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## KING AND COVENANT<sup>1</sup>

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In the sacral kingship of Israel a most important, but often rather neglected, aspect was the king's function as the mediator of the covenant between Yahweh and his people Israel.<sup>2</sup> The central role played in Israel's religious life by the idea of the covenant between Yahweh and his chosen people Israel is well

<sup>1</sup> The text of this article presents a lecture given in the University of Leeds on 19 January 1956. The notes have been added, but the text is unchanged. It should be observed that the notes have been kept to a minimum, and that a detailed examination of all the problems connected with our subject, especially so far as the purely historical questions are concerned, would have required a rather comprehensive work. I take this opportunity of offering my best thanks to Dr John Bowman for his kind invitation, for many interesting discussions, and for his generous hospitality during my stay in Leeds. The following abbreviations are used in this article: *A.J.S.L.* = *American Journal of Semitic Languages*; *B.A.S.O.R.* = *Bulletin of the American Schools of Oriental Research*; *B.Z.A.W.* = *Beibeste zur Zeitschrift für die alttestamentliche Wissenschaft*; *C.D.C.* = *The Zadokite Documents*; *D.S.H.* = *Dead Sea Scrolls, Habakkuk Commentary*; *D.S.Mic.* = *Dead Sea Scrolls, Micah Commentary*; *Gesenius, Gr.* = *Hebräische Grammatik*, 28th ed., 1909; *Gesenius-Buhl, H.W.* = *Hebräisches und aramäisches Handwörterbuch über das AT*, 17th ed., 1921; *H.A.T.* = *Handkommentar zum Alten Testament*; *Hdb. z.A.T.* = *Handbuch zum Alten Testament*; *H.U.C.A.* = *Hebrew Union College Annual*; *I.C.C.* = *International Critical Commentary*; *J.B.L.* = *Journal of Biblical Literature*; *J.J.S.* = *Journal of Jewish Studies*; *J.S.S.* = *Journal of Semitic Studies*; *K.A.T.* = *Kommentar zum Alten Testament*; *R.B.* = *Revue Biblique*; *R.H.R.* = *Revue de l'Histoire des Religions*; *R.o.B.* = *Religion och Bibel*; *Tb.L.Z.* = *Theologische Literaturzeitung*; *Tb.Wb. z.N.T.* = *Theologisches Wörterbuch zum N.T.*; *U.L.* = *Ugaritic Literature*, translated by C. H. Gordon, 1949; *U.U.Å.* = *Uppsala Universitets Årsskrift*; *V.T.* = *Vetus Testamentum*; *Z.A.W.* = *Zeitschrift für die alttestamentliche Wissenschaft*; *Z.D.M.G.* = *Zeitschrift der deutschen morgenländischen Gesellschaft*; *Z.N.W.* = *Zeitschrift für die neutestamentliche Wissenschaft*.

<sup>2</sup> Mention should be made of such names as Buber, Goodenough, Johnson, Pedersen and Östborn, who will be cited below. It is hardly necessary to discuss some ideas presented by Kraus, *Gottesdienst in Israel* (1954), because

known. But scholars who have been interested in investigating the various aspects of the idea of covenant, and how this idea constituted a central point in Israel's relations with its God, have apparently not directed much attention to one very important agent in this relationship—the king. On the other hand, scholars interested in the modern study of Hebrew kingship have, in the main, left out of consideration the idea of covenant and its consequences for the sacral character of Israelite kingship.

## I

We may take our starting point in the account given in II Kings xxiii and II Chron. xxxiv. 29 ff. of King Josiah and his renewal of the Covenant between Israel and Yahweh. The description of this highly important event starts from the fact that a book of law had been found in the Temple, a book about which Hilkiah, the High Priest (*hakkōhēn haggādōl*), said to the scribe Shaphan: "I have found *the book of the law (sēper hattōrāh)*<sup>1</sup> in the House of Yahweh" (II Kings xxii. 8). Because of the words of this *book of the law* the king, Josiah, is very alarmed; he inquires of Yahweh by the intermediation of the prophetess Huldah, and then orders a great assembly to be gathered in Jerusalem, where he reads this law to them:

And the king sent, and they gathered unto him all the elders of Judah and of Jerusalem. And the king went up into the House of Yahweh, and all the men of Judah and all the inhabitants of Jerusalem with him, and the priests, and the prophets, and all the people, both small and great; and he read in their ears all the words of *the book of the covenant* which was found in the House of Yahweh (II Kings xxiii. 1 f.).<sup>2</sup>

After the king's reading from the book it is said that he made a covenant before Yahweh to keep his commandments and to perform the words of the covenant as they were written in the book:

And the king stood by [or on] the pillar, and made a covenant before Yahweh to walk after Yahweh, and to keep his commandments and his testimonies and his statutes with all heart and all soul, to perform the words of this covenant that were written in this book. And all the people stood to the covenant (II Kings xxiii. 3).

<sup>1</sup> For the Deuteronomic character of this expression, cf. Nielsen, *Shebe* (1955), p. 78.

We should note in this description, first of all, the fact that it is the king who plays the central role in this act of covenant making. Not only is it he who convokes the assembly, but it is he also who reads out to it the words of the book of the law, which is the basis of the covenant. Further, it is expressly stated that it was Josiah who made the covenant before Yahweh. Thus the king appears before us here fully exercising his duties as the real High Priest, and in this connexion the subordinate position of the so-called High Priest (*hakkōhēn haggādōl*) calls for notice.<sup>1</sup> Next, the name of the newly-found book of the law claims our attention. It is called in two places *the book of the covenant* (II Kings xxiii. 2, 21; cf. v. 3), or alternatively *the book of the law*. The intimate association with the so-called Deuteronomic reform led to the supposition that the former is a special term.<sup>2</sup> At any rate it is a law, be it identical with Deuteronomy, or part of it, or not.<sup>3</sup>

The covenant is made in the Temple; this is our third point. The king went up into the House of Yahweh, he had his place by, or on, the pillar—we shall discuss this point later—and he concluded the covenant before Yahweh (*līpnē Yahweh*).

When did this act of covenant making take place—supposing that the sequence of events, as told in our sources, is, in the main, correct?<sup>4</sup> To answer this question we possess only one date, namely, the celebration of Passover (II Kings xxiii. 21). If we surmise that the intention of the collector of all the traditions about Josiah's reform, whom we may call the final traditionist—the "Redactor" of literary criticism—was to present the

<sup>1</sup> "It is almost certain that the title 'High Priest' (חֹהֵן גָּדוֹל) is not original in any text relating to the time of the monarchy", North, *Z.A.W.* L (1932), 21. Actually there was no real High Priest before the time of the exile; cf., e.g., Wellhausen, *Prolegomena* (6th ed., 1905), pp. 125-33, 142-5; Morgenstern, *A.J.S.L.* LV (1938), 1-24, 183-97, 360-77; Widengren, *Sakrales Königtum im Alten Testament und im Judentum* (1953), pp. 17 ff. For the real history of the discovery of the law in question, Kittel, *Geschichte des Volkes Israel*, II (1925), 405 ff., is still valuable. Cf. also the commentaries, e.g. Sanda, *Die Bücher der Könige*, II (1912), 332 f.; Montgomery, *The Books of Kings* (I.C.C.), 1951, pp. 344 f.

<sup>2</sup> Cf. Hölscher, in *EYXAPIΣTHPION*, I (1923), 209 n., where the use of the word *b'rīt*, covenant, is noted as something especially characteristic of Deuteronomic language. The same observation had already been made by Sanda, *op. cit.* p. 330.

<sup>3</sup> We cannot enter here upon a discussion of this difficult problem; cf. Rowley, *Studies in O.T. Prophecy* (1950), pp. 157-74, esp. p. 157, nn. 1-3.

<sup>4</sup> The chronology of Josiah's reform constitutes a difficult problem which

sequence of events in such a way that the reformation was followed by the celebration of Passover, then the reading of the law by the king took place at any rate before the fourteenth of Nisan (Abib).<sup>1</sup> For the festival of Passover was celebrated on this date. Now it cannot be doubted that it was the intention of the actual "author" of this account in II Kings xxii f. to give an exposition of the recital of the book of the covenant and of the covenant made by the king, ending with the celebration of the Passover as the very confirmation of this covenant. II Kings xxiii. 21 virtually joins *v.* 3 to *vv.* 4 ff. describing the measures taken in order to cleanse the Temple before the great festival of Passover could be duly celebrated.<sup>2</sup> Now this date, the fourteenth of Nisan, at once reminds us of the fact that Passover was celebrated in late pre-exilic times at the same time of the year as the New Year festival in other parts of the ancient Near East.<sup>3</sup> Actually the New Year character of the Passover has been strongly emphasized in modern research.<sup>4</sup> Let us therefore assume for the time being, that the recital of the law contained in *the book of the covenant*, the covenant making, and the Passover celebration, constituted but three parts of one ritual which was enacted at the New Year's festival.

The question what this new law, the book of the covenant, was is one of the most debated problems in Old Testament research, and it goes without saying that we do not intend to propose any solution of this problem here. We should only like to observe that

<sup>1</sup> Passover was celebrated in pre-exilic times in the month of Abib (Deut. xvi. 1), which is the post-exilic Nisan, and during the night of New Moon; cf. Elhorst, *Z.A.W.* XLII (1924), 138; also Barrois, *Manuel d'archéologie biblique*, II (1953), 413 f. (cf. also p. 175).

<sup>2</sup> Cf. Montgomery, *op. cit.* p. 534, where he says of *vv.* 15-20: "This passage of generalities . . . is in absolute contrast to the historical details of verses 4-14."

<sup>3</sup> The date of the New Year festival, the *Akitu* feast, in Mesopotamia is generally the month of Nisan (although in some places it was Tišrit), because this month was then the month in which the New Year festival began; cf. Dhorme, *Les religions de Babylone et d'Assyrie* (1945), pp. 242 f. The feast lasted eleven days, and ended with the return of Nabu to his temple in Borsippa; cf. Pallis, *The Babylonian Akitu Festival* (1926), p. 244. For a short description of the festival, cf. Hooke, *Babylonian and Assyrian Religion* (1933), pp. 58-60.

<sup>4</sup> Cf. Hooke, *The Origin of Early Semitic Ritual* (1938), p. 48, where he says of the Passover feast: "It is first of all a New Year feast." He further points out that it lasted eleven days in all, like the *Akitu* festival in Babylonia; cf. above. Elhorst, *op. cit.* pp. 139 ff., is probably right in assuming that the

more and more arguments have been adduced for an intimate association between this law promulgated by Josiah and the Code of Deuteronomy.<sup>1</sup>

## II

Instead of trying to deal with this problem, we want here to draw attention to the position occupied by the king, Josiah, when reading this *book of the covenant*. It is said in II Kings xxiii. 3 (cf. II Chron. xxxiv. 31) that "the king stood by [or on] the pillar" in the Temple. The commentators have always associated this remark with the scene depicted in II Kings xi. 14. This passage, however, belongs to a story of the proclamation of Jehoash as king that calls for a more detailed examination and a special comparison with the solemn covenant making and law recital by Josiah. For the moment we therefore limit ourselves to the observation that Josephus says that the king "stood upon a pulpit, in the midst of the multitude" (*Antiq.* x, iv, 3).

The situation depicted in II Kings xi is well known. The Queen Mother, Athaliah, has usurped the royal power during the infancy of her grandson, Jehoash, saved by his aunt Jehosheba from the wholesale murder of the royal progeny, who were executed by Athaliah. A conspiracy, with the priest Jehoiada as its leader and the guard as its necessary military support, was formed against the queen usurper. Escorted and protected by the guard, Jehoash was taken to the Temple, where he was proclaimed king by the priest Jehoiada:

And he brought forth the king's son, and put the crown upon him, and gave him the "witness"; and they made him king, and anointed him; and they clapped their hands, and said: Let the king live! (II Kings xi. 12).

Athaliah, hearing the noise, hurried into the Temple. And when she looked, behold, the king stood by (or on) the pillar, according to the customary law, and the princes and the trumpeters by the king, and all the people of the land<sup>2</sup> rejoicing and blowing with trumpets (II Kings xi. 14).<sup>3</sup> After Athaliah had been taken

<sup>1</sup> Cf. Rowley, *op. cit.* pp. 160 ff., and the conclusion on p. 174: "All probability therefore favours the view that Josiah's lawbook was Deuteronomy"; cf. also *The Old Testament and Modern Study* (1951), p. 153.

<sup>2</sup> This expression denotes the gentry, the landowners; cf. above all Würthwein, *Der 'Amm ha'arez im Alten Testament* (1936).

<sup>3</sup> For this special element, indicating the leading role played by the

away and executed outside the Temple, the interrupted ceremony was continued and brought to an end by the priest Jehoiada:

And Jehoiada made a covenant between Yahweh and the king and the people, to be a people for Yahweh,<sup>1</sup> and between the king and the people (II Kings xi. 17).

For the interpretation of this royal enthronement and the ceremonies of covenant making accompanying the enthronement, it is essential to fix the meaning of the word translated above as "witness". The Hebrew term *'ēdūt*, thus rendered, denotes in fact the law, as is clearly indicated by many passages.<sup>2</sup> In another connexion we have tried to analyse the custom of handing over to the king the tablets, later the book-roll, of the law.<sup>3</sup>

The place occupied by the king during the ceremony is said to be "by, or on, the pillar", and in this pillar the commentators usually see one of the two pillars, Jachin and Boaz.<sup>4</sup> Josephus,

<sup>1</sup> The expression *להיות לעם ליהוה*, as von Rad, *op. cit.* col. 132, pointed out, reveals the intimate association between the old tribal organization of the people with its central sanctuary on the one hand, and the Deuteronomic reform programme, as well as the programme of the covenant under King Josiah, on the other hand, for a leading idea in both the old "amphictyonic" traditions and the Deuteronomic movement was that Israel should be an *עם יהוה*.

<sup>2</sup> Not only is *עדות* in connexion with *לחץ* and *עדות* constantly used in "P" for the Law of the Two Tablets, but it is even used alone as designating this very law; cf. Exod. xvi. 34, xxx. 36 (here *עדות* is said to be "in the tabernacle of the congregation"; cf. xxvii. 21). In Exod. xxx. 6 it is spoken of as "the Ark of testimony" and "the mercy seat that is over the testimony" is mentioned; this obviously fixes the meaning of *עדות* as the Two Tablets of Law, put in the Ark; cf. also for this last Lev. xvi. 13. In the Psalter we have Ps. xix. 8, cxix. 88, cxxii. 4, cxxxii. 12 (for the last passage, a most important one from several points of view, cf. below, pp. 23 f). In view of this well-established meaning of the word *עדות*, as well as in the light of the following exposition, it is impossible to accept the interpretation advocated by von Rad, *op. cit.* (accepted by Johnson, *Sacral Kingship in Ancient Israel* (1955), p. 21, n. 5).

<sup>3</sup> Cf. Widengren, *Sakrales Königtum*, pp. 28 ff. Kittel, H.A.T. 1, 5, p. 249, typically enough emends *העדות* to *הצערות*, following Wellhausen. It should be emphasized that this emendation of the text is completely gratuitous and unfounded, having no support whatsoever in the versions. Sanda, *op. cit.* 11, 130 f., who, however, was near the correct solution, followed the same course. Montgomery, *op. cit.* p. 425, refers to Rashi, who thought of the *Tōrah*, and to May, *J.B.L.* LVII (1938), p. 81 (who anticipated me in comparing *Enuma elish*, III, 105).

however, says that the young king was standing "upon the pillar" (*Antiq.* ix, vii, 3), an expression to which we shall revert.<sup>1</sup>

As to the date of this event no information is given, but we know that an enthronement of the king ought to be celebrated at New Year.<sup>2</sup> In the present case it should be observed that the proclamation of the new king took place in the seventh year after the death of the new ruler's father. This date, the seventh year, connects the enthronement with the highly important seven-year cycle, the introduction of which marks a new era.<sup>3</sup> It would then be probable that the date of the enthronement was deliberately chosen in order to make the new king introduce a new epoch. In reality, then, the ceremonies on this occasion would seem to have their proper place at a New Year's festival, even if we cannot say with any degree of certainty that in the case in question the enthronement was enacted at New Year.

The infancy of the new king means that his active role is partly played by the priest Jehoiada, who acts as the performer of the covenant, not only between Yahweh and the people, but also between Yahweh and the king. But the fact that the tablets, or book of law, are handed over to the king indicates, of course, that he is the real possessor of the law on the basis of which the covenant is presumably made in this case, as well as in that of Josiah. From a ritual point of view the king, as the possessor of the law as the book of the covenant, ought to read out to the assembly the commandments of the book of the covenant and then to make the covenant between Yahweh and his people, taking his place by, or on, the pillar at the entrance of the Temple.

### III

Next we proceed backwards to the reign of Solomon, and his building of the Temple in Jerusalem. When his building activities were finished, the dedication of the new Temple to Yahweh was duly celebrated. In this case there is no doubt as to the date of the inaugural festival. According to I Kings viii. 2, the dedication

<sup>1</sup> Cf. below, pp. 9f.

<sup>2</sup> Cf. the reckoning of the regnal years from the following New Year festival in Mesopotamia.

<sup>3</sup> Cf. Gordon, *U.L.* pp. 4 f., and *Introduction to Old Testament Times* (1933), pp. 21 f., 35, 86 f., 124 f., 166. The institution of a free year every seventh



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feast was celebrated in the month of Ethanim, the seventh month, the old Canaanite name corresponding to the later term Tishri.<sup>1</sup> Solomon accordingly dedicated the Temple to Yahweh on the occasion of the New Year's festival (*baḡ*), as is explicitly stated in the text.<sup>2</sup>

It is not stated in plain words that Solomon made a covenant between Yahweh and himself and his people, but his action in reality implies a renewal of Yahweh's covenant with his father David and his house; that much may be contended without hesitation. For in I Kings viii. 21 Solomon mentions the fact that in the Ark is the covenant of Yahweh made with the children of Israel after the Exodus, and in *vv.* 23 ff. Solomon further alludes to Yahweh's covenant with his father David. In *vv.* 25f. Solomon also entreats Yahweh to keep his promises to David in accordance with his covenant.<sup>3</sup> The ideal of the covenant is then prevalent everywhere in the traditions of this occasion, and we may thus conclude that Solomon at the dedication festival actually renewed the covenant with Yahweh.

What, then, of the law? Here we have to observe that the prayers of Solomon—expressed in Deuteronomic language—remind the people of its duties towards its God. Verses 57 f., 61 especially, are of primary importance in this connexion, for there it is said:

Yahweh, our God, be with us,  
as he was with our fathers:  
let him not leave us, nor forsake us:

<sup>1</sup> Cf. Barrois, *op. cit.* II, 176.

<sup>2</sup> Cf. Kittel, *op. cit.* p. 71, where, however, it was not observed that the great autumn feast (*baḡ*) is the New Year festival, his commentary having been written before the works of Volz and Mowinckel were published. For the date of Solomon's dedication festival (I Kings viii. 65 f.) is all important, for there it is said that Solomon celebrated the *baḡ* on the occasion of the dedication of the Temple. Cf. further Šanda, *op. cit.* I, 200 f.; Montgomery, *op. cit.* pp. 187f., where, although the various opinions as to the date of the dedication feast are duly recorded, the lack of any understanding of the significance of the New Year is conspicuous.

<sup>3</sup> It is difficult to say to what layer of tradition these words of Solomon originally belong. Their Deuteronomic flavour is incontestable; cf. Montgomery, *op. cit.* pp. 193 f.; Kittel, *op. cit.* p. 70. What is of importance is, to quote Montgomery, that *vv.* 22-6, "repeating David's charge to his son. . . with promise of a dynasty, are of pre-Exilic character without question". It should be noticed that there is no recital of the law, but, as Nielsen, *op. cit.* p. 338, observes, the recital is replaced "by the king's introductory and

that he may incline our hearts unto him,  
to walk in all his ways,  
and to keep his commandments, and his statutes,  
and his judgements, which he commanded our fathers.

Let your heart therefore be perfect with Yahweh, our God,  
to walk in his statutes,  
and to keep his commandments, as at this day.

These words of the king are immediately reminiscent of the wording of II Kings xxiii. 3, where Josiah exhorts the assembly to follow the commandments of the new law, the book of the covenant.<sup>1</sup>

To sum up: King Solomon at the dedication feast of the newly built Temple celebrated this festival at New Year; he was the possessor of the tablets of the law, which were brought at his orders into the Temple; he recited to his people a prayer in which exhortations to the people to keep the commandments of the law of Yahweh were found.

As to the king's place in this case, we have, not in Kings but in II Chron. vi. 13, the information that Solomon had made for himself a brazen pulpit, using it as an oratory.<sup>2</sup> We cannot argue that this tradition is authentic, so far as it concerns the conditions prevailing during Solomon's own reign, but it obviously transmits to us the traditions prevalent in the Chronicler's time. It was thought that Solomon had been standing upon such a pulpit during the whole ceremony, and nothing forbids us to *assume* that tradition here is essentially correct. Then it would, of course, be tempting to combine the proposals of some scholars to read in II Kings xxiii. 3 not על העמוד, but with II Chron. xxiii. 13 על עמודו, interpreting this expression as meaning "standing on his dais", or "on his platform".<sup>3</sup> If we retain the

<sup>1</sup> A comparison of the expressions used in both passages reveals both their agreement and the Deuteronomic colour of the phraseology:

I Kings viii. 58, 61	II Kings xxiii. 3
ללכת בכל דרכיו: בחקיו	ללכת אחר יהוה
לשמר מצותיו	לשמר מצותיו
להטות לבבנו אליו	בכל לב ובכל נפש
והיה לבבכם שלם עם יהוה	

<sup>2</sup> For this platform, *ḥayyōr*, cf. Albright, *Archaeology and the Religion of Israel* (2nd ed., 1946), (3rd ed., 1953), pp. 152-4, 216.

<sup>3</sup> For discussion, cf. Gressmann, *Z.A.W.* xlii (1924), 321 with n. 1; Sanda, *op. cit.* p. 100; Montanari, *op. cit.* p. 100. Gressmann, who prefers the term

traditional reading of Kings, we may, of course, interpret עַל הַעַמֹּד as meaning "standing upon the pillar", finding support in the statement of Josephus (*Antiq.* ix, vii, 3) that Athaliah "saw the child standing upon the pillar",<sup>1</sup> a statement already quoted above. We think that the translation "upon the pillar" may well be said to be easier to defend than that usually given "by the pillar", and actually the Hebrew expression has been understood in this way, e.g. by Pedersen.<sup>2</sup> For the time being we therefore conclude that at least towards the end of the pre-exilic period, but possibly from the beginning of that period, the king when reading to his people on a solemn occasion from the book of the law and acting as the mediator of the covenant making between Yahweh and the people had his place on a platform or a dais.

## IV

Having ascended in time we shall now descend to that most memorable and all important occasion in Israel's history when Ezra presented the law of Moses to the people. The decisive passage runs as follows:

And when the seventh month came, the children of Israel were in their cities; and all the people gathered themselves together as one man into the square that was before the Water Gate; and they spake unto Ezra the scribe to bring the book of the law of Moses, which Yahweh had commanded to Israel. And Ezra the priest brought the law before the congregation of men and women and all that understood when listening, upon the first day of the seventh month. And he read therein before the square that was before the Water Gate from the morning until midday, before the men and the women, and those that could understand; and the ears of all the people were attentive unto the book of

only "on the pillar", not "by the pillar", Sanda having already referred to Jer. xvii, 2, עַל-בְּיָמֶיךָ. Gressmann takes exception to such a translation as that given in Vulg., "super tribunal", and then, e.g. by Hölscher, *op. cit.* 1, 207, "auf dem Podium", but a place on a pillar may indeed be such a platform as that mentioned in Chronicles, although the measures presented there are in all probability wrong.

<sup>1</sup> Text: Ἰσοῦσα δὲ Γοθολία (sic codd.) τὸν παῖδα ἐπὶ τῆς στήλης (var. σκηνῆς, Lat. tribunal) ἐστῶτα. . . , which agrees perfectly with LXX: ἐπὶ τοῦ στύλου. Cf. Marcus, in Loeb ed.

<sup>2</sup> Pedersen, *Israel I-II* (1926), p. 306, translates II Kings xxiii. 3: "And the king stood on the pillar", thus clearly taking עַל to mean "upon". We should also note what North, *op. cit.* p. 20, says: "It is entirely in keeping with the

the law. And Ezra the scribe stood upon a pulpit of wood, which they had made for the purpose (Neh. vii. 73, viii. 1-4).<sup>1</sup>

The date when the recital from the law book took place calls for notice first of all. It is the first day of the seventh month, the day of the New Year's festival. The first day is followed by the celebration of the Sukkoth feast, which lasted for eight days, from the second to the ninth of the seventh month, the month of ishri.<sup>2</sup> It is expressly stated that Ezra read from the law each day during this feast of Tabernacles (cf. viii. 18).

Next, Ezra's place during this service should be noted. It was a pulpit of wood, called by LXX appropriately βῆμα.<sup>3</sup> It goes without saying that this pulpit of wood exactly corresponds in function to the brazen platform used by Solomon at the dedication of the Temple.<sup>4</sup>

What was the law recited by Ezra? According to Neh. viii. 1 it is *the book of the law* of Moses, apparently not a new law, but a law already well known to the congregation.<sup>5</sup> It has been argued with good reason that this recital of Ezra from the law must be combined with the commandment given in Deut. xxxi. 10 ff., where we read:<sup>6</sup>

At the end of seven years, in the solemnity of the year of release, in the feast of Tabernacles, when all Israel is come to see the face of

For the argument that the text of these two passages constitutes a whole, see Rudolph, *Ezra und Nehemia* (Hdb. z.A.T. 1, 20), 1949, pp. 13, 144. Rudolph attempts to dismiss the statement "the children of Israel were in their cities" as an interpolation influenced by Ezra iii. 1. This is quite possible, but why should the interpolation have been inserted here, if it is entirely without value, as Rudolph contends, *op. cit.* p. 13, n. 1? Another view as to vii. 73 is given by Mowinckel, *Statholderen Nehemia* (1916), p. 42. For the following compare in general also Mowinckel, *Ezra den skriftlærde* (1916), pp. 79-91.

Cf. Rudolph, *op. cit.* pp. 144 ff., where a detailed commentary is given. That the celebration of the Sukkoth festival followed in such a haphazard manner as is described in viii. 14 ff. would seem to be somewhat incredible. As to the date of the celebration of this feast, cf. especially Morgenstern, *J.C.A.* x (1933), 36 ff., and for Josephus's omission of a more precise date, see Marcus in Loeb ed., *ad Josephus, Antiq.* xi, v, 5.

The Hebrew expression עַל סִבְלֵי עֵץ is met with only here, where *migdāl* carries a specialized meaning; cf. Ravn, *Z.D.M.G.* xc1 (1937), 360. We should note that βῆμα is the word used by Josephus (x, iv, 3) to designate the place occupied by Josiah when reading the law. When speaking of Ezra, Josephus, x, 3 says only: "He stood in the midst of the multitude and read."

The Hebrew expression in this case, II Chron. vi. 13, is כִּיּוֹר נִחֲשֵׁת; cf. *op. cit.* p. 9.

<sup>1</sup> So Rudolph, *op. cit.* p. 143.

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Yahweh, thy God, in the place which he shall choose, thou shalt read this law before all Israel in their ears.

A reading of the Code of Deuteronomy, i.e. a part of the present Code, was thus ordered by Moses, according to this tradition, when the law was handed over by him to the Levites. This tradition will occupy us more in detail below.<sup>1</sup>

Now it has been a matter for discussion whether this commandment to read the law at the Sukkoth festival was from the outset to take place at every year's festival, or at every seventh year, as indicated by Deut. xxxi. 10 f.<sup>2</sup> For the present we may leave this question open, emphasizing the fact that at any rate at the seventh-year festival of Sukkoth, the law was read in the presence of the congregation. In any case, since according to this commandment, Deuteronomy (or part of it) was regularly read at the Sukkoth festival—either every year or every seven years—it would seem to be from Deuteronomy that Ezra did his reading from the law.

### V

We may now turn to the passage just quoted and try to analyse it in its context. It is said in Deut. xxxi. 9 f.:

And Moses wrote this law, and delivered it unto the priests, the sons of Levi, which bare the Ark of the covenant of Yahweh, and unto all the elders of Israel. And Moses commanded them saying: At the end of every seven years . . . thou shalt read this law before all Israel in their ears.

<sup>1</sup> Cf. below, p. 13.

<sup>2</sup> Mowinckel, *Le Décalogue* (1927), pp. 131 f. (cf. *Psalmstudien*, v (1924), 108 f.) was of the opinion that from the outset the law was read at the Sukkoth festival of every year, whereas Alt, *Ursprünge*, pp. 63 f., 66 f. = *Kleine Schriften*, I, 326, 328, thought it safer to follow the literal meaning of the text as to the date, but to assume that the Deuteronomic "author" or "traditionist" (as we would prefer to call him) had put "this law", i.e. Deuteronomy, instead of an older and shorter collection of legal statutes; cf. esp. p. 326. For the hypothesis of a reading of the law every year *could* be supported by the custom of a yearly re-enactment of the covenant, as attested among the sect of the Dead Sea texts; cf. Brownlee, *The Dead Sea Manual of Discipline*, B.A.S.O.R. Suppl. Studies nos. 10-12 (1951), p. 53, where it is assumed tentatively that this ceremony was "made to coincide with the Jewish New Year". Brownlee has, however, shown later (B.A.S.O.R. no. 123 (1951), p. 32), by a comparison with Jub. vi. 17 ("for this reason it is ordained and written on the heavenly tablets, that they should celebrate the feast of weeks in this month once a year, to renew the covenant every year") that the renewal of the covenant among the members of the sect was probably celebrated at the Feast of Weeks. This in itself would, of

We observe at once that the commandment is given in the second person singular, whereas it is said that Moses gave this order to the Levitical priests and the elders, which should imply an address given in the second person plural, the more naturally as we find many commandments in Deuteronomy being given in the second person plural. Even if this distinction cannot for the present be used without further analysis as a criterion of two different sources, it nevertheless makes us somewhat suspicious, the second person plural in this case at least being the more suitable form of address.<sup>1</sup>

Our misgivings in this respect are strengthened when we compare with Deut. xxxi. 9 f. the passage in Josh. viii. 34 f., where we read after the description of the famous scene on Mount Ebal the following statement about Joshua:

And after that he read all the words of the law, the blessing and the cursing, according to all that was written in the book of the law. There was not a word of all that Moses commanded, which Joshua read not before all the congregation of Israel, with the women, and the little ones and the strangers that were walking in their midst.

Here we meet with Joshua reading from the very book of the law before the whole congregation of Israel. Consequently it ought to be Joshua who was the possessor of that book of the law. And actually we find in Josh. i. 7 f. the following words spoken by Yahweh to Joshua:

Only be thou strong and very courageous, that thou mayest observe to do according to all the law, which Moses my servant commanded them: turn not from it to the right hand or to the left, that thou mayest prosper whithersoever thou goest. (This book of the law shall not depart out of thy mouth) but thou shalt meditate therein day and night, that thou mayest observe to do according to all that is written therein; for then thou shalt make thy way prosperous, and thou shalt have good success.

From this passage, which is markedly Deuteronomistic,<sup>2</sup> it is clearly seen that according to certain traditions Joshua really was the possessor of "this book of the law", as it is called here.

<sup>1</sup> Cf. the discussions in Driver, *Deuteronomy* (I.C.C.), 1902, p. 335; Steuernagel, H.A.T. 1, 3, i, 162 f. Both are inclined to accept the reading of LXX, ἀναγγεῖλαι = אָנָה, as the original text, a solution which we cannot accept for reasons implicit in our whole exposition.

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Joshua is ordered by God to observe all the law which Moses commanded him. Accordingly, Joshua has inherited this law from his predecessor Moses. There is consequently no cause for surprise when we read in Josh. xxiv. 25 f. that Joshua wrote down certain regulations in the book of the law of God. This passage, however, is so important for the understanding of our special problems that we must quote the decisive part of it:

So Joshua made a covenant with the people that day, and set them a statute and an ordinance in Shechem. And Joshua wrote these words in the book of the law of God, and took a great stone, and set it up there under the terebinth, that is in the sanctuary of Yahweh. And Joshua said unto all the people: Behold, this stone shall be a witness against us, for it hath heard all the words of Yahweh which he hath spoken unto us: it shall be therefore a witness unto you, lest ye deny your God. So Joshua sent away the people, every man unto his inheritance (Josh. xxiv. 25-8).

That the whole complex of traditions in Josh. xxiv. 1-28 on the "assembly of Shechem" belongs to a layer of Deuteronomistic traditions is perfectly clear.<sup>1</sup> When it comes to details we may be uncertain what pre-Deuteronomistic kernel of traditions, possessing a real historical value, we may eventually be able to discover beneath the Deuteronomistic layer,<sup>2</sup> but this problem is not of primary importance to us in this connexion. What we are chiefly concerned with is the very important fact that Joshua, the chieftain and leader of the immigrating tribes of Israel, is depicted as functioning in a role that by now is quite familiar to us. He is ordered by God to observe the law, commanded to him by Moses. He gathers the whole people and makes a covenant between Yahweh and Israel, "the book of the law of God" serving him as the basis of this covenant. Nothing is said about the date of the year when this assembly gathered at Shechem.

Joshua is further ordered to meditate in the book of the law day and night. If we compare the wording of this commandment, Josh. i. 7 f., with Deut. xvii. 18 f., we are at once struck by the perfect agreement between the commandment given to

<sup>1</sup> Cf. Noth, *op. cit.* (1st ed.), pp. 105 f. (2nd ed., pp. 135 f.).

<sup>2</sup> Noth, *op. cit.* (1st ed.), p. 108 (2nd ed., p. 139), thinks that the original complex of traditions reflects an historical event; cf. also Noth, *Das System der zwölf Stämme Israels* (1930), pp. 65 ff. For my own part I would prefer the

Joshua and the prescriptions concerning the king of Israel, for in Deut. xvii. 18-20 it is said of the Israelite ruler:

And it shall be when he sitteth upon the throne of his kingdom, that he shall write him a copy of this law in a book from before the priests, the Levites. And it shall be with him, and he shall read therein all the days of his life, that he may learn to fear Yahweh his God, to keep all the words of this law and these statutes, to do them, that his heart be not lifted up above his brethren, and that he turn not aside from the commandments, to the right hand or to the left, that he may prolong the days in his kingdom, he and his sons, in the midst of Israel.

Here we find the same commandment that the law must be the object of his constant study during his whole life. Even the phraseology shows remarkable coincidences.<sup>1</sup> Characteristically enough, the positive evaluation of the king's study of the religious law is seldom alluded to in modern literature.<sup>2</sup>

It cannot be doubted, then, that Joshua is depicted in the Deuteronomic layers of tradition as possessing entirely the same rights and duties as the Israelite king later, so far as the law is concerned. It is therefore evident that Joshua in Deuteronomic traditions was seen as a prototype of the Israelite ruler. From the functions of Joshua as the maker of the covenant it may for this reason be quite possible to draw some conclusions as to the action of the Israelite king in this same capacity. Joshua was viewed in Deuteronomic circles of traditionists as the great pattern of the Israelite ruler as a covenant maker and possessor of the law as the basis of this covenant. But as a member of the tribe of Ephraim Joshua may have been seen especially as the *τύπος* of the king of the Northern kingdom, and this could in a way

<sup>1</sup> Cf. Josh. i. 7: *ולבלתי סור סן*; Deut. xvii. 20: *אל תסור ממנו יסין ושמואל*; *המצות יסין ושמואל*.

<sup>2</sup> Cf., however, Steuernagel, *Deuteronomium*, p. 67, where he says: "Durch diese Forderung, daß der König sich eine Abschrift des dtn. Gesetzes anfertigen lassen und in ihr täglich lesen soll, will der Verfasser erreichen, daß er des Gesetzes stets gedenkt, denn damit ist die Beachtung desselben auch vonseiten des Volkes gewährleistet." This shows at least something of a positive evaluation. Still more understanding of the positive values of kingship inherent in this "royal charter" is shown by Goodenough, *J.B.L.* XLVIII (1929), 202 f. North, *Z.A.W.* L (1932), 37, has only a passing reference to Deut. xvii. 18 ff. In his work, *The Old Testament Interpretation of History* (1946), p. 98, he is only concerned with the negative aspects of the passage in question; cf., however, also *A.J.S.L.* XLVIII (1931-2), 11 f. Most positive is Galling, *Th.L.Z.* (1931), cols. 133 ff., where the "royal charter" is held to



account for his association with the great cult centre of northern Israel, Shechem.

We observed that nothing was said of the date when the covenant was made by Joshua between Yahweh and Israel. But in Neh. viii. 17 it is stated of the celebration of the Sukkoth festival that "since the days of Joshua bin Nun unto that day had not the children of Israel done so". This is said immediately before we are told that Ezra read during this feast from the first day unto the last day in the book of the law of God. The author thus draws a clear parallel between the ritual of the Sukkoth festival during the time of Ezra and that of the days of Joshua bin Nun. For this reason it does not seem too daring to assume that to this author at least Joshua's celebration of the Sukkoth festival was associated with a reading by Joshua from the book of the law. Our ultimate conclusion will accordingly be that *something* surely could be said in favour of the hypothesis that the old traditions of Joshua's reading from the law and his covenant making were especially connected with the Sukkoth festival. The commandment of Deut. xxxi. 10 would then, in the older layer of traditions, have been given by Moses to his successor Joshua, i.e. the order to read the law at the Sukkoth festival, either at every year's festival or every seven years, was given to the ruler of the people of Israel.

The king, the possessor and student of the law, is also responsible for the teaching of the *tōrāb*. A rather neglected passage, II Chron. xvii. 7-9, shows one of the rulers of the Judaean kingdom consciously acting in the capacity of an instructor of the law. The text runs as follows:

And in the third year of his reign he sent his princes, Ben-hail and Obadiah and Zechariah and Nethanel and Micaiah, to teach in the cities of Judah. And with them the Levites, Shemaiah and Nethaniah and Zebadiah and Asahel and Shemiramoth and Jehonathan and Adonijah and Tobijah...; and with them Elishama and Jehoram, the priests. And they taught in Judah, and had the book of the law of Yahweh with them, and went throughout all the cities of Judah, and taught the people.

We are not concerned in this place with a detailed historical interpretation of this passage and need not enter upon a discussion of the problem whether *v.* 8 is a "chronistic" addition to an older passage.<sup>1</sup> Nor is it necessary for us to take up for discussion

<sup>1</sup> Cf. Rudolph, *Chronikbücher* (Hdb. z.A.T. 1, 21), p. 231. Rudolph defends

what "the book of the law of Yahweh" actually was.<sup>1</sup> What we want to emphasize is, on the one hand, the important fact that the king of Judah here takes special measures in his capacity of teacher of the *tōrāh*, being the highest responsible authority in all matters appertaining to the department of law, and, on the other hand, the obvious connexions with the "Deuteronomistic" movement, connexions which have caused a certain anachronistic dating of later steps and measures.<sup>2</sup> One fact after all remains primary: the king is always the ultimate authority so far as the *tōrāh* is concerned.

## VI

Passing from Joshua into still earlier history, we come to the enigmatic and much discussed traditions of Moses and his receiving of the tablets of the law. In an earlier, detailed investigation we have tried to demonstrate that these stories of Moses' ascension to God, his receiving of the tablets and his commission as a Messenger of God, correspond to a typical Mesopotamian royal pattern of ideology, according to which the king ascends to God, is given the tablets of destiny, and gets a special commission as a Messenger or Apostle of God.<sup>3</sup> The tablets of law in Mosaic traditions correspond closely to the "tablets of the gods", or "tablets of destiny" in Mesopotamia,<sup>4</sup> handed over to the king at his heavenly enthronement.<sup>5</sup> This idea has been of immense importance in the ancient Near East and recurs even in Islam in the legends and traditions of Muḥammad's ascension, his *mi'rāğ*, as we have demonstrated in a fairly comprehensive work, recently published.<sup>6</sup>

It is certainly highly significant that in one of the traditions

<sup>1</sup> Yeivin, *V.T.* III (1953), 153 ff., thought of Deuteronomy, a hypothesis rejected by Rudolph.

<sup>2</sup> Junge, *Der Wiederaufbau des Heereswesens des Reiches Juda unter Josia* (1937), p. 92, n. 3, as well as Yeivin, *loc. cit.* have felt the deuteronomistic touch in the story, with its emphasis upon the laity and Levites.

<sup>3</sup> Cf. Widengren, *The Apostle of God and the Heavenly Book* (U.U.Å. 1950: 7).

<sup>4</sup> Cf. Widengren, *Psalm 110* (U.U.Å. 1941: 7, 1), pp. 19 f.; *The Apostle of God*, pp. 8 ff. The comparison was made long ago, e.g. by Muss-Arnolt, *A.J.S.L.* XVI (1900), 193 ff.; Dhorme, *R.H.R.* CVIII (1933), 129.

<sup>5</sup> Cf. Widengren, *Psalm 110*, pp. 19 f.; *The Apostle of God*, pp. 22 ff.; *Sakrales Königtum*, pp. 26, 28 f., 94, n. 69.

<sup>6</sup> Cf. Widengren, *The Heavenly Book of the Prophet Muḥammad* (U.U.Å. 1950: 1).

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of how Moses received the law from Yahweh we read the following account:

And he sent young men of the children of Israel who offered burnt offerings, and sacrificed as *ʾġlāmīm* offerings oxen unto Yahweh. And Moses took half of the blood, and put it in basins; and half of the blood he sprinkled on the altar. And he took the book of the covenant, and read in the audience of the people; and they said: All that Yahweh hath said will we do, and be obedient. And Moses took the blood, and sprinkled it on the people, and said: Behold, the blood of the covenant which Yahweh hath made with you concerning all these words (Exod. xxiv. 5-8).<sup>1</sup>

We see in this tradition how, in the manner we are already acquainted with, Moses introduces the act of covenant making by reading aloud to the assembled people from the book of the covenant. The covenant is then confirmed by the act of sprinkling the blood from the sacrificial victim on the people,<sup>2</sup> in the usual Semitic manner.<sup>3</sup> But what is of primary interest to us in this connexion is the fact that tradition ascribed to Moses the performance of the same ritual as we know was enacted by King Josiah at the great feast of covenant making in Jerusalem. We can clearly see how Moses is depicted as the *τύπος* of the Davidic king of Jerusalem.<sup>4</sup>

The recital of the law to the assembled congregation carried out by Moses did not fail to attract the attention of scholar Mowinckel, in his study of the Decalogue, by comparing the traditions of Moses, and especially the reading of the law, with allusions in the Psalms and the historical texts describing the Jerusalem cultus, was able to show that the "Mosaic" traditions reflect into pre-Davidic history what was in Davidic times

<sup>1</sup> This account constitutes a special, independent tradition within the great complex of traditions about the imparting of law and covenant making during the time after the Exodus; cf. Gressmann, *Mose und seine Zeit* (1913), p. 18; Driver, *The Book of Exodus* (1911), p. 252. It is hardly possible to distinguish within this special trend of traditions single traditions as components of another trend ("J"); cf. for this hypothesis Dillmann, *Die Bücher Exodus u. Leviticus* (3rd ed., 1897), p. 285; Baentsch, H.A.T. 1, 2, 213.

<sup>2</sup> Cf. Gray, *Sacrifice in the Old Testament* (1925), p. 200, where he underlines the fact that Moses is depicted in this case as performing "the peculiar priestly part of the sacrificial ritual." Cf. also Driver, *The Book of Exodus*, pp. 253 f.

<sup>3</sup> Cf. Robinson, *B.Z.A.W.* xli (1925), 235 f.

enacted at the feast of the royal Temple of Jerusalem, as part of the royal cult. It was especially important that Mowinckel succeeded in demonstrating that it was the great annual festival in the autumn, the New Year's festival, that served as the basis of the traditionist's relation of the covenant concluded at Sinai.<sup>1</sup> Mowinckel discussed the question whether it was a prophet or a priest who in the cult recited the commandments of the law, which in this case served as the foundation of the act of the covenant making. In the preceding rapid survey, we have found that it was the leader of the people, in the more or less epic-legendary traditions of the saga type of a chieftain, such as Moses or Joshua, in the purely historical texts of pre-exilic times the king, in post-exilic times, when the kingship was abolished, again a leader of the people, but this time of a more profoundly religious type, like Ezra, who acted as the reciter of the law at the great festival of the year.

Everything would thus seem to indicate that as long as the kingship existed in Israel it was the king who at the New Year's festival renewed the covenant between Yahweh and the people, reading on this solemn occasion from the book of the law the commandments which served as the foundation of the covenant.

<sup>1</sup> Cf. Mowinckel, *Le Décalogue*, pp. 114 ff., and especially pp. 120 ff., 129-33. "En résumé: ce que J et E rapportent comme récit des événements du Sinaï n'est autre chose que la description d'une fête culturelle célébrée à une époque plus récente, plus précisément dans le temple de Jérusalem, description présentée dans une forme historique et mythologique et adaptée au cadre historique et mythologique des récits de l'Exode", *op. cit.* p. 120; "Nous constatons donc que tous les traits essentiels de l'alliance du Sinaï se retrouvent dans la fête de l'automne et de l'intronisation", *op. cit.* p. 127; "la proclamation d'un agrégé des commandements divers formant les conditions de l'alliance a fait partie des rites de la fête qui a servi de prototype aux récits J et E de l'alliance au Sinaï", *op. cit.* p. 130; and above all the following conclusion: "De tout cela nous pouvons conclure qu'à l'époque de la rédaction des péripécies du Sinaï, les décalogues de J et E étaient annoncés au peuple, dans le cadre du rituel de la fête de l'automne et à un moment déterminé de cette fête, comme les commandements divins de l'alliance devant servir de base au renouvellement de cette alliance", *op. cit.* p. 132. Cf. also Pedersen, *op. cit.* p. 85, with note on p. 677, where we find references to literature, as well as a short criticism of the views presented by Buber, *Das Königtum Gottes* (several editions), where the essentially historical character of the description in Exod. xxiv is defended.

## VII

The next problem must accordingly be: what was the situation when in post-exilic times the Jewish people once more had kings as its own national rulers? This question is answered if we go to the description given in the Mishnaic literature of the Sukkoth festival, the old New Year's festival. In the tractate Soṭa vii. 8 we read the following passage:

The section [treating] of the king—how is it? At the end of the first day of the Sukkoth festival, in the eighth year, i.e. at the end of the seventh, a pulpit of wood is made for him in the Temple court. And he sits thereupon. For it is said: At the end of every seven years in the solemnity etc. The synagogue attendant takes a *tōrāb* scroll and gives it to the steward of the synagogue, and the steward of the synagogue gives it to the president of the synagogue, and the president of the synagogue gives it to the High Priest, and the High Priest gives it to the king. The king arises, receives it, and reads from it sitting.

It is noteworthy that the king still has to recite the law at the Sukkoth festival every seven years, and that he does it sitting on a dais or a pulpit of wood. We should further note the subordinate position assigned to the High Priest in relation to the king. The High Priest is only the last in a long chain of functionaries who are commissioned to hand over the precious roll of the law to the ruler. We must also stress the fact that we actually know that King Agrippa really fulfilled his sacral functions at a Sukkoth festival. The prescriptions of the Mishnah were obviously based on the conditions prevailing in the centuries before and after the birth of Christ.<sup>1</sup>

In the case just quoted, the king still appears as the actual possessor of the law. We are reminded of the fact that according to Deut. xvii. 18 f. the ruler was to possess his own copy of the law. This regulation was still preserved in the time of the Mishnah, for the tractate Sanhedrin says in its commandments concerning the king (ii. 4):

And he writes for himself personally a book of *tōrāb*. If he proceeds into war, it shall be with him; if he returns, it shall be with him; if he is

<sup>1</sup> Cf. Soṭa vii. 8: "King Agrippa stood and received it and read standing, for which act the sages praised him" (translation in *The Babylonian Talmud*, vi

sitting for judgement, it shall be with him; if he is sitting at table, it shall be with him; for it is said: And it shall be with him, and he shall read therein all the days of his life.<sup>1</sup>

As we have observed, it is highly important that according to all traditions the leader of the people of Israel, in older times chieftains of the charismatic type, like Moses and Joshua, in the period of the monarchy the king—and this right down into Hellenistic-Roman times—*always* had the law handed over to him, and thus was the real *possessor* of the *tōrāh*, in the concrete meaning of the word. Moreover, his sacral garment, his ecclesiastical garb, so to speak, meant that he wore the breast-plate of judgement, and in the pouch of judgement carried the Urim and Tummim, the symbols of the tablets of the law,<sup>2</sup> corresponding exactly to the tablets of destiny worn by the ruler in Mesopotamia.<sup>3</sup>

In this way the king, as the possessor and reader of the *tōrāh*, acts in the Temple—and later in the synagogue—service as a *mōreb*, a teacher of the law; he is an instructor of his people, and at the same time a leader of what the Germans call the "Wortgottesdienst". This aspect of sacral kingship in Israel, though generally rather neglected in modern research, and not so spectacular as, for example, the ruler's function as a sacrificer, has been of the utmost importance in royal ideology.

## VIII

In II Kings xi. 17 a covenant was made between Yahweh and the king and his people, as well as between the king and his people. Actually this is a renewal of the covenant made by David in Hebron, for in II Sam. v. 3 we read the following: "And all the elders of Israel came to the king to Hebron; and King David made a covenant with them in Hebron before Yahweh; and they anointed David king over Israel." As in II Kings xi. 17, the king's enthronement is coupled with the making of a covenant between him and his people.<sup>4</sup> But David's election by Yahweh to

<sup>1</sup> In view of the importance of this passage we give the text here:  
 וכותב לו ספר תורה לשמו. יוצא למחמט והוא עמו, נכנס והוא עמו, יושב ברין והוא  
 עמו, סבב והוא בנגדו שנאמר "והיתה עמו וקרא בו כלימי חייו."

<sup>2</sup> Cf. Widengren, *Psalm 110*, pp. 19 f.; *The Ascension of the Apostle and the Heavenly Book*, pp. 25 ff.; *Sakrales Königtum*, pp. 28 f.

<sup>3</sup> Cf. above, p. 17, n. 4.

<sup>4</sup> For the covenant between the Israelite king and his people as an institu-

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be king also implies a covenant between Yahweh and David, a covenant of which we read in II Sam. vii. This complex of traditions, however, is built around the oracles given by the cult-prophets in Jerusalem to King David.<sup>1</sup> One important fact, not sufficiently stressed in the discussion whether the prose tradition in II Sam. vii or the poetic oracles, extant in some royal psalms, should be given the priority of age, is the absence in II Sam. vii of the word and express notion of covenant, in spite of the idea of a covenant being understood in the promise given by Yahweh to David. In the psalms, on the other hand, the term for covenant, *brit*, is mentioned. A passage of considerable importance is found in Ps. lxxxix. 4 f., where Yahweh says, in the oracle brought from him:

I have made a covenant for my chosen,  
I have sworn unto David my servant:  
For ever will I establish thy seed,  
And build to generations after generations thy throne.

This promise to David received special qualification, so far as the covenant is concerned. This covenant, like all such acts, implies the faithful observance of the statutes of the covenant, i.e. the commandments of the divine law, which we have found it to be the king's duty to recite to the people at the New Year's festival. If the descendants of David break the statutes, then God will "visit their transgression with the rod" (*vs.* 31 f.); nevertheless the covenant will last for ever:

For ever will I keep for him my lovingkindness,  
And my covenant shall stand fast with him (*v.* 29).

Yea,  
I will not break my covenant,  
And what is gone out of my lips I will not alter (*v.* 33).

Against the background of these promises, the speaker's miserable situation is fully understood (*v.* 40).

<sup>1</sup> Cf. the references to literature in Widengren, *Sakrales Königtum*, pp. 59-61. It should be added that North, *Z.A.W.* L (1932), 26, considers Ps. lxxxix as later than II Sam. vii and as partly exilic. Obviously he bases his opinion on the fact that there are "Deuteronomic" components in the vocabulary in *vs.* 31 f. But we know today that the kernel of the Deuteronomic literature goes back to long before the exile. Moreover, if there is anything in Begrich's distinction between the various expressions for "make a covenant", then Ps. lxxxix must certainly be a very old oracle; cf. below, pp. 23 f. The Ps. lxxxix in itself is a very old psalm is, however, probable for other, more substantial reasons; cf. Widengren, *Sakrales Königtum*, Exkurs I. For th

For the intimate association between covenant and law, between *b'rit* and *tōrah*, Ps. cxxxii is perhaps still more important. We quote *vv.* 11 f.:

Yahweh hath sworn unto David in truth,  
 He will not turn from it:  
 Of the fruit of thy body will I set upon thy throne.  
 If thy sons will keep my covenant  
 And my witnesses that I shall teach them,  
 Their sons too shall sit upon thy throne for evermore.

Here the covenant's existence in the future is said by the oracle from Yahweh to be dependent upon the eventuality that David's descendants will keep Yahweh's "witnesses" (*'ēdōt*), which we will teach them. We have already found that in fact the *'ēdōt*, being the law, was handed over to the king in Jerusalem on the occasion of his coronation.<sup>1</sup> In Ps. cxxxii we now learn that Yahweh had promised to teach the Davidic ruler his law. He accordingly had to study this law, just as we have seen that it was prescribed in the "king's charter" in Deut. xvii. 18-20. This study of the law enables the king to act at the New Year's festival as the reader of the *tōrah* to the assembled congregation. The said prescription of the law in Deuteronomy thus finds its correspondence in the cultic oracle preserved in the royal psalm, Ps. cxxxii, with its proclamation of the covenant between Yahweh and David.<sup>2</sup>

Now it has been argued on the one hand, that the oldest idea of Yahweh's covenant with Israel did not carry any conviction of legal stipulations between the two partners of the covenant, God and the people of Israel, and, on the other hand, that Yahweh, being the vastly superior, and, as it were, *electing* the other partner of the covenant from the outset, was said "to make a covenant for someone" (*kārat b'rit l'*).<sup>3</sup>

<sup>1</sup> Cf. above, pp. 3 f. For the possible equation *'ēdōt* = *'ēdōt*, cf. Gesenius-Buhl, *H.W.* p. 363 b, s.v. *עֲדוֹת*; Gesenius, *Gr.* § 91 n.; Baethgen, *H.A.T.* II, 2 (2nd ed.), 392.

<sup>2</sup> For the interpretation of Ps. cxxxii, cf. Gunkel, *H.A.T.* II, 2 (4th ed.), 368, and Bentzen, *J.B.L.* LXVII (1948), 42 ff., where, however, our main problem is not considered. Johnson, *op. cit.* pp. 17 ff., however, gives a full treatment of this psalm and its relevance for our problem.

<sup>3</sup> Cf. Begrich, *Z.A.W.* LX (1944), 2 f. For the idea of Yahweh as the superior partner, who "elects" his partner of the covenant, cf. also Rowley, *The Biblical Doctrine of Election* (1930), pp. 43 ff. Begrich's description of *b'rit* is of an altogether different character from that given by Pedersen, *Der Eid*,



In the case of the covenant between Yahweh and David, we should note that the *b'rīt* is understood as an election from the side of Yahweh, as has been duly observed in connexion with Ps. lxxxix. 4 ff. Election and covenant go side by side, the making of the covenant being nothing but the expression of the election.<sup>1</sup> At the same time, however, even in the same psalm the covenant may be seen as an agreement that can be annulled by both partners; cf. Ps. lxxxix. 40.<sup>2</sup> Nevertheless in this psalm we meet with the expression *kārat b'rīt libhīrī*, in the oracle "I have made a covenant with my chosen, I have sworn unto David, my servant" (v. 4), which, according to the hypothesis just referred to, should not be associated with a juridical interpretation of the covenant idea.

In Ps. cxxxii the covenant between Yahweh and David is without any doubt conceived of in juridical terms. The covenant is conditional, being dependent on the stipulation that the descendants of David keep God's covenant and his witness, i.e. the law that he will teach them (v. 12). In the oracles given to David by Yahweh, as preserved in the two royal psalms, Ps. lxxxix and cxxxii, the juridical interpretation of the idea of the covenant is accordingly quite explicitly expressed.<sup>3</sup>

כרת und den sonstigen Bezeichnungen nachweisen. . . , und die Frage, ob die Parteien ebenbürtig sind oder nicht, ist an und für sich dem Begriffe fremd; im A.T. kommt eigentlich kein Beispiel einer *b'rīt* zwischen ganz gleich gestellten vor." We should also observe the words of Eichrodt, *Theologie des Alten Testaments*, I (1933), 7, where the character of *b'rīt* as a mutual agreement is duly stressed with reference to the investigations of Valeton, *Z.A.W.* XII (1892), 1 ff., 224 ff.; XIII (1893), 245 ff., esp. XII, p. 233. Begrich has only carried Valeton's opinions to their extreme. For the various philological possibilities of expressing the notion of covenant, cf. now also Kochler, *J.S.S.* I (1936), 4-7. The whole problem requires a more detailed examination than it is possible to give here. For a full bibliography up to 1945, cf. Östborn, *op. cit.* p. 44, n. 4; cf. Nielsen, *op. cit.* pp. 110 ff.

<sup>1</sup> Cf. Begrich, *op. cit.* p. 7.

<sup>2</sup> Cf. Begrich, *op. cit.* p. 6, where he compares Ps. lxxxix. 40 and Jer. xiv. 21 with Ezek. xvii. 16 ff. and Jer. xi. 10. Rowley, *op. cit.* p. 49, says: "It is sometimes observed that the Covenant was bilateral. It was not bilateral in the sense that it laid obligations on both parties; nor in the sense that it was terminable by either party on due notice being given. . . . It offered no right of termination to either party." Here, however, Ps. lxxxix. 40 is not quoted or considered. It may be that this passage constitutes a special case. At any rate the problem in question cannot be discussed here.

<sup>3</sup> Cf. also I Chron. xxviii. 7: "Moreover I will establish his kingdom for . . . as at . . ."

Such is the case also in Josh. xxiv. 25-7, where the *b'rīt* between Yahweh and his people has its outward symbol and sponsor in the *sēper tōrat 'lōhīm* (v. 25), Joshua setting the people "a statute and an ordinance in Shechem".<sup>1</sup> Thus the juridical confirmation in this case too cannot be questioned. Now in this last passage also we meet with the expression *kārat b'rīt l'* (v. 25).<sup>2</sup> For this reason it may be wondered whether a juridical notion of the covenant was not associated with the idea of a *b'rīt* from the beginning.<sup>3</sup> Be this as it may, at any rate the covenant between Yahweh and the leader of the people is seen and understood in juridical categories, and finds its visible expression in the *sēper b'rīt*, or the *sēper tōrat 'lōhīm*, or the *'ēdūt*, or whatever term might be chosen to designate the law given by Yahweh (cf., e.g., Ps. lxxxix. 31 f., and the various terms to be found there) to the ruler and the people of Israel. This book, the code, as we have intimated, is the symbol and sponsor of the covenant.

The passages in prophetic literature alluding to the covenant with David do not substantially change the picture already drawn. Thus, Jer. xxxiii. 14-22, 25 f., refers to Yahweh's covenant with David in the strongest possible terms, but the prophetic words cannot be said to add any new details, since the prophet renders the words of God in the following way:<sup>4</sup>

For thus saith Yahweh:

There shall not be cut off from David

A man sitting upon the throne of the house of Israel.

Or:

Thus saith Yahweh:

If ye can break my covenant with the day

And my covenant with the night,

<sup>1</sup> Cf. the discussion by Begrich, *op. cit.* p. 8; but contrast Pedersen, *Der Eid*, p. 61.

<sup>2</sup> Begrich, *op. cit.* p. 8, says of this passage: "Bezeichnend ist, daß die Einleitung, welche den Vorgang als *b'rīt*-Abschluß einführt, die neue Wendung des Begriffes noch nicht durch *b'rīt* [i.e. the juridical notion of an agreement between two partners] allein auszudrücken gewagt hat. Sie addiert und zeigt damit das Auseinanderdrücken ursprünglicher getrennter Bereiche: und Josua schloß für das Volk (*lā'am*) eine *b'rīt* an jenem Tage und setzte ihm *bōk* und *mišpāt* in Sichem fest."

<sup>3</sup> Pedersen, *Der Eid*, pp. 33 ff., does not question a certain juridical character in the notion of *b'rīt*. Cf. further above, p. 24, n. 3.

<sup>4</sup> Generally these passages are considered as later additions; cf., e.g., Giesebrecht, H.A.T. III, 2, i, xv, third column in the survey of the composition of the book of Jeremiah. See also Volz, K.A.T. x, 266 f.; Rudolph,

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That there should not be day and night in their season,  
Then may also be broken my covenant with David, my  
servant,  
That he should not have a son reigning upon his throne.  
(Jer. xxxiii. 17, 20 f.)<sup>1</sup>

In the last part of the prophet's oracle, however, the covenant with David receives still more of the character of a part of the cosmic order, established by God:

Thus saith Yahweh:  
If my covenant be not with day and night,  
If I have not appointed the ordinances of heaven and earth,  
Then also will I cast away the seed of Jacob, and David, my servant,  
So that I will not take away any of his seed  
To be rulers over the seed of Abraham, Isaac and Jacob.  
For I will turn their turning and have mercy on them.  
(Jer. xxxiii. 25 f.)<sup>2</sup>

## IX

When the intimate association between the Davidic ruler and the eagerly awaited new Saviour King, the Messiah, is more or less loosened, as is the case in the oracles of the so-called Deutero-Isaiah, the idea of the king as presenting the *tōrāh* of Yahweh is still found, as in Isa. xlii. 1, 3 f., 6. The Chosen of Yahweh—this old designation of the Davidic king still being retained<sup>3</sup>—shall let the judgement (*mišpāt*) go out to the nations (*gōyīm*); the isles

<sup>1</sup> In xxxiii. 17, Giesebrecht, *op. cit.* p. 187, assumes an imitation of xxxv. 19. This is doubtful. In xxxiii. 20 Giesebrecht, *ibid.*, thinks that *בְּיָמָיו* should be replaced by *בְּיָמֵי*.

<sup>2</sup> Giesebrecht, *op. cit.* p. 187, finds allusions to the covenant with Noah combined with a hint at the end of Gen. viii. He thinks that such an expression as *בְּרִיתִי חַיִּים* is a sign of a late date. This is very doubtful. Volz, K.A.T. x, 311, thinks of a time considerably later than that of Jeremiah; so also Rudolph.

<sup>3</sup> Cf. Widengren, *Sakrales Königtum*, p. 96, n. 95, reference to Dupont-Sommer, *Aperçus préliminaires sur les manuscrits de la Mer Morte* (1950), p. 44. I am well aware of the fact that a considerable number of scholars—perhaps the majority of them—want to read *בְּחֵירוֹ* as a *scriptio defectiva* for *בְּחֵירוֹ*, "his chosen ones". At the Orientalists' Congress in Istanbul in 1951, in the Semitic section, Dupont-Sommer defended his interpretation of *בְּחֵירוֹ* with many weighty arguments, and at any rate it cannot be doubted that the

(*'iyyim*) shall wait for his law (*tōrāb*), the king being, as it were, the divine law incarnate.<sup>1</sup> Then the prophet continues:

I, Yahweh, have called thee in righteousness,  
And will hold thine hand,  
And will preserve thee,  
And make thee a covenant of the people,  
A light of the nations (Isa. xlii. 6).<sup>2</sup>

In this passage it is the person of the Saviour King, who is elevated under the protection of Yahweh to the position of being himself "a covenant of the people", i.e. of Israel, as well as a light of the foreign nations. This is made possible because the Elect One possesses the *tōrāb*, thanks to which he is able to distribute justice to the whole earth. The intimate relation between law and covenant accordingly is still perfectly preserved in the prophet's conception of the Messiah.

It is of considerable interest to note that the Messiah of the Samaritans is also in possession of the law of Yahweh, for a well-known liturgical song on Taheb, the Samaritan Messiah, says (verses 12 f.):<sup>3</sup>

And Yahweh will call unto him  
And teach him his *tōrōt*,  
And give him a writing  
And clothe him in his prophetic office.

The agreement with the Psalms of Solomon xvii. 32 calls for notice, for there Messiah is said to be "taught by God".<sup>4</sup>

Descending in time as far as Early Judaism, we should note a very interesting and important passage in the Testaments of the

<sup>1</sup> Cf. Goodenough, *J.B.L.* XLVIII (1929), 203 with n. 87.

<sup>2</sup> The translation of עַם בְּרִיתָא causes no difficulty, LXX having καὶ ἔδωκε αὐτῷ εἰς διαθήκην γένους, and Peshitta ܘܥܘܠܡܝܢ ܘܥܘܠܡܝܢ ܘܥܘܠܡܝܢ. For the commentary on this passage, cf. Bentzen, *Jesaja*, II (1943), 35, with whom I agree in all essentials, and especially for the interpretation of the expression עַם בְּרִיתָא; cf. Pedersen, *Der Eid*, p. 46, where, however, עַם is taken as denoting the plural, obviously on account of the parallelism with "the nations". Contrast already Valeton, *Z.A.W.* XLI, 257 f. Cf. also Östborn, *op. cit.* p. 77.

<sup>3</sup> Text in Merx, *Der Messias oder Ta'eb der Samaritaner* (1909), pp. 27 ff., translation pp. 29 ff. For this poem cf. further Bowman, *J.J.S.* VI (1955), 63 ff. The text reads:

וילמדו תורותו	ויקרא אליו יחז
וילבישו גרייתו	ויתן לו סכת

XII Patriarchs, for here we read in Test. Levi xvi. 3, in the Armenian version, recension A:

And ye will call the men renewing the laws a liar,  
And at last ye will kill him, not seeing his righteousness.

That in this Armenian version we come across an original text, showing no traces of Christian interpolations, was seen by Bousset.<sup>1</sup> The unknown Jewish teacher who tried to renew the law is immediately reminiscent of the "Teacher of Righteousness" in the Dead Sea Scrolls, as Dupont-Sommer has emphasized.<sup>2</sup>

The D.S.H. text, for example, states that the apostates did not believe in all that the Teacher of Righteousness, commissioned by God, had spoken (D.S.H. II, 1 ff.). These apostates are the people who do not believe in the ordinances of God and his covenant (II, 14 f.). The Teacher's chief opponent is the Man of the Lie, who rejected the *tōrāh* in the midst of all the peoples (V, 10 ff.). God, however, will put the judgement of all peoples in the hand of his Elect One (V, 3 ff.).<sup>3</sup> The Teacher of Righteousness, according to our opinion in the Dead Sea Scrolls called the Elect One, the ancient Messianic title,<sup>4</sup> is the man whom God caused to know all the secrets of the words of his servants, the prophets (VII, 4 f.). In D.S.Mic., in an unfortunately very broken context,

<sup>1</sup> Cf. Bousset, *Z.N.W.* 1 (1900), 169 f. The Greek retroversion of the Armenian text using that given by Bousset (cf. Charles, *The Greek Versions of the Text of the Testaments of the XII Patriarchs* (1908), p. 39) runs as follows: καὶ (τὸν) ἄνδρα (τὸν) ἀνακαινοποιῶντα τὸν νόμον πλάνον προσαγορεύσετε καὶ τέλος ἀποκτενεῖτε αὐτὸν οὐκ εἰδότες... τὴν δικαιοσύνην αὐτοῦ. When Charles, *op. cit.* p. 39, n. 20, says that the Armenian *zardarut'iw*n (righteousness) "rests on a misinterpretation of ἀνάστημα", he entirely misunderstands the history of the text. As Bousset says of the Armenian text: "Er hat gerade diejenigen Worte des Griechen die uns zwingen, hier an den Tod Jesu zu denken, nicht... So wie die Worte im Armenier stehen, brauchen sie nicht christlich zu sein. Man kann sie auf das Martyrium irgendeines jüdischen Frommen beziehen." It would carry us too far to discuss here the work of de Jonge, *The Testaments of the Twelve Patriarchs* (1953).

<sup>2</sup> Cf. Dupont-Sommer, *Nouveaux aperçus sur les manuscrits de la Mer Morte* (1953), pp. 74 f. He would have strengthened his case considerably had he referred to the text of the Armenian version.

<sup>3</sup> The text in these passages reads: D.S.H. II, 1 ff., עִם אִישׁ חָכוֹב כִּי, ובוגרים עם איש חכוב כי; D.S.H. II, 14 f., ולוא יאמינו בחוקי, ולוא יאמינו בחוקי, לוא [יאמינו בכל אשר דבר] סורה חזק אל. For the filling in of the lacunae in these and other passages, cf. Brownlee, *B.A.S.O.R.* no. 112 (1948), pp. 8 ff. D.S.H. V, 10 ff., אשר טאם, אשר טאם

he is said to be a teacher of the *tōrāb*, not only to his own people, but to all who join the Elect Ones of God.<sup>1</sup> In the well-known Damascus Document, C.D.C. ix, 8, it is expressly stated that the Teacher of the *tōrāb* is the Star, i.e. the Messiah, according to the Messianic interpretation of the famous passage, Num. xxiv. 17.<sup>2</sup>

Presumably it is quite superfluous to insist on the structural agreement between these conceptions of the texts belonging to the sect of the so-called Damascus Covenanters, now generally, if not universally, identified with the Essenes, and those analysed in the course of our investigation. We should, however, not forget to point out that special connexions are to be found with Deutero-Isaiah in the insistence on the universal traits in the figure of Messiah as the teacher of the law of God to all peoples of the earth. At the same time the Teacher of Righteousness appears as "the new Moses".<sup>3</sup> Very important also is the fact already alluded to,<sup>4</sup> that in this movement of the "Essenes" we find a yearly renewal of the covenant.

## X

Jesus used to teach in the synagogue. The passage in Luke iv. 16 ff. calls for notice in this connexion. In perfect agreement with the regular order of the worship of the synagogue, Jesus on the

<sup>1</sup> The text of D.S.H. vii, 4 reads: משרו על סורה תצוק אשר חוריעו אל את כל רוי דברי עכריו תנביאים. The fragment D.S.Mic. was published by Milik, R.B. LIX (1952), 412 ff., where the following supplemented text is given in the passage in question:

[משרו ע]ל סורי תצוק אשר הוא  
[יורה התורה לעצת]ו ולכ[ו]ל המתגדלים לוסף על בחירי  
[אל עשי התורה] בעצת חיחר

The text is now accessible also in Barthélemy-Milik, *Qumran Cave I* (1955), p. 78, lines 6-8.

<sup>2</sup> Cf. Rost, *Die Damaskusschrift* (1933), p. 16: ותכוכב הוא דורש התורה תבא דמשק כאשר כתוב "דרך כוכב טיעקב וקם שבט ישראל". Cf. Rabin, *The Zadokite Documents* (1954), p. 31.

<sup>3</sup> Cf. Ringgren, *Svenska Jerusalemsföreningens tidskrift* (1956), p. 10, for the Hödayōt.

<sup>4</sup> In the benediction for the "Prince of the Congregation" (held to be the eschatological figure of Messiah) it is said that God renews for him "the covenant of the community", וברית חיחר יחיש לו; cf. Barthélemy-Milik, *Qumran Cave I* (1955), p. 127, col. v, 21, and for the figure of the Prince of the Congregation, pp. 128 f. I have not been able to find anything in the published texts about a renewal of the covenant in which the Teacher of

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sabbath day in Nazareth offered himself as a lector,<sup>1</sup> reciting, however, not from the Law (the *parashah*), but from the Prophets (the *haphtarab*), i.e. the lection following that from the Law.<sup>2</sup> It is said that his eye fell upon the text Isa. lxi. 1 ff., which he read to the congregation.<sup>3</sup>

And there was delivered unto him the book of the prophet Isaiah. And when he had opened the book, he found the place where it was written:

The Spirit of the Lord is upon me,  
Because he hath anointed me,  
To preach the gospel to the poor he hath sent me,  
To preach deliverance to the captives, and recovering of sight  
to the blind,  
To set at liberty them that are bruised,  
To preach the year of grace of the Lord.

And he closed the book-roll, and gave it again to the minister, and sat down. And the eyes of all them that were in the synagogue were fastened on him. And he began to say unto them: This day is this scripture fulfilled in your ears. And all bare him witness, and wondered at the gracious words which proceeded out of his mouth. And they said: Is not this Joseph's son? (Luke iv. 16-22.)

It is of great importance to our main theme to find Jesus here in the role of the διδάσκαλος, the teacher of the law.<sup>4</sup> He adapts himself to the usual custom when reading the text standing, and then sitting down to give his exposition. As we have seen, it was only the king that was allowed to read the Scripture sitting in his chair. But when Jesus sits down in his chair (καθέδρα), on the tribune (βῆμα),<sup>5</sup> our thoughts nevertheless go back to Messiah, the Anointed of Yahweh, acting as the Teacher to his people.<sup>6</sup> This impression is strengthened when we observe what text Jesus had recited, for Isa. lxi. 1 ff. is obviously an auto-

<sup>1</sup> Cf. Plummer, *Gospel according to St Luke*, I.C.C. (4th ed., 1901), pp. 119 f. Easton, *The Gospel according to St Luke* (1926), p. 31; Schürer, *Geschichte des jüdischen Volkes* (4th ed., 1907), II, 326 ff.; Dalman, *Jesus-Jeschua* (1922) pp. 36 ff.; Strack-Billerbeck, *Kommentar zum Neuen Testament*, IV (1928) 133 ff.

<sup>2</sup> Cf. Dalman, *Jesus-Jeschua*, pp. 36 f.; Plummer, *op. cit.* p. 120; Schürer *loc. cit.*

<sup>3</sup> For the interpretation of εὔρεν, cf. Plummer, *op. cit.* p. 120.

<sup>4</sup> Cf. the article by Rengstorff, διδάσκω, *Tb. Wb. z.N.T.* 11 (1934), 142, and the article διδάσκαλος, *ibid.* p. 139, where it is stressed that Jesus is conceived of as "the new Moses".

<sup>5</sup> Cf. Dalman, *op. cit.* pp. 39, 42.

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proclamation originally belonging with exclusive right to the sacral king of Israel, as we have tried to demonstrate in another connexion.<sup>1</sup> In this place we may content ourselves with a reference to the quotation:

The Spirit of the Lord is upon me,  
Because he hath anointed me.

This saying alludes to the royal anointing, which gave to the Israelite ruler the spirit of Yahweh, as has been often stressed.<sup>2</sup> And here it is all important to note that Luke transmits to us this tradition of Jesus as the teacher in the synagogue immediately after his baptism and temptation. His appearance in the synagogue is thus his first public appearance. In the baptism Jesus had received the royal anointing with the Holy Spirit and been proclaimed the Son of God,<sup>3</sup> thus elevated to the position of the Anointed of Yahweh, in accordance with his (alleged) Davidic lineage inheriting the old rights accorded by Yahweh to David and his descendants—in perfect agreement with the covenant concluded by God with David.

Now Jesus, occupying the position of Messiah, and by the act of baptism and anointing enthroned, as it were, as the Davidic ruler, presents himself to his people as its teacher of law, reciting the auto-proclamation of Isa. lxi. 1 ff. as his own.<sup>4</sup> This proclamation of his, implying that the word of the prophecy was fulfilled this day before his hearers, aroused at once their praise and their surprise.<sup>5</sup> Why did they ask themselves: "Is not this Joseph's son?" if not because they could not imagine the son of the carpenter Joseph coming forth with such authority as the Messianic teacher of the people?

<sup>1</sup> Cf. Widengren, *Sakrales Königtum*, pp. 57 f.; R.o.B. 11 (1943), 72 ff. I was anticipated by Gressmann, *Der Messias* (1929), p. 205 (which had escaped my notice), where he says, n. 3: "Jedenfalls spricht hier nicht der Verfasser selbst, da er als Prophet nicht gesalbt ist, sondern ein König."

<sup>2</sup> Cf. Widengren, *Sakrales Königtum*, p. 32; North, *Z.A.W.* 1 (1932), 16, where also the parallelism between I Sam xvi. 13 and Isa. lxi. 1 is noted.

<sup>3</sup> Cf. James, *Christian Myth and Ritual* (1933), pp. 100 f.: "It was at the baptism that Jesus became Son of God."

<sup>4</sup> Östborn, *op. cit.* pp. 161 f., has obviously not seen the connexion at this point, for he has no references to Luke iv. 16 ff., but only to Jesus's baptism, iii. 21 f. I should like here to state that in a great many points I agree with Dr Östborn, though it has been impossible to record all such instances.

<sup>5</sup> Cf. Wellhausen, *Das Evangelium Lucas* (1904), pp. 6 f.: "Jesus eröffnet



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Jesus, being the teacher of the law because he is the Messiah, is the figure transparent everywhere in the Synoptic narratives of the didactic discourses given by him. Jesus thus communicates his "law" in the Sermon on the Mount. "The phrase he there uses, 'but I say unto you'...which shows that it is a new, personal 'law' he is now laying down, is certainly to be interpreted as a claim that Jesus is conscious of possessing the ultimate knowledge to which 'the law' and the covenant aspired: a true communion with God and awareness of the divine will."<sup>1</sup>

It is well known that the attitude taken by Jesus to the Mosaic law is characterized by his words in Matt. v. 17:

Think not that I am come to destroy the Law or the Prophets.  
I am not come to destroy, but to fulfill.

The verb employed for "fulfill", πληρῶω, denotes that Jesus has come to accomplish the old law by replacing it by a new law. But this means that he also—being the new Moses—introduces a New Covenant, because the old covenant was the true expression of the hitherto prevalent Mosaic law.<sup>2</sup> The term "the New Covenant" in the case of Jesus links him up with the "Essenes" behind the Dead Sea documents, as well as farther back with Josiah and Jeremiah. The manner in which Jesus, when celebrating the Last Supper, institutes this New Covenant is immediately reminiscent of the Old Testament ceremonies for covenant making, namely, the use of blood as the confirmation of the covenant, as in Exod. xxiv.<sup>3</sup> Jesus, then, in the description of this act is depicted as the Messianic king in his capacity as the Teacher of Righteousness and as the mediator of the covenant between God and his people.

<sup>1</sup> Thus Östborn, *op. cit.* pp. 161 f., referring to Schlatter, *Der Evangelist Matthäus* (1929), p. 168, and Soiron, *Die Bergpredigt Jesu* (1941), pp. 139 f.

<sup>2</sup> For Jesus as the New Moses, in addition to Rengstorf, *op. cit.* p. 139 (cf. above, p. 30, n. 4), cf. above all, Jeremias, *Tb. Wb. z.N.T.* iv, 872, where it is emphasized that Jesus has compared himself with Moses as the bringer of the true, definite will of God, with reference, *inter alia*, to the Sermon on the Mount, Matt. v. 17, 21 ff. In Rabbinic Judaism the Messiah does *not* introduce a new *ṭorāh*, but is occupied with the study of the Mosaic law, just like the king, as we have seen; cf. Gutbrod, νόμος, *Tb. Wb. z.N.T.* iv, 1049. This may be caused by Jesus's claims to possess authority to "fulfill" the law.

<sup>3</sup> Cf. Robinson, *op. cit.* p. 236, where the parallelism between the words of Jesus and Exod. xxiv is strongly emphasized. Cf. also above, p. 18.

# THE SCHEMA OF THE ARAMAIC LEGAL DOCUMENTS

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A sufficient number of Aramaic legal papyri has now been published to make a consideration of their schema worth while. All but one of these documents are of the fifth century B.C. and have been found at Elephantine, at the southern border of Egypt; they are contained in Cowley's *Aramaic Papyri* and in Kraeling's recent edition of the *Brooklyn Museum Aramaic Papyri*. To these we should add Papyrus Meissner,<sup>1</sup> of 515 B.C., the provenance of which is not known.

The documents may be divided into two groups:

*Group A* is the earlier one; it comprises P. Meissner, A.P. 1, 2, 3, 11 and 46. P. Meissner has peculiarities of its own, probably the result of its different place of provenance. Of the documents belonging to this group, the date is damaged in A.P. 3, and missing in A.P. 11 and 46; they have been included in the group as they show the features characteristic of it. Cowley suggests no date for A.P. 46; as for A.P. 11 he thinks it was written about 455 B.C. We shall return to this point.

*Group B* comprises all the other documents. The earliest papyrus belonging to it is A.P. 5, of 471 B.C.

The differences between the two groups are not fundamental; on the contrary, they concern matters of minor importance, and only their accumulation makes a distinction possible. A strictly separate treatment of the two groups is, therefore, neither necessary nor justified. Schemata of the two groups are set out at the end of our discussion (p. 55).

## I. DATE

The date forms the beginning of all the legal papyri, without exception. Letters are, if at all, dated at the end (A.P. 30, 31, 42, P. Brooklyn 13).

Group A has Egyptian dating only, in the order: day, month,

<sup>1</sup> Published by Bauer and Meissner, *S.P.A.W.* (1936), p. 414. New edition