**Do Not be Ashamed of Judgment to Acquit the Wicked? A Note on Sirach 42:2**

**I. Sirach 42:2 in Its Context**

The pericope in Sir 41:14–42:8 is devoted to a discussion of the negative and positive features of shame under the title מוסר בשת (“Instruction on Shame”, 41:14 [B]). It presents a detailed list of instances in which one should be ashamed and refrain from a given action (41:14–22), followed by a string of actions that should be performed forthrightly, without embarrassment (42:1–8). The second part of the אל תבוש (“do not be ashamed”) unit reads as follows, according to the Masada manuscript supplemented by a comparison to Manuscript B from the Cairo Genizah, and the Greek version:

(42:1b) [א]ך על אלה אל תבוש ואל תשא פנים וחטא

(2) על תורת עליון וחק ועל משפט להצדיק רשע

(3) על חשבון שותף ודרך ועל מחלקת נחלה ויש

(4) על שחקי מזנים ופלס ו[ע]ל תמחי איפה ואבן

על מקנה בין רב למ[עט] (5) [על] ממחיר ממכר תגר

[על מוסר בנים הרב]ה ועבד רע וצלע מהלמת[[1]](#footnote-1)

(6) [על אשה רעה ת]שת חותם ומקום ידים רבות מפתח

(7) על מ[קום] תפקיד מספר ש[ואה ומ]תת הכל בכתב

(8) על מ[וסר פ]ותה וכסיל [ש]ב כושל ענה בזנות

והיית זהיר באמת [וצנו]ע לפני כל חי

(42:1b) But of the following things do not be ashamed, and do not feel shame (lit.: lift up one’s face) and (bear) sin.[[2]](#footnote-2)

(2) of the law of the Most High and his covenant,  
    and of [rendering] judgment to acquit the wicked;

(3) of keeping accounts with a partner or with traveling companions,[[3]](#footnote-3) and of dividing the inheritance or property;

(4) of accuracy of scales and balances, and of testing measures and weights,[[4]](#footnote-4)

and of acquiring much or little; (5) of profit from dealing with merchants,  
and of frequent disciplining of children, and of beating an evil and lame[[5]](#footnote-5) servant.

(6) Of a seal to keep an untrustworthy wife, and of a key where there are many hands;

(7) Of numbering when you make a deposit, and of (recording) all in writing what is taken in or given out;

(8) Of correcting the stupid, or foolish, and the tottering aged who is occupied at whoredom.[[6]](#footnote-6)  
Then you shall be truly cautious, and a modest person before all living.

I have dealt elsewhere with the ambivalent nature of shame in Sirach and its conceptual parallels in Greek texts. Here I focus upon a single textual conundrum found in verse 42:2.[[7]](#footnote-7) The literary unit opens with the instruction not to be ashamed of keeping the Torah and commandments (42:2), and proceeds to list a series of actions that one should perform without embarrassment. The text instructs that the itemized behaviors, such as correcting sons and smiting an evil slave (42:5), should be carried out with courage and without embarrassment. However, the second half of 42:2, the instruction not to be ashamed “of [rendering] judgment to acquit the wicked,” על משפט להצדיק רשע, is quite odd.[[8]](#footnote-8) Declaring a wicked person to be innocent stands in clear conflict with scriptural passages in both Pentateuchal and Wisdom literature. God never acquits the wicked, according to Exod 23:7, מדבר שקר תרחק ונקי וצדיק אל תהרג כי לא אצדיק רשע (“Keep far from a false charge, and do not kill the innocent and those in the right, for I will not acquit the guilty”). Proverbs describes the one who acquits the wicked as an abomination, מצדיק רשע ומרשיע צדיק תועבת ה' גם שניהם (“One who justifies the wicked and one who condemns the righteous are both alike an abomination to Yhwh” Prov 7:15, cf. 24:24). The wicked should not be acquitted, but rather are to be punished as instructed in Deut 25:1,כי יהיה ריב בין אנשים[...] והצדיקו את הצדיק והרשיעו את הרשע (“If there is a dispute between men […] the judges decide their case, and they justify the righteous and condemn the wicked”). Isaiah reproaches the sinners “who acquit the guilty (מצדיקי רשע) for a bribe” (5:23). Second Temple literature continues along the same trajectory, as in the paraphrase of Deut 25:1 in the *Damascus Document*, which declares that the author’s sinful opponents justified the guilty: ויצדיקו רשע וירשיעו צדיק ויעבירו ברית ויפירו חוק (“acquitted the guilty and sentenced the just, violated the covenant, broke the precept”, CD*-*A I 19-20; cf. IV 7. Cf. also Sir 10:29).[[9]](#footnote-9)

**II. Previous Interpretations and a New Proposal**

Commentators have tried to explain the sentence אל תבוש [...] ועל משפט להצדיק רשע in 42:2b in various ways, but surprisingly they do not seem to address the difficulty we have noted.[[10]](#footnote-10) Thus, for example, G.H Box and W.O.E. Oesterley, followed by Patrick W. Skehan and Alexander A. Di Lella, have interpreted this sentence to mean, “not to hesitate to acquit the ungodly man when he is proved innocent of a particular charge.”[[11]](#footnote-11) However, this interpretation distorts the simple interpretation of the word רשע (“guilt, wicked person”) and adds additional elements to the sentence. The term רשע in the Hebrew Bible and in Sirach always refers to a guilty person who must be punished. Thus, e.g., Sir 5:6, כי רחמים ואף עמו ועל רשעים יניח רגזו “for both mercy and wrath are with him, and his anger will rest on sinners” [C, cf. A], and many other instances. [[12]](#footnote-12) It never denotes someone who is merely *suspected* of being guilty of a particular wrongdoing, but is not actually so, and who should be acquitted after discovery of his innocence in the matter at hand.[[13]](#footnote-13)

Another interpretation was suggested by Moshe H. Segal and others. They explain the verse as an instruction for a judge not to be embarrassed in rendering his verdict, lest he acquit a wicked person.[[14]](#footnote-14) Like the previous suggestion, this interpretation adds additional elements to the verse that are not explicit in the text. It also problematically takes the verse as referring to a judge rather than to the common man, who is the subject of the rest of the section. Moreover, according to this interpretation, Ben Sira deviated from the regular form of this unit only in this half-verse (42:2b). Whereas throughout the unit (42:2–8) Ben Sira lists things that *must be done* with courage and without shame, here, according to Segal, Ben Sira mentions something that *should not be done*, and that would happen only if the man would be embarrassed. Therefore, verse 42:2b cannot be explained by the hermeneutic maneuver of changing the simple meaning of the Hebrew terms רשע or להצדיק.

Instead, I propose employing a text-critical approach to resolve the difficulty in a manner that is consistent with the meaning of the Hebrew words and with the context in Sirach. I suggest that the *‘ayin* which stands at the beginning of the following sentence, על חשבון חובר (42:3 [B]), has been copied twice, and that this dittography corrupted an original word, רש, yielding the wordרשע that appears in our current text.[[15]](#footnote-15) The earlier version of the verse, according to my suggestion, would have been אל תבוש [...] על תורת עליון וחוק ועל משפט להצדיק רש\* (“do not be ashamed of a judgment to maintain the right of the needy”). This is a similar instruction to Ps 82:3 עָנִי וָרָשׁ הַצְדִּיקוּ (“maintain the right of the lowly and the needy”). It may be further suggested that the beginning of the psalm as a whole served as a source of inspiration for Sir 42:1-2, since the expression נשא פנים also appears in the psalm (82:2), although its usage in Sirach is very different:[[16]](#footnote-16)

Ps 82:2-3: עַד-מָתַי תִּשְׁפְּטוּ-עָוֶל וּ**פְנֵי** רְשָׁעִים **תִּשְׂאוּ**... שִׁפְטוּ-דַל וְיָתוֹם עָנִי וָ**רָשׁ הַצְדִּיקוּ**

Sir 42:1-2: [א]ך על אלה אל תבוש ואל **תשא פנים** וחטא על תורת עליון וחק ועל משפט **להצדיק רש**\*

Ps 82:2-3: How long will you judge unjustly and show partiality to the wicked? (lit. *lift up the face* of the wicked) [*...*] Give justice to the weak and the orphan; *maintain the right of* the lowly and *the needy*.”

Sir 42:1-2: But of the following things do not be ashamed, and do not feel shame (lit. *lift up one’s face*) and (bear) sin, of the law of the Most High and his covenant, and of a judgment *to maintain the right of* *the needy*\*

According to this emendation, Ben Sira opened the unit devoted to the instruction, “do not be ashamed,” with two issues that represent central values in biblical literature: the observance of the Torah (תורת עליון וחק) and maintaining the rights of the lower classes (משפט להצדיק רש\*). Subsequently, Ben Sira dealt with a series of new issues (42:3–10), most of which are not known from the literature preceding Sirach. The theme of just support for the rights of the poor is a prominent one in Sirach. In chapter 4 he dedicates a lengthy passage to the topic of helping the poor (4:1–10), and so too in other passages (cf., e.g., 10:22–11:1). These texts provide additional support for the proposed emendation to 42:2b, while the current text in the Hebrew and Greek manuscripts “to be not ashamed of a judgment to acquit the wicked” has no parallel in Sirach or in any other earlier work.[[17]](#footnote-17) The manuscript evidence can therefore best be explained as a result of a textual accident which occurred at a stage when the text of verses 42:2-3 was written continuously, unlike the current situation in manuscripts B and M in which each verse is on a separate line.[[18]](#footnote-18)

**III. Additional examples of רש / רשע retroversions**

A similar phenomenon of the retroversion of רש/רשע is attested twice in Proverbs. The closest to our case occurs in Prov 28:15. While MT reads: אֲרִי-נֹהֵם וְדֹב שׁוֹקֵק מוֹשֵׁל **רָשָׁע** עַל עַם-דָּל  (“Like a roaring lion or a charging bear is a *wicked* ruler over a poor people”), LXX translates the second half of the verse as ὃς τυραννεῖ **πτωχὸς** ὢν ἔθνους πενιχροῦ (“he who, being *poor*, rules an impoverished people”).[[19]](#footnote-19) It is most likely that the scribe of the LXX *Vorlage* read רש instead of MT רשע, probably due to haplography of one of the two adjacent *‘ayin*s ((רשע על. The very same words caused the same problem in Sir 42:2 as we suggested above. The MT version here is probably the preferred reading, as the adjective רשע (“wicked”) fits the description of a ruler who governs poor subjects and is compared to the roaring lion and a bear which is about to attack (cf. Prov 19:20; 20:2; Zeph 3:3).[[20]](#footnote-20) In contrast, the simile in LXX, which compares a poor king who rules a poor people to a predatory animal, is quite odd.

A similar, but reversed, phenomenon appears in the same chapter, in Prov 28:3. While MT reads גֶּֽבֶר־רָ֭שׁ וְעֹשֵׁ֣ק דַּלִּ֑ים מָטָ֥ר סֹ֝חֵ֗ף וְאֵ֣ין לָֽחֶם (“A man who is *poor* and oppresses the lowly [is like] a torrential rain without bread”), LXX translates ἀνδρεῖος ἐν ἀσεβείαις συκοφαντεῖ πτωχούς. ὥσπερ ὑετὸς λάβρος καὶ ἀνωφελής, (lit. “A strong man blackmails the poor *by ungodly deeds*, like a violent and useless rain”).[[21]](#footnote-21) Many scholars follow the LXX version, suggesting that an earlier version of the beginning of the verse read גבר רשע עשק דלים (“A wicked man who oppresses the lowly”).[[22]](#footnote-22) They explain the verse as a comparative nominal sentence that portrays the wicked oppressor of lowly people as a torrential rain which ruins the crop and prevents bread production. Here, the LXX version is smoother than MT, since the term רש always refers in biblical Hebrew to one of weak social status who is oppressed and exploited by people of higher rank. The MT text describing a poor man as an oppressor of other poor men is unusual.[[23]](#footnote-23)

These two examples in Proverbs show how unusual readings can be produced by textual changes from רש and רשע, or vice versa, due to haplography or dittography of the letter *‘ayin* of the subsequent word.

**IV. “Afterlife” of Sirach 42:2 and Conclusions**

Most scholars agree that conjectural emendations should be a last resort when solving textual problems in the biblical text.[[24]](#footnote-24) In this case, the conditions justifying emendation fulfill generally accepted criteria: (1) The verse in Sir 42:2 cannot be explained in its present form, whereas the proposed emendation is more appropriate in this context, and it is even possible to identify the biblical verses (Ps 82:2-3) that served as the source of inspiration for the verse in Sirach. (2) It is possible to identify the textual phenomenon that was likely to have occurred and to present additional parallels to this phenomenon (Prov 28:3, 15). Despite the antiquity of the manuscript from Masada, it is not necessary to assume that it preserves the original version in every instance, and certainly not all of the variants were preserved in the extant manuscripts or versions.

Nonetheless, as often happens with corrupted texts, even textual errors have their own “afterlife.” When a variant becomes part of the textual transmission it remains in the memory of the readers for generations, and they give it a new life through creative interpretation.[[25]](#footnote-25) This may have occurred in the case of Sir 42:2. The Greek translation καὶ περὶ κρίματος **δικαιῶσαι τὸν ἀσεβῆ** (“and of rendering judgment *to acquit the ungodly*”) is most probably alluded to in the approbative statement in the Epistle to the Romans 4:5, “But to one who without works trusts him who justifies the ungodly, such faith is reckoned as righteousness.” The combination of the verb δικαιόω + adjective ἀσεβής appears twice in the LXX (Exod 23:7; Isa 5:23), both times with a negative valence; i.e., these texts regard the act of justifying the wicked as something that should not be done. The sole Septuagint text that can possibly be regarded as positive—i.e., as designating an act that should be done without shame—is Sir 42:2. It appears that Rom 4:5 took this wording in its positive understanding but, in a midrashic style of interpretation, it attributed a new meaning to the biblical term רשע, which does not exist in either Biblical Hebrew or in the Hebrew of Sirach.[[26]](#footnote-26) The speech in Rom 4:5: πιστεύοντι δὲ ἐπὶ τὸν **δικαιοῦντα τὸν ἀσεβῆ**, λογίζεται ἡ πίστις αὐτοῦ εἰς δικαιοσύνην (“to one who …trusts him who *justifies the ungodly*, such faith is reckoned as righteousness”) interprets the רשע of Sirach as one who repents, like David, whose lawless deeds have been forgiven (Rom 4:6-7); or like Abraham, who was justified because of his faith although he was not circumcised (ibid 9-12). The innovative understanding found in this Pauline letter might work with the Greek text of Sirach, but it cannot accommodate the Hebrew terms underlying the Greek. The reader should not expect to find it in the Hebrew text of Sirach. While the Hebrew *Vorlage* of the LXX of Sirach 42:2 may have been ועל משפט להצדיק רשע, this Hebrew text cannot sustain a positive interpretation. As we have demonstrated, it is best understood as the product of corruption during the process of transmission, having derived from an original wording of להצדיק רש.

1. \* For the Hebrew text of Sirach, I have consulted the images of the Hebrew manuscripts available online at https://www.bensira.org. The Greek text and the numbering of the verses follow Ziegler, *Sirach.* The English translation is adapted from NRSV.

   For the correct reading of M see Strugnell, “Notes and Queries,” 114, against the reading of Yadin, “Ben Sira Scroll,” 181. The edition of the Historical Dictionary (Ben-Ḥayyim, *Ben Sira*, 48) does not make a decisive determination, and records both options, מהלכת and מהלמת. [↑](#footnote-ref-1)
2. [↑](#footnote-ref-2)
3. [↑](#footnote-ref-3)
4. [↑](#footnote-ref-4)
5. [↑](#footnote-ref-5)
6. [↑](#footnote-ref-6)
7. [↑](#footnote-ref-7)
8. The secondary version of manuscript B has ועל מצדיק (“and of one practicing justice”) instead of משפט ועל (“of [rendering] judgment,” M, B margin, Greek), which does not change the meaning of the verse significantly. [↑](#footnote-ref-8)
9. [↑](#footnote-ref-9)
10. It seems that only Middendorp paid attention to the difficulty, adopting a solution similar to Segal (see below) and NEB. [↑](#footnote-ref-10)
11. [↑](#footnote-ref-11)
12. [↑](#footnote-ref-12)
13. [↑](#footnote-ref-13)
14. [↑](#footnote-ref-14)
15. [↑](#footnote-ref-15)
16. [↑](#footnote-ref-16)
17. [↑](#footnote-ref-17)
18. I further suggest that the marginal version in the next verse in manuscript B וישר resulted from a similar dittography. While other versions have the better reading ויש (“and property”, 42:3), the version in the margin reflects a dittography of the consecutive *waw* at the beginning of the first word of the next verse (ועל, 42:4 [B]), which was later regarded as a *resh*, and attached to the last word of verse 3. Cf. Menahem Kister, “A Contribution,” 351 n. 172. [↑](#footnote-ref-18)
19. [↑](#footnote-ref-19)
20. [↑](#footnote-ref-20)
21. The Greek text ἐν ἀσεβείαις (“by ungodly deeds”) may reflect a Hebrew text such as בְּרֶשַׁע (cf. LXX to Hos 10:13; Jb. 35:8; Prov 4:17; Ec. 8:8). If so, it is a variant reading of the Hebrew reconstruction גבר רָשָׁע, or a free translation. [↑](#footnote-ref-21)
22. [↑](#footnote-ref-22)
23. It may be conjectured that a third version preceded both MT and LXX versions, such as גבר עשִיר עֹשק דלים מטר סחף ואין לחם (“a *rich* man who oppresses the lowly [is like] a torrential rain without bread”). The rich man’s wealth is valuable, but when it comes from oppression of the needy, it is counted to the rich man’s disadvantage and is condemned, just like the rain, which is desirable when it comes in its proper time and amount, but when torrential rain falls, it damages the crop. A similar idea, formulated in a close wording, occurs in Prov 22:16: עשק דל להרבות לו נֹתֵן לעשיר אך למחסור (“Oppressing the poor in order to enrich oneself, [is like] giving to the rich—pure loss”). [↑](#footnote-ref-23)
24. For more positive attitude toward emendations see [↑](#footnote-ref-24)
25. A famous example is the *Qere* form ינון in Ps 72:17 “May his name endure forever, his name *yinōn* as long as the sun.” Although this work is clearly a corruption of the word יכון, the sages interpreted it as one of the Messiah‘s names (e.g. b. Sanh. 98b). [↑](#footnote-ref-25)
26. For the midrashic character of the epistle cf.   [↑](#footnote-ref-26)