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5. HEBREW CONTACTS WITH NEAR EASTERN RELIGIONS

I. INTRODUCTION: SOME GENERAL PRINCIPLES

(a) *The Question of Relationship*

A major question in the study of Old Testament and Ancient Near Eastern religion is that of the significance of similarities, real or supposed. What degree of relationship (if any) do they imply? Three degrees of possible relationship may be defined:

1. Characteristics common to human society the world over. These are so general that they are almost valueless for our present enquiry.
2. Characteristics common to, and at home with, both the Hebrews and their contemporaries. These are the mark of a common cultural heritage.
3. Characteristics which are at home in one culture (and have a history there) may suddenly appear (without any antecedents) in another culture, perhaps being modified and/or assimilated, or even dying out again.¹ This would represent a borrowing by the latter culture from the former² (or *transfer*, to use a more neutral term).

(b) *Basis for the Investigation of these Questions*

It should be said that there is nothing inherently wrong in cultural borrowing or transfer; it can be a source of enrichment.

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And it is worth remarking that the God of the Old Testament is portrayed as exercising control not only over Israel but also over Israel's environment.

On the other hand, denial of the unique elements in any culture, or misreading the elements of one culture in terms of another, only produces gross distortion of the understanding, whether it be in relation to Old Testament religion and literature or to any other Ancient Near Eastern culture (Egypt, Mesopotamia, etc.).

¹ For an excellent example of this in relation to Egypt and Mesopotamia, see H. Frankfort, *The Birth of Civilization in the Near East*, 1951, pp. 83, 100-101 (Appendix).

² Always supposing, of course, that the 'sudden' appearance of phenomena in the second culture is not really the chance result of *lack* of evidence (*i.e.*, negative evidence) for its having a prior history there. Allowance must always be made for this source of uncertainty according to the state of documentation available.

In fact, it is necessary to deal individually and on its own merits with each possible or alleged case of relationship or borrowing by making a detailed comparison of the full available data from both the Old Testament and the Ancient Orient and by noting the results.³ In the following examples, lack of space forbids any such full treatment. Instead only the main results of a few such investigations can be given and some of the more important details noted.

II. CREATION AND FLOOD STORIES

There is no indisputable evidence that the Hebrew accounts are directly dependent upon the known Babylonian epics, despite a common belief to the contrary. Patriarchal origins in Mesopotamia point back to a common stream of tradition, known to be fully developed early in the second millennium BC.⁴

(a) Creation

The aims of Genesis 1 and 2 and of the so-called 'Babylonian' Creation' (*Enuma Elish*) are quite distinct. Genesis aims to portray the sole God as sovereign creator, whereas the primary purpose of *Enuma Elish* is to exalt the chief god of the Babylonian; pantheon by narrating how he and his city attained supremacy,

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in cosmological terms;⁵ the acts of creation attributed to the deity at the end serve this main purpose of glorifying him and also define the role of man in relation to the gods (their servant). Moreover, in this so-called 'creation-narrative', only about one sixth deals with creative acts - all the rest is occupied by the main theme of how Marduk of Babylon became supreme, plus the list of his fifty names.⁶ The contrast between the monotheism and simplicity of the Hebrew account and the polytheism and elaboration of the Mesopotamian epic is obvious to any reader. The common assumption that the Hebrew account is simply a purged and simplified version of the Babylonian legend (applied also to the Flood stories) is fallacious on *methodological* grounds. In the Ancient Near East, the rule is that simple accounts or traditions may give rise (by accretion and embellishment) to elaborate legends,⁷ but not vice versa. In the Ancient Orient, legends were not simplified or turned into pseudo-history (historicized) as has been assumed for early Genesis.

³ A good example is the recent study of the possible relationship Proverbs with the Egyptian Instruction of Amenemope by J. Ruffia; (scheduled for early publication); careful study of both books *in their full, Near Eastern context* (instead of in isolation, as is commonly done) has shown how inadequate are the grounds for relationship offered hitherto.

⁴ Cf. above, p. 41, (c); other indications must be passed over, here.

⁵ Cf. A. L. Oppenheim, *Ancient Mesopotamia*, 1964, p. 233 top; Heidel in next note.

⁶ On these matters, see A. Heidel, *The Babylonian Genesis*³, 1951 (paperback, 1963), pp. 10-11. For translations of the Epic, see Heidel, *op. cit.*, and Speiser, *ANET*², pp. 60-72, 514.

⁷ This process can be illustrated in Egypt from the legend of Sesostris (K. Sethe, *Sesostris in Untersuchungen Äg. Altertums*, II: 1, 1900: cf. G. Posener, *Littérature et Politique dans l'Égypte de la XIIe Égypte*, 1956, pp. 141-144), and from progressive exaggerations in later traditions about the rule of the Hyksos kings in Egypt (see T. Säve-Söderbergh, *JEA* 37 (1951), pp. 53-71, esp. 55-56, 61, 64, 69-7). In Mesopotamia, cf. the growth of traditions around Gilgamesh king of Uruk (W. G. Lambert in P. Garelli (ed.), *Gilgameš et sa Légende*, 1960, pp. 50-52). For *Enuma Elish*, etc., cf. also the remarks of A. L. Oppenheim, *Ancient Mesopotamia*, 1964, pp. 177-178.

Another complete fallacy is the belief that the word *tehom*, 'deep', in Genesis 1:2, shows dependence of the Hebrew upon the Babylonian. In fact the Hebrew word is linguistically a zero form (unaugmented by formative elements) and cannot be derived from the Babylonian word *Ti'amat* which is itself a derived form, principally a proper name, and in any case shows different contextual usage. In fact, *tehom* is common Semitic, as shown by Ugaritic *thm*, 'deep' (also in plural and dual) from

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early in the second millennium BC,⁸ in contexts that have no conceivable link with the Babylonian epic. Thus there is no evidence here for Hebrew borrowing from Babylonian,⁹ and even the existence of any real relationship at all between Genesis and *Enuma Elish* is open to considerable doubt.¹⁰

(b) The Flood

In the case of Genesis 6 to 8 and the Mesopotamian stories of the Flood, the situation is different.¹¹ A series of basic general similarities suggests a definite relationship between the two traditions; but there are also many detailed differences (form of Ark, duration of Flood, the birds) and the Hebrew version is again simpler and less evolved. The Hebrew and Babylonian accounts may go back to a common ancient tradition, but are not borrowed directly from each other.¹² The verdict of some specialists in cuneiform literature (e.g., Heidel, Kinnier-Wilson) is even more cautious,¹³ a fact that ought to be remembered in; Old Testament studies.

III. THE SINAI COVENANT

At the heart of ancient Israelite religion stands the concept of

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the covenant, and in particular the covenant made between Israel and her God at Mount Sinai.¹⁴ Mendenhall has pointed out¹⁵ striking parallels in form between this covenant in Exodus 20 ff.

⁸ *Thm/thmt/thmtm* occurs in the epics of Baal and 'Anath, Aqhat (originating in the twentieth to sixteenth centuries BC; see references quoted in note 93, p. 52, above), and in the Birth of Shahar and Shalim; refs. in G. D. Young, *Concordance of Ugaritic*, 1956, p. 68, No. 1925.

⁹ The basic philological facts are presented by Heidel, *op. cit.*, pp. 98-101 (*cf.* also J. V. Kinnier Wilson in *DOTT*, p. 14), however unwilling some Old Testament scholars may be to face them. Such misconceptions are; also exposed by W. G. Lambert, *JTS* 16 (1965), 287-300 (esp. 289, 291, 293-299, for creation).

¹⁰ E.g., Kinnier Wilson, *op. cit.*, p. 14.

¹¹ Translations in *ANET*², pp. 42-44, 72-99; for the Gilgamesh Epic, see also A. Heidel, *The Gilgamesh Epic and Old Testament Parallels*², 1949 (paper, back, 1963); M. David, in Garelli, *op. cit.*, pp. 153-159. For the Atrakhasis Epic, see references given above, p. 41, notes 25-27.

¹² Full and careful discussion by Heidel, *Gilgamesh Epic...*, pp. 224-269.

¹³ *Cf.* Heidel, *op. cit.*, pp. 267-268; Kinnier Wilson, *DOTT*, p. 21 ('fundamental difference'). Lambert, *op. cit.*, pp. 291-293, 299, also delimits the possibilities of relationship, but too easily rejects 'common tradition' going far back, on inconclusive and largely negative (hence unsatisfactory) grounds.

¹⁴ Expounded notably by W. Eichrodt, *Theology of the Old Testament*, I, 1961 (translated from sixth German edition, 1959).

(renewed in Joshua 24) and the international covenants or treaties of the fourteenth thirteenth centuries BC recovered mainly from the Hittite archives at Boghazköy.¹⁶ He also suggested that there was a significant difference in form between these late-second-millennium treaties¹⁷ and treaties of the first millennium BC, and that the form of the Sinai covenant corresponded to that of the treaties of the second millennium but not to those of the first millennium BC.¹⁸ This, if

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true, would suggest that the Sinai covenant (like its strictest parallels) really did originate in the thirteenth century BC at the latest,¹⁹ *i.e.*, in the general period of Moses. However, because there are some elements common to the covenants of both the second and first millennia BC, some scholars would claim that in fact there was no basic change in covenant forms as between the second and first millennia BC.²⁰ In this case, the parallel between the Sinai covenant and the second-millennium treaties would lose something of its chronological significance but not its value for our general understanding of covenants. In view of this divergence of opinion, a brief re-examination of the forms of the Ancient Oriental and Sinai covenants is desirable.²¹

(a) Covenants of the Late Second Millennium BC

¹⁵ In *BA* 17 (1954), pp. 26-46, 50-76 (esp. 53-70), reprinted as *Law and Covenant in Israel and the Ancient Near East*, 1955. Subsequent general studies include: K. Baltzer, *Das Bundesformular*, 1960; D. J. McCarthy, *Treaty and Covenant*, 1963; H. B. Huffmon, *CBQ* 27 (1965), pp. 101-113; F. Nötscher, *Biblische Zeitschrift (NF)* 9 (1965), pp. 181-214; J. A. Thompson, *The Ancient Near Eastern Treaties and the Old Testament*, 1964. Surveys: A. S. Kapelrud, *Studia Theologica* 18 (1964), pp. 81-90; D. J. McCarthy, *CBQ* 27 (1965), pp. 217-240. On Deuteronomy, cf. M. G. Kline, *Treaty of the Great King*, 1963 (including studies that appeared in *WTJ* 22 (1959/60) and 23 (1960/61)). On phraseology, etc.: E. Merstad, *Wenn du der Stimme des Hewn, Deines Gottes, gehorchen wirst...*, 1960; J. N. M. Wijngaards, *The Formulas of the Deuteronomic Creed*, 1963, and *VT* 15 (1965), pp. 91-102.

¹⁶ The principal treaties are published in: E. F. Weidner, *Politische Dokumente aus Kleinasien*, I/II, 1923, and J. Friedrich, *Staatsverträge des Hatti-Reiches*, 1/1 1, 1926/30 (=MVÄG, 31:1 and 34:1), to which add J. Nougayrol, *Palais Royal d'Ugarit*, IV, 1956, pp. 85-101, 287-289; H. Freydank, *MIO* 7 (1960), pp. 356-381; H. Klengel, *OLZ* 59 (1964), col. 437-445, and *ZA* 56/NF 22 (1964), pp. 213-217; E. von Schuler, *Die Kaššäer*, 1965, pp. 109-140. Further references for texts and studies, cf. A. Goetze, *Kleinasien*², 1957, pp. 95-96, and McCarthy, *Treaty and Covenant*, 1963, pp. xiii-xiv; xv ff.

¹⁷ Earlier treaties down to the fifteenth century BC (i) are too early for comparison with data of Moses or later time, and (ii) do not have the fully developed form of the fourteenth/thirteenth centuries BC. Hence, however relevant to earlier covenants, they require no consideration here.

¹⁸ *BA* 17 (1954), pp. 56 end and n. 19; 61. In favour of Mendenhall's view, M. G. Kline, *WTJ* 23 (1960/61), pp. 1-15, and *Treaty of the Great King*, 1963, pp. 42-44, 48 and *passim*; Kitchen (unpublished observations from 1955); W. F. Albright, *From the Stone Age to Christianity*, 1957, p. 16 end; W. L. Moran, *Biblica* 43 (1962), p. 103, and J. Harvey, *ibid.*, p. 185 ('âge mosaïque', cf. p. 175 with Huffmon, *JBL* 78 (1959), p. 295); S. R. Külling, *Zur Datierung der 'Genesis-P-Stücke' (Gen. XVII)*, 1964, pp. 238-239; cf. H. B. Huffmon, *CBQ* 27 (1965), p. 109 and n. 41.

¹⁹ About 1200 BC, movements of peoples with the incoming Iron Age, etc., altered political and other conditions in the Ancient Orient quite considerably; cf. Goetze, *Kleinasien*², 1957, pp. 184-187; H. Schmökel, *HdO*, II: 3, pp. 138-140, 222, 228, 230, 236-237; and esp. Kitchen, *Hittite Hieroglyphs, Aramaeans and Hebrew Traditions*, ch. 3 (forthcoming).

²⁰ See (e.g.) E. Vogt, *Biblica* 39 (1958), pp. 269, 543; D. J. Wiseman, *Iraq* 20 (1958), p. 28; F. C. Fensham, *ZAW* 74 (1962), p. 1 and n. 6; J. A. Thompson, *The Ancient Near Eastern Treaties and the Old Testament*, 1964, pp. 14-15; D. J. McCarthy, *Treaty and Covenant*, 1963, pp. 7, 80 f. (but impelled to note differences, 'sub-groups', p. 82, etc.).

²¹ What follows is primarily based on my own unpublished analysis of the published texts of over thirty Ancient Near Eastern treaties (six or seven of first millennium BC, the rest of late second millennium BC). Only the barest outlines can be given here; details and other aspects must await a fuller presentation elsewhere.

These covenants show a remarkably consistent scheme, as established by Korose²² and summarized by Mendenhall:²³

1. *Preamble or title*, identifying the author of the covenant.
2. *Historical prologue* or retrospect, mentioning previous re-

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lations between the two parties involved; past benefactions by the suzerain are a basis for the vassal's gratitude and future obedience.

3. *Stipulations*, basic and detailed;²⁴ the obligations laid upon the vassal by the sovereign.
4. (a). *Deposition* of a copy of the covenant in the vassal's sanctuary and
(b). *Periodic public reading* of the covenant terms to the people.
5. *Witnesses*, a long list of gods invoked to witness the covenant.
6. (a). *Curses*, invoked upon the vassal if he breaks the covenant, and
(b). *Blessings*, invoked upon the vassal if he keeps the covenant.

Nearly all the known treaties of the fourteenth thirteenth centuries BC follow this pattern closely. Sometimes some elements are omitted, but the order of them is almost invariable,²⁵ whenever the original texts are sufficiently well preserved to be analysed. This is, therefore, a stable form in the period concerned. Earlier than this, the pattern was apparently somewhat different.²⁶ Besides these written elements, there were apparently also:

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7. A formal oath of obedience.
8. An accompanying solemn ceremony.

²² In his fundamental work, *Hethitische Staatsverträge*, 1931 (a new edition is expected); our main concern here is with the vassal or suzerainty treaties imposed on a vassal by an overlord or Great King.

²³ *BA* 17 (1954) pp. 58-61.

²⁴ For this distinction, cf. K. Baltzer, *Das Bundesformular*, 1960, pp. 20, 22-24 ('Grundsatzklärung' and 'Einzelbestimmungen').

²⁵ Among all the late-2nd-millennium treaties analysed, only one had its historical prologue between two lots of stipulations (with Amurru, in Hittite and Babylonian versions; Freydank, *MIO* 7 (1960), pp. 358 ff. (text), 366 ff. (translation), with short basic stipulations just after the title, plus H. Klengel, *OLZ* 59 (1964), col. 437-445) And when the treaties are concluded with tribal groups or leaders, not monarchs as vassals, the divine witnesses can appear in this position; so E. von Schuler, in G. Walser (ed.), *Neuere Hethiterforschung*, 1964 (= *Historia, Einzelschrift* 7), p. 38, citing treaties with Hukkanas and the Hayasa-people (Friedrich, *Staatsverträge*, II, No. 6), with Ishmirikka, Gasgeans, etc. (sources in Laroche, *RHA* 14/Fasc. 59 (1956), pp. 78-79, Nos. 87, 95, 96).

²⁶ Cf. H. Otten, *JCS* 5 (1951), p- 132 end; W. L. Moran, *Biblica* 43 (1962), p. 104 middle; S. R. Külling, *Zur Datierung der 'Genesis-P-Shicke'*, p. 229.

9. A formal procedure for acting against rebellious *vassals*.

(b) Covenants of the First Millennium

For the first millennium BC, our material is at present much less extensive. It consists of some six Assyrian treaties of the ninth to seventh centuries BC,²⁷ and the Aramaic treaty or treaties²⁸ of the eighth century BC,²⁹ of Bar-Ga'yah and Matiel. An analysis of even this limited material shows the following picture:

1. Preamble or title (where the beginning of the text exists).
2. then Stipulations and Curses,³⁰ succeeded or preceded by the divine
3. } Witnesses.³¹
- 4.

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While the second and first-millennium covenants have a common core of Title, Stipulations, Witnesses and Curses, and also share some vocabulary and forms of expression,³² yet these are the banal, obvious things. One expects a title to any formal document; any covenant must have stipulations or conditions; witnesses are necessary guarantors for many kinds of legal documents; the curse was an automatic sanction against disobedience; and some common terminology is only to be expected. Much more significant are the *differences*:

²⁷ 1. Shamshi-Adad V, c. 820 BC (Weidner, *Afo* 8 (1932), pp. 27-29); 2. Assurnirari VI and Mati-el, c. 754 BC (Weidner, *Afo* 8 (1932), pp. 17-27; McCarthy, *Treaty and Covenant*, pp. 195-197); 3. Esarhaddon and Baal of Tyre, c. 677 BC (Weidner, *op. cit.*, pp. 29-34; McCarthy, *op. cit.*, p. 72 n. 15, pp. 197-198; R. Borger, *Die Inschriften Asarhaddons*, 1956, pp. 107-109); 4. Esarhaddon and the Medes, 672 BC, nine duplicates on one pattern (Wiseman, *Vassal-Treaties of Esarhaddon = Iraq* 20 (1958), pp. 1-99); 5. Assurbanipal as crown prince (Weidner, *Afo* 13 (1940), p. 215 (c); Taf. 14, VAT 11534); 6. Assurbanipal, his brother, etc. (cf. Harper, *Assyrian and Babylonian Letters*, 1105, recto 5-25; L. Waterman, *Royal Correspondence of the Assyrian Empire*, II, 1931, pp. 266-269); 7. Sin-shar-ishkun (Weidner, *op. cit.*, p. 215, n. 69, Assur 13955z); 8. Other fragments (e.g., Clay-Borger fragment, Borger, *Wiener Zeitschrift für die Kunde des Morgenlandes* 55 (1959), pp. 73-74.

²⁸ Three copies of one treaty, or up to three related treaties (Sfiré I, II, III). Cf. M. Noth, *ZDPV* 77 (1961), pp. 126 ff., 147-151, 168-170, etc., and McCarthy, *Treaty and Covenant*, 1963, p. 62.

²⁹ A. Dupont-Sommer, *Les Inscriptions Araméennes de Sfiré (Stèles I et II)*, 1958, and in *Bulletin du Musée de Beyrouth* 13 (1956/58), pp. 23-41 (=III). Subsequent studies include: J. Fitzmyer, *CBQ* 20 (1958), pp. 444-476; *JAOS* 81 (1961), pp. 178-222; F. Rosenthal, *BASOR* 158 (1960), pp. 28-31; J. C. Greenfield, *Acta Orientalia* 29 (1965), pp. 1-18; also, works cited in notes 30, 32, below.

³⁰ Or reversed: *i.e.*, Curses then Stipulations. For treaty-curses, cf. F. C. Fensham, *BA* 25 (1962), pp. 48-50; *ZAW* 74 (1962) pp. 1-9; *ZAW* 75 (1963), pp. 155-5'175; K. R. Veenhof, *Bibliotheca Orientalis* 20 (1963), pp. 142-144; and esp. D. R. Hillers, *Treaty-Curses and the Old Testament Prophets*, 1964.

³¹ Witnesses precede Stipulations and Curses in the Aramaic covenant and the seventh-century Assyrian treaties; they follow in at least one of the earlier Assyrian treaties.

³² On common modes of expression, cf. Fensham, *loc. cit.*, and *JNES* 22 (1963), pp. 185-186, and W. L. Moran, *ibid.*, pp. 173-76, and *CBQ* 25 (1963), pp. 77-87; D. R. Hillers, *BASOR* 176 (1964), pp. 46-47; A. R. Millard, 'For He is Good', *THB* 17 (1966), pp. 115 ff.; these studies usually include OT terminology; for possible Syrian and Egyptian references (2nd millennium) to *berit*, cf. Albright, *BASOR* 121 (1951), pp. 21-22, and McCarthy, *Treaty and Covenant*, 1963, p. 105 and n. 26. The Aramaic treaty also has (in I, C: 16-24; II, C:1-16) additional curses upon anyone who damages the inscription, but this is not peculiar to treaties; cf. S. Gevirtz, *VT* 11 (1961), pp. 137-158 esp. 140-146.

1. In the late-second-millennium covenants so far as preserved, the divine witnesses almost always³³ come between the stipulations and the curses, whereas in the first-millennium covenants so far known they never do.

2. A historical prologue is typical of late-second-millennium covenants, but is unknown in our first-millennium examples.³⁴

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3. In late-second-millennium covenants, the blessings are a *regular*, balancing pendant to the curses; in the first-millennium documents, the curses have *no* corresponding blessings.³⁵

4. The order of elements in late-second-millennium treaties shows *great consistency*, but the first-millennium ones show *varying usage*: stipulations and curses may occur in either order and be either preceded or succeeded by the witnesses.

Thus, on the evidence now available, there *are* clear and undeniable differences in form and content between covenants of the late second and the first millennia BC.

(c) Analysis of the Sinai Covenant

The Sinai covenant is first preserved in Exodus 20 to 31; it was broken by the idolatry of the people (Ex. 32-33), and so had to be renewed immediately (Ex. 34) - In the plains of Moab, this covenant was renewed with a new generation (Dt. 1-32: 47; (recapitulated in 29-30)), and again at Shechem (Jos. 24). In the analysis below, the three main (and one subsidiary) parallel sets of references are lettered A, B, (C), D, for clarity. The following elements may be discerned.

1. *Preamble*: A. Exodus 20:1. B. Deuteronomy 1:1-5- (C. Dt. 29:1 ?). D. Joshua 24:2.

2. *Historical prologue*: A. Exodus 20:2. B. Deuteronomy 1:63:29.³⁶ (C. Dt. 29:2-8). D. Joshua 24:2-13.

³³ For a special class of exceptions, *cf.* above, p. 93, note 25.

³⁴ Thompson's expedients to explain away the lack of historical prologues in first-millennium treaties (*The Ancient Near Eastern Treaties and the Old Testament*, 1964, pp. 14-15) are hardly convincing. The Sfiré and esp. Esarhaddon/Medes treaties are well enough preserved to rule out loss of historical prologues in those cases (*re* the latter, if the prologue was on a separate tablet - then how curious that *no* fragments of such tablets should turn up among those of the 'other' tablet for *nine* parallel treaty-documents!). His appeal to possible oral declaration only, for historical prologues, is an empty guess, unsupported by evidence (and contrast n. 3, end). Where differences exist among groups of treaties, there is no merit in glossing over them. On the other hand, it is just possible that the so-called 'Synchronous History' was part of the prologue of a treaty (A. L. Oppenheim, *Ancient Mesopotamia*, 1964, pp. 146, 284); however, its inordinate time-span of events (700 years, fifteenth-eighth centuries BC) marks it off from all others, and this and its general scheme are more reminiscent of certain chronicle-texts (*e.g.*, Chronicle P); see also p. 73, note 61, above.

³⁵ In Sfiré II, B:4, there seems to be just one blessing - a far cry from the antithesis of Curses/Blessings in late-2nd-millennium covenants. That in Sfiré I, C: 15-16 relates to respect of the inscription, not the treaty (*cf.* Lipit-Ishtar and Hammurapi laws, epilogues), while III: 28-29 might even be a curse on bribery (entirely uncertain), *cf.* version of Rosenthal, *BASOR* 158 (1960), p. 31; Fitzmyer, *CBQ* 20 (1958), p. 464.

³⁶ In this passage, the 'we-form' has no relevance to its status as a historical prologue (*contra* Moran, *Biblica* 43 (1962), p. 105); one must not forget that Moses is here not only spokesman from God (as Sovereign) but also leader of the subject people who had shared with them these historical experiences.

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3. *Stipulations*: A. Exodus 20:3-17, 22-26 (basic); Exodus 21-23, 25-31 (detailed), plus Leviticus 1-25 ?? B. Deuteronomy 4, 5-11 (basic); 12-26 (detailed). (C. Dt. 29:9-31:8). D. Joshua 24:14-15 (plus 16-25, the people's response, *etc.*).
4. (a). *Deposition of Text*: A. Exodus 25:16;³⁷ Exodus 34:1, 28, 29; *cf.* Deuteronomy 10:1-5 (retrospect). B. Deuteronomy 31:9, 24-26. D. *Cf.* Joshua 24:26 (written in the book of the law).

(b). *Public reading*: B. Deuteronomy 31:10-13.
5. *Witnesses*: The gods of paganism were excluded, so the god-lists of the Ancient Oriental covenants are not found in the biblical ones. Instead, memorial-stones could be a witness (A. Ex. 24:4; *cf.* D. Jos. 24:27), or Moses' song (B. Dt. 31:16-30; Dt. 32:1-47),³⁸ or the law-book itself (B. Dt. 31:26), or even the people as participants (D. Jos. 24:22)
6. *Curses and Blessings* occur not in this order but reversed in the Old Testament, following the witness.³⁹ A. Perhaps, *cf.* Leviticus 26:3-13 (blessings), 14-20 (curses; with more for repeated disobedience, 21-33).⁴⁰ B. Deuteronomy 28:1-14 (blessings), 15-68 (curses).⁴¹ D. Implicit in Joshua 24:19-20.⁴²

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Over and above this, one may see indications of items 7 and 8, the *oath* and *solemn ceremony*: A. Exodus 24:1-11. B. Deuteronomy 27⁴³ (fulfilled, Jos. 8:30-35). And finally, the Old Testament equivalent for the *procedure* for action *against a faithless vassal* or covenant-partner (9) is the so-called 'controversy (Hebrew *riḇ*) pattern', in which (ultimately through the prophets) the God of Israel arraigns this people for breaking the covenant. The relevant form taken by the 'controversy pattern' in such cases directly reflects the covenant-form (historical retrospect,

³⁷ The 'testimony' to be put in the Ark of the Covenant was the tablets of that Covenant, *i.e.* bearing the ten commandments (basic stipulations); for the word concerned ('*edūth*'), see below, p. 108, note 84.

³⁸ Note the appeal to 'heaven and earth' (Dt. 32:1); on Dt. 32, see just below, item 9.

³⁹ In the sequence Blessings-Curses-Witness (*exact* reversal). This would appear to be a specifically OT feature, not unconnected with the difference in kind of witnesses invoked. For a similar (but not identical) special variation in late-second-millennium treaties, those made with peoples (as Israel was one), *cf.* above, p. 93, note 25.

⁴⁰ The addition of a period of discipline (verses 34-39) and of a promise of restoration (verses 40-45) seems particular to the Old Testament.

⁴¹ For the curses being longer than the blessings section, one may suitably compare the same situation at the end of the Lipit-Ishtar laws (*ANET*, p. 161: three blessing-clauses; fragments of eight or nine curses out of others now lost), and the Hammurapi laws (*ANET*, pp. 178-180: two blessing-clauses (rev. xxvi: 2 f.) and forty curses ('may...')). The motive of additional deterrent may inspire the inclusion of more curses than blessings; and Ex.-Dt. are laws as well as covenant.

⁴² *Cf.* K. Baltzer, *Das Bundesformular*, 1960, p. 35; McCarthy's remarks on this verse (*Treaty and Covenant*, 1963, pp. 146-147 and n. 11) fail entirely to allow for the conditional nature of the curses explicit in verse 20, showing that verse 19 is merely strongly expressed. No 'chronological' clue exists here, and still less in Deuteronomy.

⁴³ The parallel between the Ex. and Dt. passages is here noted also by McCarthy (*Treaty and Covenant*, p. 173 and n. 11), but not there recognized as constituting the oath and ceremony of treaty-form.

etc.),⁴⁴ finds its starting-point in Deuteronomy 32, and has appropriate good parallels in the second millennium BC.⁴⁵

(d) *Comparison and Consequences*

Now if we take the nature and order of nearly all the elements in the Old Testament Sinai covenant and its renewals as briefly listed above, and compare these with the patterns of the late-second and the first millennium treaties already outlined, it is strikingly evident that the Sinai covenant and its renewals

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must be classed with the late-second-millennium covenants;⁴⁶ it is entirely different in arrangement from the first-millennium covenants and shares with them only the indispensable common core (title, stipulations, witness and curses) and some terminology. In other words, on the total evidence now available, Mendenhall's original view is correct, that in form the Sinai covenant corresponds to the late-second-millennium treaties and not to those of the first millennium.

Accordingly, the obvious and only adequate explanation of this clear fact is that the Sinai covenant really was instituted and renewed in the thirteenth century BC (presumably under Moses at Sinai and in the plains of Moab, and under Joshua at Shechem)⁴⁷ - at *precisely* the period of the other late-second-millennium covenants (fourteenth to thirteenth centuries BC) - and is directly reflected in the frameworks and text of Exodus, Leviticus (chapter 26 at least), Deuteronomy and Joshua 24.⁴⁸ This provides tangible, external ground for suggesting that considerable portions of these books (or, at least, of their contents), including almost the entire framework of Deuteronomy, originated in this same period.⁴⁹

⁴⁴ See the valuable studies by H. B. Huffmon, *JBL* 78 (1959), pp. 285-295, esp. 294-295, and J. Harvey, *Biblica* 43 (1962), pp. 172-196; also M. Delcor, *VT* 16 (1966), 8-25 (esp. 19-25).

⁴⁵ Texts of Tukulti-Ninurta I of Assyria, late thirteenth century BC, and of Yarim-lim of Aleppo (Yamkhad) in the eighteenth century BC; see Harvey, *op. cit.*, pp. 180-184.

⁴⁶ G. von Rad now admits freely (*Old Testament Theology*, I, 1962, p. 132) that a comparison with the Ancient Near Eastern treaties (especially the Hittite ones) shows 'so many things in common between the two, particularly in the matter of form, that there must be some connection between these suzerainty treaties and the exposition of the details of Jahweh's covenant with Israel given in certain passages of the Old Testament' (*cf.* Kline, *WTJ* 27 (1964), p. 5 and n. 10).

⁴⁷ As far as I know, no other tradition, biblical or extra-biblical, is available to provide names for alternative leaders to Moses and Joshua; and yet *someone* has to take a leading role when a covenant is instituted or renewed. Hence the natural suggestion of Moses and Joshua, despite the phobia attaching to these figures in Old Testament studies, esp. in Germany.

⁴⁸ Otherwise, as noted by K. Koch, *Was ist Formgeschichte?*, 1964, p. 24, this clear relationship (noted even by von Rad) remains 'yet unexplained'.

⁴⁹ I am thinking here primarily of the covenant-structure and content of the passages concerned. On the laws-aspect, much also can be said but must be left aside for presentation elsewhere. Useful comparisons between the curses of Dt. and Neo-Assyrian treaties are made by R. Frankena, *Oudtestamentische Studien* 14 (1965), 122-154, and M. Weinfeld, *Biblica* 46 (1965), 417-427, following on R. Borger, *ZA* 54/NF 20 (1961), 191-192. However, they betray some naivety in assuming that similarity automatically spells Hebrew dependence on late Assyrian usage. The Old Babylonian data cited by Weinfeld (pp. 422, 423) already point toward a different answer - to a long-standing tradition going well back into the second millennium at least, which could have become known in the Westlands even before Moses.

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If these works first took fixed literary forms only in the ninth to sixth centuries BC⁵⁰ and onward, why and how should their writers (or redactors) so easily be able to reproduce covenant-forms that had fallen out of customary use 300 to 600 years earlier (*i.e.*, after about 1200 BC), and entirely fail to reflect the first-millennium covenant-forms that were commonly used in their own day? It is very improbable that Hebrew priests under the monarchy or after the exile would go excavating in Late Bronze Age ruins specially to seek for treaty/covenant forms that in their day would be merely exotic literary antiquities; so far, there is not a scrap of tangible evidence to show that the late-second-millennium pattern survived into the first millennium anywhere but in Israelite religious tradition - and the positive existence and wide use of new forms in the first millennium speak suggestively against the idea of any extensive survival of the older forms. It is surely entirely more rational to admit the plain explanation of a Sinai covenant actually made and renewed in the thirteenth century BC. If this result, attained by a *Formgeschichte* controlled by an external standard of measurement, perchance clashes either in general⁵¹ or in detail⁵²

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with certain long-cherished theories of Hebrew religious evolution or of literary criticism, then (with all due respect) so much the worse for the theories in this field. Facts must take precedence,⁵³ and theories be adjusted to fit them or else (like

⁵⁰ *E.g.*, Deuteronomy considered to be written just before 621 BC, or at some period before or after this date (survey in Eissfeldt, *The Old Testament, an Introduction*, 1965, pp. 171-173).

⁵¹ As Old Testament scholars are now recognizing, Wellhausen's denial of the priority of the covenant in Israel in favour of the prophets (themselves suitably emended) must be firmly discarded; *cf.* (*e.g.*) W. Zimmerli, *The Law and the Prophets*, 1965, pp. 30, 61, 68, 93, and *passim*, or R. E. Clements, *Prophecy and Covenant*, 1965 (=SBT, No. 43), pp. 15, 17, and esp. 22-23; also *passim*. But retrograde steps can occur. In *JNES* 22 (1963), pp. 37-48 C. F. Whitley simply evaded the clear structural correspondences between the Sinai and second-millennium covenants established by Mendenhall (independently of either terminology or assumptions about covenants and amphictyony), merely reiterating Wellhausen's position and, like the latter, gaily emending the prophets in order, as Hillers bluntly but justly observed, 'to make the facts fit a preconceived notion' (*Treaty-Curses and the Old Testament Prophets*, p. 83). E. Gerstenberger (*JBL* 84 (1965), pp. 38-51) quite failed to see the significance of the *written forms* of both Ancient Oriental and biblical covenants; reduction to three main elements (p. 45) is illusory. His evident feeling that the Sinai covenant is also law is justified, but does not exclude it from the covenant-category or -form.

⁵² It is becoming increasingly evident that - regardless of the date of forms - the literary characteristics of the Ancient Near Eastern treaties make nonsense of the usual criteria of conventional literary criticism. A typical selection of such criteria from Steuernagel, König, Wright and Welch (used by many others) as applied to Dt. 28 are exposed as worthless in practice when compared with the first-hand texts of other Near Eastern covenants; see in particular D. R. Hillers, *Treaty-Curses and the Old Testament Prophets*, 1964, pp. 30-35. Furthermore, one should note that it is only the *complete* text in Gn., Ex., Jos., *etc.* - and *not* the supposed 'J' or 'E' (*etc.*) documents - of OT covenant-forms that corresponds to the Ancient Oriental analogues; examples, *cf.* J. A. Thompson, *THB* 13 (1963), pp. 3-5; *TSF Bulletin* 37 (1963), pp. 7-8; summarizing, *Ancient Near Eastern Treaties and the Old Testament*, 1964, pp. 33-35 The explanation is surely that our existing Hebrew text exhibits an original literary form actually used in antiquity - but 'J', 'E', *etc.*, do not; their *Sitz im Leben* is really the eighteenth/nineteenth centuries AD. For other indications of this kind, *cf.* below: Chapter 6, *Literary Criticism*, pp. 127f. Changes of person, recurrent formulae, varied forms of command or curse, *etc.*, simply cannot be used as mechanical criteria.

⁵³ Thus McCarthy's difficulties (*Treaty and Covenant*, 1963, ch. 12, *etc.*) in appreciating the covenant form in Ex. (incl. Decalogue) and Jos. are at heart artificial because they are of his own making. Instead of using the extant text of Ex. and Jos., he dragged in the hypothetical J, E documentary fragments. As also noted by M. G. Kline (*WTJ* 27 (1964), p. 20, n. 30), this will not do; *cf.* previous note. In *Treaty and Covenant*, p. 154, McCarthy blithely makes the astonishing assumption that the casual combination of J, E sources and rearrangement of text in Exodus (by redactors *centuries* later than second-millennium covenants, of course)

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Sethe's 'Hatshepsut theory', p. 22, with n. 18, above) be discarded. At least there can be little doubt that the early Hebrews thus used a set form which was common all over the Ancient Near East and used it in a unique way - to express the relation between a people and its sovereign God, their real Great King, something which was far beyond any merely political relationship between human rulers and other states.

The study of covenant in its setting has also been fruitful for covenants other than Sinai,⁵⁴ and has been of help in the theological field.⁵⁵

IV. ENTHRONEMENT FESTIVALS AND DIVINE KINGSHIP

Some Old Testament scholars (notably Mowinckel) insist that such a festival, on a Babylonian model, was celebrated at New Year in ancient Israel,⁵⁶ reflecting a supposedly widespread Near Eastern usage. But there is no proper (*i.e.*, explicit)

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evidence in the Old Testament for this at all.⁵⁷ No such major festival features among the feasts and rituals of the pentateuchal writings;⁵⁸ the historical books know of passovers and renewals of

should just happen to produce a direct correspondence with a covenant-form half a millennium obsolete! A miracle indeed. On Jos. 24, note Huffmon's comment, *CBQ* 27 (1965), p. 104, n. 16. For omission of curses in second-millennium covenants (McCarthy, *op. cit.*, pp. 166-167), cf. omission with space available in the Hattusil III-Benteshina treaty (E. Weidner, *Politische Dokumente aus Kleinasien*, II, 1923, pp. 134-135, n. 3). These incidental criticisms do not detract from the general value of McCarthy's useful book.

⁵⁴ *E.g.*, F. C. Fensham, *BA* 27 (1964), pp. 96-100 (Israel and the Gibeonites); *BASOR* 175 (1964), pp. 51-54 (Israel and Kenites); *JBL* 79 (1960), pp. 59-60 (Solomon and Hiram); J. Muilenberg, *VT* 9 (1959), pp. 347-365, esp. 360 ff. (Samuel); M. Tsevat, *JBL* 78 (1959), pp. 199-204 (Ezekiel and breach of oath); D. J. McCarthy, *CBQ* 26 (1964), pp. 179-189 (Gn. 21, 26, 31).

⁵⁵ At random, cf. K. Baltzer, *Das Bundesformular*, 1960, who follows the covenant-form into the Dead Sea Scrolls and extra-biblical early Christian writings; D. F. Payne, *THB* 7-8 (1961), pp. 10-16; M. G. Kline, *WTJ* 27 (1964), pp. 1-20, and pp. 115-139; J. A. Thompson, *Journal of Religious History* 3 (1964), pp. 1-19; F. C. Fensham, *ZAW* 77 (1965), pp. 193-202.

⁵⁶ For example, S. Mowinckel, *Psalmstudien II*, 1922 (repr. 1960); He that Cometh, 1956; *The Psalms in Israel's Worship*, I-II, 1962, esp. ch. V. Excellent surveys on the use of the Psalms by Mowinckel and others can be found in A. R. Johnson, 'The Psalms', in H. H. Rowley (ed.), *The Old Testament and Modern Study*, 1951, pp. 162-209, esp. 189-206; H. Cazelles, *Dictionnaire de la Bible*, Supplement, VI, 1960, cols. 622-632; J. Coppens in R. de Langhe (ed.), *Le Psautier (=Orientalia et Biblica, IV)*, 1962, pp. 1-71, esp. 20-42; and esp. on 'royal psalms', E. Lipinski, *ibid.*, pp. 133-272, esp. 133-137, 177-272, Coppens and Lipinski in particular give extensive bibliography.

⁵⁷ Mowinckel and others tend to associate their festival with the Feast of Booths (or 'Tabernacles') in the seventh month, and assume an autumnal New Year (spring and autumn New Years are both attested). But our available evidence shows no New Year aspect for Booths; cf. briefly also E. J. Young, *The Book of Isaiah*, I, 1965, App. III, pp. 494-499.

⁵⁸ Even those who assert a post-exilic date for Ex., Nu., Lv. and Dt., referring their cultic data to 'H' and 'P', *etc.*, usually admit these days that earlier material is contained in these writings. We might therefore expect some explicit evidence here; and the supposedly late date of these books cannot be invoked to explain the absence of clear evidence of the assumed feast in them.

covenant on significant occasions, but not of Enthronement or New Year celebrations.⁵⁹ It is indeed conceivable that during the monarchy there was a New Year feast associated with the temple at Jerusalem which ended with the monarchy, copied, like that monarchy, in some measure from ‘the nations round about’ and not revived by post-exilic orthodoxy.⁶⁰ But this remains purely a speculation, and so is of no value at present.

Mowinckel’s festival is principally based on the highly questionable use of supposed allusions in the Psalms,⁶¹ and on a scheme inspired by supposed Babylonian models (through Canaanite intermediaries).⁶² The phrase YHWH *mālāk* in certain Psalms, despite assertions to the contrary, means simply ‘YHWH reigns’ (or, ‘...exercises kingship’), and not ‘YHWH has become king’ (implying enthronement) as partisans of the theory have held.⁶³ No adequate reason has been offered why

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Israel should import and celebrate an entirely alien type of festival from distant Babylonia, and so far Canaan has failed to yield indisputable evidence for assumed intermediary forms.⁶⁴

Arguments for a uniform basic pattern of myth and ritual throughout the Ancient Near East⁶⁵ have been shown up as inadequate in more than one recent study.⁶⁶ The Mesopotamian evidence is not quite what it was formerly believed to be. The extant text of the Babylonian akitu festival dates to

⁵⁹ Familiar examples are 2 Ki. 11:17 (Joash) and 23:2 ff., 21 ff. (Josiah). It is ludicrous to force specific historical occasions like 2 Sa. 6, or 1 Ki. 8, or even Lamentations, into a New Year mould.

⁶⁰ Cf. for example, the judicious review by H. Cazelles, *Dictionnaire de la Bible, Supplément*, VI, 1960, cols. 632-645 (apart from questionable use of OT data on calendar and autumn feasts).

⁶¹ The chronic ambiguity inherent in such ‘allusions’ is well illustrated by K.-H. Bernhardt, *Das Problem der Altorientalischen Königsideologie im Alten Testament* (=VTS, VIII), 1961, pp. 291-300, esp. 295 ff.

⁶² Cf. Mowinckel, *The Psalms in Israel’s Worship*, I, pp. 132-136.

⁶³ For ‘YHWH reigns’ or the like, cf. O. Eissfeldt, *ZAW* 46 (1928), pp. 81 ff. (esp. 100-102) = his *Kleine Schriften*, I, 1962, pp. 172 ff. (188-191); L. Kohler, *VT* 3 (1953), pp. 188-189; N. H. Ridderbos, *VT* 4 (1954), pp. 87 ff.; and esp. D. Michel, *VT* 6 (1956), pp. 40-68, among others. Mowinckel’s latest defence of his view (*The Psalms in Israel’s Worship*, II, 1962, pp. 222-224) does not begin to answer the Hebrew and comparative facts put up by Michel in particular. That God was never off the throne, so could not be enthroned is countered by H. Ringgren (*The Faith of the Psalmists*, 1963, p. xv) and others with the examples of the (metaphoric) re-enactment of deliverance from Egypt in Passover celebrations, or Christian hymns like ‘Jesus Christ is risen today’. Ringgren forgets (i) this is pure metaphor, and (ii) these were once individual events that happened, and can be thus commemorated, whereas the kingship of God did not ‘happen’ or begin on some past date (real or supposed) in history. The analogy is therefore imaginary. Nothing new comes from A. S. Kapelrud, *VT* 13 (1963), pp. 229-231, except resort to LXX, or from E. Lipinski, *Biblica* 44 (1963), pp. 405-460, overly speculative and much irrelevant matter.

⁶⁴ Contrary to Scandinavian dogma, the texts from Ugarit do *not* offer clear and unambiguous data for sacral kingship (of real kings of Ugarit, as distinct from the gods) in cult, New Year festivals or the like; cf. R. de Langhe, in S. H. Hooke (ed.), *Myth, Ritual and Kingship*, 1958, pp. 122-148 (cf. p. 140, for Kapelrud’s methodologically erroneous assumption of a position itself in need of formal proof).

⁶⁵ See references in note 74, p. 105, below; also T. H. Gaster, *Thespis*, 1950, 2nd ed. (and paperback) 1961.

⁶⁶ E.g., H. Frankfort, *Kingship and the Gods*, 1948; *The Problem of Similarity in Ancient Near Eastern Religions*, 1951; S. G. F. Brandon in S. H. Hooke (ed.), *Myth, Ritual and Kingship*, 1958, pp. 261-291; J. de Fraigne, *Biblica* 37 (1956), pp. 59-73, and work in note 76 below; and K.-H. Bernhardt, *Das Problem d. Altorient. Königsideologie im AT* (VTS, VIII), 1961, pp. 57-66, 291-300.

the Seleucid period (c. 300-100 BC),⁶⁷ and one cannot guarantee how much older it is in precisely this form.⁶⁸ Furthermore, Old

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Testament scholars have used principally the reconstructions of Zimmern, Langdon and Pallis⁶⁹ as a basis for their theoretical reconstructions of an Israelite and general Near Eastern festival. But the accepted reconstruction of the Babylonian feast by Pallis *et al.* is now known to be partially incorrect in that the texts (particularly VAT 9555 and 9538)⁷⁰ supposedly relating the death and resurrection of Marduk (Bel) have no connection with a New Year feast or a death and resurrection, but seem to constitute an Assyrian propaganda-piece against Marduk, probably composed under Sennacherib.⁷¹ Theoretical reconstructions for Israel and elsewhere that are based on the non-existent episodes are therefore quite imaginary. This inspires no confidence in the rest of the guesswork based on allusions.⁷² In any case, akitu-celebrations were not uniform in Mesopotamia, not even in annual periodicity (or time of year), as shown, for example, by the twice-yearly festivals attested at Ur, Uruk and Nippur.⁷³

Other Old Testament scholars have suggested⁷⁴ - again on supposed Mesopotamian patterns - that the Hebrew king was

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perhaps regarded as a divine or semi-divine being who was identified with a dying and rising god of fertility at a New Year festival. For this view, there is no adequate evidence whatsoever.⁷⁵ The

⁶⁷ So A. Sachs, *ANET*, p. 331; F. Thureau-Dangin, *Rituels accadiens*, 1921, pp. 127-154, Translation, Sachs, *ANET*, pp. 331-334.

⁶⁸ Note the cautionary remarks of A. L. Oppenheim, *Ancient Mesopotamia*, 1964, p. 178, and his example, pp. 178 ff.

⁶⁹ H. Zimmern, *Zum babylonischen Neujahrsfest, II*, 1918; S. Langdon, *The Babylonian Epic of Creation*, 1923, pp. 32 ff.; S. A. Pallis, *The Babylonian Akitu Festival*, 1926.

⁷⁰ E.g., Pallis, *op. cit.*, pp. 221 ff.

⁷¹ Shown by W. von Soden, *ZA* 51/NF 17 (1955), pp. 130-166, plus *ZA* 52/NF 18 (1957), pp. 224-234; cf. B. Landsberger, *Brief des Bischofs von Esagila an König Asarhaddon*, 1965, p. 15 (313), n. 9, citing a counterpart text. Note also Bernhardt, *op. cit.* (*VTS*, VIII), pp. 256 n. 2 and 257 n. 2. Marduk's defeat of Tiamat, not death and rising(?), occasioned joy at the akitu festival; cf. W. G. Lambert, *Iraq* 25 (1963), pp. 189-190.

⁷² As a salutary warning against the vagaries of the method, note R. T. O'Callaghan's application (*Orientalia* 22 (1953), pp. 420-421) of Caster's scheme for the Psalms (*Thespis*, 1950, p. 107; 1961, p. 452), on the latter's kind of reasoning, to the historical building-text of Asitiwada king of Que!

⁷³ Cf. A. Falkenstein, *Festschrift für Johannes Friedrich*, 1959, pp. 152, 160, 165; and add a Mari-reference for an akitu-feast in the month Aiaru (G. Dossin, *ARMT*, I, 1950, Letter 50:7, 13, 15, with *Chicago Assyrian Dictionary*, vol. 1 : 1/A-alz, 1964, p. 267).

⁷⁴ E.g., I. Engnell, *Studies in Divine Kingship in the Ancient Near East*, 1943; G. Widengren, *Sakrales Königtum im Alten Testament und im Judentum*, 1955; cf. S. H. Hooke (ed.), *Myth and Ritual*, 1933, *The Labyrinth*, 1935, and his cautious essay in *Myth, Ritual and Kingship*, 1958, pp. 1-21.

⁷⁵ See M. Noth, *Gesammelte Studien zum Alten Testament*, 1957 (²1960), pp. 188-229 (in English as: 'God, King, People in the Old Testament...'), in R. W. Funk and G. Ebeling (eds.) *Journal for Theology and the Church* 1 (1965), 20-48). The dying and rising of Marduk is illusory, cf. p. 105 and note 71, above. So is most of the supposed evidence for the resurrection of Tammuz, cf. O. R. Gurney, *JSS* 7 (1962), pp. 147-160 (one Assyrian text, p. 154). A new text (*UET*, VI: 10) for Inanna's (Assyr.: Ishtar's) Descent to the Underworld was taken by S. N. Kramer (*Proc. APS* 107:6 (1963), p. 515) to indicate that Dumuzi would have two visitors in the Underworld; but A. Falkenstein would interpret the text as saying that Dumuzi/Tammuz spent only half the year 'down under', and half the year on earth, his sister being substitute (XVI. *Deutsche Orientalistentag*,

Israelite king is never a divinity or a demi-god; had he ever made such claims, the Old Testament prophets would have denounced them bitterly.⁷⁶

V. JUDAEAN AND EGYPTIAN KINGSHIP

In 1947, von Rad ingeniously compared details of the coronation of Judaeen kings with that of Egyptian kings, and more especially the Egyptian *nekhbet* (understood as a titular and decree of adoption or recognition of the king from the gods) with Hebrew 'edūth given to the Judaeen king with his crown

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and also taken to represent a titular and decree of adoption, etc.⁷⁷ This suggestion attracted several supporters.⁷⁸

Unfortunately, the Egyptian parallel is not so well founded as it appears. The Egyptian *nekhbet* refers solely to the actual fivefold titles of a pharaoh,⁷⁹ and is not a decree or 'protocol' in any wider sense. A *nekhbet* (titular) can be the subject of a decree, but is not itself a decree, merely titles. Compare the court circular or 'decree' (*wḏ*) of King Tuthmosis I (c. 1500 BC) in which he announces his *nekhbet* of five titles, and then turns to other matters.⁸⁰ There is no question of a *nekhbet* containing in itself a commission to rule or any declaration of divine sonship; the passages cited by von Rad (for example, of Hatshepsut, Urk. IV, p. 285:2-6)⁸¹ mention the *nekhbet* (titular) and sonship and/or commissions wholly separately: Amun declares his

1965; cf. *Frankfurter Allgemeine Zeitung*, 9 August 1965 - courtesy Fran I. Fuhr); *Orientalia* 34 (1965), 450-451. However, what may be true of Tammuz proves nothing for Marduk. Cf. also E. M. Yamauchi, *JBL* 84 (1965), pp. 283-290 (pp. 288-289 for Gurney, *op. cit.*, p. 154), and *JSS* 11 (1966), pp. 10-15.

⁷⁶ See G. Cooke, *ZAW* 73 (1961), pp. 202-225; J. de Fraine, *L'aspect religieux de la royauté israelite*, 1954; K.-H. Bernhardt, *Das Problem den Altorient. Königsideologie im AT (VTS, VIII)*, 1961. The prophets did not hesitate to decry the pretensions (divine and otherwise) of foreign monarchs (e.g., Is. 14:4 ff., 12 ff.; Ezk. 28:1-19), or other idolatries of Judah and Israel with which divine kings would belong if the claim had been made, the crux of Ps. 45:6 notwithstanding. In Old Testament and comparative studies (as in Egyptology), the divinity of the Egyptian pharaoh has been much emphasized; for some corrective to over-emphasis, cf. G. Posener, *De la Divinité du Pharaoh*, 1960, and H. Goediecke, *Die Stellung des Königs im Alten Reich*, 1960.

⁷⁷ G. von Rad, 'Das judäische Königsritual', *Theologische Literaturzeitung* 72 (1947), Col. 211-216; now *Gesammelte Studien zum AT*, 1958, pp. 205 ff. (in English in von Rad, *The Problem of the Hexateuch and Other Essays*, 1966, pp. 222-231).

⁷⁸ E.g., A. Alt, *KS*, II, p. 219; G. Cooke, *ZAW* 73 (1961), pp. 213-214; J. Gray, *Archaeology and the Old Testament World*, 1962, pp. 80, 141-143; *I and II Kings*, 1964, pp. 518-519. Cf. Bernhardt, *op. cit.*, p. 251 note (2); and (sceptical) Z. W. Falk, *VT* 11 (1961), pp. 88-90.

⁷⁹ A. Erman and H. Grapow, *Wörterbuch der Aegyptischen Sprache*, II, 1928, p. 308: 1-6, and R. O. Faulkner, *A Concise Dictionary of Middle Egyptian*, 1962, p. 138. The essential facts on the Egyptian royal titular will be found in Sir A. H. Gardiner, *Egyptian Grammar*³, 1957, pp. 71-76. Gods were sometimes given a titular in imitation of those of the kings.

⁸⁰ *Urk. IV*, p. 80; in English, J. H. Breasted, *Ancient Records of Egypt*, II, 1906, §§54-60. In *Urk. IV*, p. 160:10-161:13, the *nekhbet* consists solely of the five names of Tuthmosis III accompanied by puns; it is similarly limited to the usual five titles in the Coronation Inscription of Haremhab (Helck, *Urk. IV*, p. 2118: 11-15, cf. Helck, *Urkunden d. 18. Dynastie, Deutsch (Hefte 17-22)*, 1961, p. 406; A. H. Gardiner, *JEA* 39 (1953), p. 15; R. Hari, *Horemheb et la Reine Moutnedjemet*, 1965, p. 212:19).

⁸¹ For a better edition of this text, see H. W. Fairman and B. Grdseloff, *JEA* 33 (1947), p. 15 and plate III: 4; von Rad's 'continuation' of this text does not in fact follow it at all, and must be derived from elsewhere.

relationship to Hatshepsut, makes her ruler, *and* also writes her *nekhbet* (separate from these and not including them).

The titulary and the legitimation of a pharaoh are two distinct things; crowning was apparently the decisive moment

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in becoming king.⁸² Thus, if the Hebrew *'edūth* is a protocol of titles combined with a declaration of adoption by YHWH, then it is wholly different from the Egyptian *nekhbet*. But the *'edūth* is rather the basic stipulations of the Sinai covenant, particularly the 'ten commandments' on the two tablets placed in the Ark.⁸³ With *'edūth* belongs *'edoth*, its plural equivalent, to be understood not so much as 'testimonies' as 'covenant-stipulations' or 'commandments', hence 'laws' (in Torah). Thus, the Ark is the Ark of the Covenant (*b^erith*, general word; or *'edūth*, principally the covenant-stipulations), rather than Ark of the 'Testimony' as often translated. The parallelism of *b^erith* and *'edūth* is well known, as von Rad remarks (*op. cit.*, p. 214, n. 4); like him, one may mention the association of crown and covenant (*b^erith*) in Psalm 89:40 as a parallel to crown and *'edūth* in 2 Kings 11:12. Presenting the king with the covenant-stipulations as is done in the latter passage is in the same spirit as Deuteronomy 17:18 ff. Early external evidence for the word *'(e)d(ū)t* comes from Egypt, where it occurs as an early Canaanite loanword⁸⁴ in the twelfth century BC with a secondary nuance of 'conspiracy' derived from the idea of covenant or agreement on terms. The word *ḥoq*, 'statute', also occurs in parallel with the terms *b^erith* (Ps. 105:10) and *'edūth* (Ps. 99:7). This is

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natural, seeing that *ḥoq* commonly indicates the statutes which in fact constitute the covenant-stipulations (*'edūth*, *'edoth*) and thus are central to the covenant (*b^erith*). *Ḥoq* also has other meanings: decree, limit, prescribed allowance or task, as the evidence collected in the standard lexicons makes clear. In Psalm 2:7, the adoption of the Hebrew king by YHWH is given the status of a *ḥoq* - a divine law or decree - but in view of the poetic context and the varied meanings of *ḥoq*, this has no bearing on the meaning of *'edūth*. In Psalm 2:7, *ḥoq* is a decree or a single statute without reference to a covenant (*b^erith* or *'edūth*).

The net result of all this is that 2 Kings 11:12 can be held to show that a Judaeon king was crowned at his accession and was given a copy of the essence of the national Sinai covenant (so-called 'ten commandments') to which - like the people - he was subject (*cf.* Dt. 17:18 ff.),

⁸² *Cf.* Fairman in S. H. Hooke (ed.), *Myth, Ritual and Kingship*, 1958, pp. 78-79, 81. The casket with the title-deeds of the kingdom (*op. cit.*, p. 79) is *mks* in Egyptian, in this use belonging to the Graeco-Roman period (*cf.* Erman and Grapow, *Wörterbuch d. Aeg. Sprache*, II, p. 163: 16). It has absolutely nothing to do with the *nekhbet* or *ren wer*, 'titulary', as J. Gray, *I and II Kings*, 1964, p. 519, assumes. His 'protocol' consisting of title-deeds plus titulary (*nekhbet*) is an imaginary conflation of unrelated entities and terms.

⁸³ Functionally, if not also etymologically, *cf.* Assyrian *adē*, 'treaty-stipulations' (Wiseman, *Iraq* 20 (1958), pp. 3, 81). *Cf.* also provisionally Albright, *From the Stone Age to Christianity*, 1957 edition, pp. 16-17. The meaning of *'edūth* was seen on context over a century ago by Samuel Lee, A Lexicon, *Hebrew, Chaldee, and English...*, 1840, p. 451a.

⁸⁴ *'Edūth* is therefore not a late Aramaism as is erroneously supposed by L. Rost, *Festschrift Baumgärtel*, 1959, p. 163. In the Turin Judicial Papyrus, 4: 5; translated by A. de Buck, *JEA* 23 (1937), p. 154. The word *'dt*, 'Verschwörung', is No. 300 in M. Burchardt, *Altkananäischen Fremdworte und Eigennamen im Ägyptischen*, II, 1911.

possibly on two small tablets like those in the Ark.⁸⁵ Hebrew kings sometimes took throne-names,⁸⁶ but Egypt is not the only other example of this. From Assyria, perhaps compare Tiglath-pileser III as Pulu (in later chronicles) and Shalmaneser V as Ululai;⁸⁷ and among the Hittites, certainly compare Urkhi-Tesup as Mursil III⁸⁸ and Sharrikushukh of Carchemish as Piyassilis,⁸⁹ among others. As *'edūth* and *nekhbet* are not the same, as most kings are crowned, and as double names are fairly widespread, the evidence for Egyptian influence on Judaeon coronation-ritual simply evaporates. Two other items of possible evidence may be briefly considered.

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First, von Rad suggested⁹⁰ that in Isaiah 9:6 we have four titles of a messianic king which would reflect Judaeon use of a formal titulary based on the Egyptian five-fold titulary. While this verse may indeed reflect a Judaeon usage, there is no evidence that this is based on an Egyptian model. Recent study of 1 Samuel 8 on the inauguration of Hebrew kingship⁹¹ in which the significant parallels come from Syria - culturally closer to the Hebrews than was Egypt - suggests that we should seek our parallels in another direction. Some time ago, Virolleaud published⁹² a broken tablet from North-Canaanite Ugarit which appears to give a formal titulary of Niqmepa of Ugarit, as follows:

line: 1. [? Names of N]igimpepa	6. King who protects
2. [son of Niq]mad (II),	(frontiers)
3. [king of] Ugarit:	7. King who builds
4. Lord of justice	8f. (two more epithets,
5. Master of the (Royal)	uncertain).
House	

A series of epithets of this kind is stylistically much closer to Isaiah 9:6 than is the rather specialized titulary of the pharaohs. Secondly, following on von Rad's suggestion⁹³ that David's promised great name in 2 Samuel 7:9 and Solomon's good name in 1 Kings 1:47 may mean not renown but a ceremonial titulary, Morenz attempted⁹⁴ to equate the 'great name' (*shem gadol*) of David with its literal Egyptian equivalent *ren wer*, 'great name'. But this seems to be a fallacy. Despite von Rad's dissenting view, the context of 2 Samuel 7:9 refers beyond all reasonable doubt to David's great *renown* - how can one possibly translate: '...and I was with thee wherever thou didst go,

⁸⁵ We are under no obligation to imagine that the tablets of the law were anything like as heavy or unwieldy as Bernhardt (*VTS*, VIII, p. 251, §2 in note) seems to think.

⁸⁶ Examples: Azariah is called Uzziah (*cf.* 2 Ki. 15:1 and 2 Ch. 26:1-2); Eliakim was re-named Jehoiakim by Necho (2 Ki. 23:34), and Mattaniah, Zedekiah by Nebuchadrezzar (2 Ki. 24:17). Shallum was another name of Jehoahaz (*cf.* 2 Ki. 23:30, 31, 34 and Je. 22:11). On Hebrew royal throne-names, *cf.* A. M. Honeyman, *JBL* 67 (1948), pp. 13 ff.

⁸⁷ *Cf.* *ANET*, p. 272, nn. 3, 4; H. Schmökel, *HdO*, II: 3, 1957, pp. 264, 265.

⁸⁸ H. Otten, *MDOG* 87 (1955), pp. 19-23.

⁸⁹ See H. G. Güterbock, *JCS* 10 (1956), pp. 120-121.

⁹⁰ *Op. cit.*, cols. 215-216; followed by A. Alt, *KS*, II, pp. 219 f., and S. Morenz, *Theologische Literaturzeitung* 74 (1949), p. 699, and *ZÄS* 79 (1954) p. 74. Alt wished to emend the verse in order to produce five titles to correspond with the Egyptian five-fold usage.

⁹¹ I. Mendelsohn, *BASOR* 143 (1956), pp. 17-22; *cf.* below, pp. 158 f.

⁹² In *Palais Royal d'Ugarit*, 11, 1957, p. 20; *cf.* C. F. A. Schaeffer, *ibid.*, pp. xvi-xvii, suggesting an original Egyptian influence here; this is possible, but not essential.

⁹³ *Op. Cit.*, Col. 215.

⁹⁴ *ZÄS* 79 (1954) pp. 73-74.

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and have cut off all thine enemies, and will make for thee a noble titulary...'? Surely, '...and will give thee great fame' is the obvious and necessary meaning in such a context. Likewise in 1 Kings 1:47, the formal wish for Solomon to have a greater throne (*i.e.*, kingdom) than David is unlikely to be paralleled by a wish for a better ceremonial titulary, but rather for an even greater renown! The Egyptian term *ren wer*, 'great name', is above all a technical term referring to the *nekhbet* or five-fold titulary,⁹⁵ and thus is used entirely differently from its literal Hebrew counterpart. Comparisons between Egyptian and Hebrew data can be very illuminating, but they must be soundly based, especially if any degree of direct relationship is postulated.

⁹⁵ 'Great name' (*ren wer*) and 'titulary' (*nekhbet*) are synonyms, directly followed by the fivefold royal titles in Haremhab's Coronation-Inscription (see above, p.107, n. 80, end); also *Urk. IV*, p. 261: 3 ff., 11 ff., where four of Hatshepsut's five titles are each called *ren wer*. This term, Erman and Grapow, *Wörterbuch d. Aeg. Sprache*, II, p. 427: 19-23.