaithfulness brings about unending conflicts and wars that threaten human life. At an individual level, one thinks about whether or not we should continue making appointments or agreements for many have shown their incapability of honoring them. Individuals or groups can seriously discuss and agree to meet at a particular date and time, just to end up not honoring their agreement, or simply one of them comes late. This unfaithfulness has resulted in a crisis of human confidence, which led to relativizing everything. It ultimately led to holding at nothing, meaning that there is nothing absolute in one's life. Thus, the contemporary world should learn from Joshua's community how to remain faithful and committed to one's engagement. This engagement tendency makes humanity truthful, faithful, trustful, and believable; it also increases confidence among humanity. Human beings should, therefore, highly value promises, vows, and engagements they make for the agreements bind humanity together as people of principle, people of commitment, and trust. It is through the honoring of the promises and vows that humanity encounters God, and can build a better human community grounded in confidence and faithfulness.

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<sup>24</sup> Lasor, Hubbard, and Bush, *Old Testament Survey: The Message, Form and Background of the Old Testament*.123



**Conclusion**

The paper argued for the restoration of human faithfulness and confidence. As stated above, current generations seem to have no principles to hold on to. Thus, there is an urgent need to rethink the power of human agreements and promises. Joshua 9:3-27 shows God's unfailing faithfulness which should be imitated. The pericope also emphasizes the binding power that lies in covenants and displays how God always journeys with humanity. The passage also highlights God's use of all means, including unthinkable ones, to honor the divine promise, as demonstrated in the Israelites' victory against the powerful Canaan occupants. From the understanding of a treaty and its implications in terms of the power of covenant, this paper has argued for a faithful honor of one's engagement to build a better society. The constant breaking of vows and promises in religious and married life, or even political life, calls for a reconsideration of one's engagements. It was observed that, nowadays, people, in many dimensions of life, do not honor their engagements as illustrated in religious, married, and political life. Engagements have been taken lightly; they can be broken at any time. Thus, God's faithfulness and seriousness in fulfilling promises should serve as examples to the people of the contemporary world who sometimes fail to honor their commitments.

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