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## The Meaning of Archaeology for the Exegetical Task

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# Early Israel as the Kingdom of Yahweh

## The Influence of Archaeological Evidence on the Reconstruction of Religion in Early Israel

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ARCHAEOLOGICAL EVIDENCE INDICATES THAT EARLY ISRAEL AS THE KINGDOM OF Yahweh functioned on the analogy of Ancient Near Eastern vassal states. In the religion of Early Israel both law and warfare were vehicles for the extension of Yahweh's covenant rule.

In spite of an abundance of reasonably well-dated and preserved new sources to document the life and history of Palestine-Syria in the second millennium B. C. there was a widespread pessimism among OT scholars before World War II about the possibility of reconstructing the religion of Early Israel.<sup>1</sup> This was due in part to the fact that the oldest OT source, the so-

called Yahwistic stratum in the Tetrateuch, except possibly for Judges 5, was not written down before the 10th century B. C. In consequence there was uncertainty about even the outlines of the history of Israel from Moses through Samuel as well as the patriarchal prolog.<sup>2</sup> At the same time it must be admitted that until very recently OT scholars were not prepared to scrutinize archaeological or Akkadian sources from Palestine-Syria, to name but two that are of prime significance, with any kind of critical facility. It is this new material that has provided a sound basis for a history of the religion of Early Israel. OT sources can now be tested for general age of content if

<sup>1</sup> German scholarship continued to reflect historical pessimism following World War II. See M. Noth, *Geschichte Israels* (Tübingen, 1950; ET rev., 1960), pp. 42—50. This is clearly reflected in G. von Rad, *Theologie des Alten Testaments*, Vol. I (Munich, 1957; ET, Edinburgh, 1962), pp. 3—14. Note that H. Ringgren, *Israelitische Religion* (Stuttgart, 1963; ET, Philadelphia, 1966), pp. 17—54, devotes slightly more than one eighth of his survey to premonarchic religion. Not significantly improved is Th. C. Vriezen, *De godsdienst van Israel* (Arnhem, 1963; ET, Philadelphia, 1967), especially pp. 104—107. Scholarship indebted to archaeological studies and more optimistic about the value of the sources was summarized by J. Bright, *A History of Israel* (Philadelphia, 1959). See also R. de Vaux, "Method in the Study of Early Hebrew History," *The Bible and Modern Scholarship*, ed. J. P. Hyatt (New York, 1965), pp. 15—29, and responses by G. E. Mendenhall and M. Greenberg, *ibid.*, pp. 30 to 43.

<sup>2</sup> Recovery of confidence in the patriarchal narratives is traced by H. H. Rowley, "Recent Discovery and the Patriarchal Age," *The Servant of the Lord and Other Essays on the Old Testament* (London, 1952), pp. 271—305, and R. de Vaux, "Les Patriarches Hébreux et les découvertes modernes," *RB*, LIII (1946), 321—346; LV (1948), 321—347; LVI (1949), 7—36; and now "Les Patriarches Hébreux et l'histoire," *RB*, LXXII (1965), 5—28. On Moses see Eva Osswald, *Das Bild des Mose in der kritischen alttestamentlichen Wissenschaft seit Julius Wellhausen*, *Theologische Arbeiter*, Vol. XVIII (Berlin, 1962).

not composition. In the paragraphs that follow we shall first briefly review the major efforts to reconstruct the religion of Early Israel since Wellhausen. Following a delineation of major new sources from the second millennium B.C. and an evaluation of the OT as a source, a proposal is offered for reconstructing the religion of Early Israel.

### I. SCHOLARSHIP SINCE WELLHAUSEN

It is widely agreed that Biblical theology as a history-conscious discipline was first effectively separated from systematic theology by Johann Philipp Gabler in his inaugural lecture at the University of Altdorf, 1787. In the following century the impact of humanistic studies on OT scholarship was so great that by the time Julius Wellhausen (1844—1918) published the first volume of his *Geschichte Israels* in 1878, it was clear to everyone that the historical study of the religion of the OT had replaced the theological exposition of the text as a viable way to adequately reflect and meaningfully report the OT to modern man.<sup>3</sup> Though his synthesis was a popular success, influential scholars very soon began the process of revising the documentary and historical hypotheses advanced by Wellhausen.<sup>4</sup> In one way or another all

<sup>3</sup> The second edition of this work was entitled, *Prolegomena zur Geschichte Israels* (Berlin, 1883). This edition was translated into English as *Prolegomena to the History of Israel* (Edinburgh, 1885). The sixth German edition appeared in 1927. The currently available Meridian Books edition (New York, 1957) also contains the long article, "Israel," which appeared in the 9th edition of *Encyclopaedia Britannica* (1879).

<sup>4</sup> The history of this process is in J. Coppens, *L'histoire critique de l'Ancien Testament* (ET, Patterson, N. J., 1942), pp. 50—110, and H. J. Kraus, *Geschichte der historisch-kritischen Erfor-*

significant modifications of the Wellhausen reconstruction of the religion of Early Israel have been due to the work of scholars who have taken into account the new evidence brought to light by accidental and systematic archaeological discovery. Indeed, it may well be that the uncertain future of the OT theology produced by the generation now retiring is due in no small measure to its inadequately confronting the meaning of the evidence produced by the archaeological revolution of the 20th century.<sup>5</sup> Thus, whether reconstructing the history of the religion or the theology of the OT, one cannot evade the archaeological evidence without being threatened with becoming an intellectual artifact within one's lifetime.

In Wellhausen's reconstruction the religion of Early Israel was a gradual development of the national self-consciousness of an originally nomadic people chosen by Yahweh. The golden age and creative period was the monarchy and the later preaching of the prophets. Early Israel was a child growing into maturity, which was reached first in the 10th century.

*schung des alten Testaments von Reformations bis zur Gegenwart* (Neukirchen, 1956), pp. 265—432. One notes with some amazement the modernity of the critique in Friedrich Eduard König, *Die Hauptprobleme der altisraelitischen Religionsgeschichte* (1884; ET 1885), directed against A. Kuene, whose views were substantially adopted by Wellhausen. This form of criticism is also represented in B. D. Eerdmans, *The Religion of Israel* (Leiden, 1947), a revision of *De Godsdienst van Israel*, 2 vols. (1930).

<sup>5</sup> R. C. Dentan, *Preface to Old Testament Theology*, rev. ed. (New York, 1963), p. 83, believes that "the great work on Old Testament theology in English has yet to be written." There are, however, so many works available today that the current decade "will be a period of assimilation, self-criticism and consolidation."

The camp of Israel en route from Egypt to Palestine, described in Numbers, is "at once the cradle in which the nation was nursed and the smithy in which it was welded into unity."<sup>6</sup> Indeed, "Moses gave no new idea of God to his people."<sup>7</sup> Since the Pentateuch is not the work of Moses, and none of it derives from Early Israel, one must gather from Judges, Samuel, and Kings indirect evidence of what Mosaism might have been.<sup>8</sup> The view that a covenant with Yahweh was integral to Early Israel or that God ruled as in a theocracy are both constructs from later sources superimposed on the early period.<sup>9</sup> Israel learned first about the covenant from Assyrian and Babylonian periods of exile in the 8th and 6th centuries.<sup>10</sup> Since the second millennium provides no reliable sources other than the Song of Deborah in Judges 5, we cannot hope to recover a more adequate picture of the religion of Early Israel. This in brief is the Wellhausen legacy, which has strongly influenced the average scholar and student of the OT in the past 90 years in his views of the religion of Israel between Moses and Samuel.<sup>11</sup>

In the universities of Europe, England, and America the literary critical views of Wellhausen and his reconstruction of the religious history of Israel evolving from

natural through prophetic to priestly religion were powerfully persuasive and intellectually satisfying to all but a modest, nevertheless literate, minority. There were respected conservative theologians who acknowledged the necessity of critical investigation of the Bible, accepted some form of a documentary hypothesis for OT literary history, but allowed considerably more historical value to sources for the religion of Early Israel. Such scholars were Franz Delitzsch (1813—1890),<sup>12</sup> August Dillmann (1823—1894),<sup>13</sup> Eduard König (1846—1936),<sup>14</sup> and Rudolf Kittel (1853 to 1929).<sup>15</sup> A second group to protest the

<sup>12</sup> Franz Delitzsch, always conservative, showed sympathy for the critical position in the 5th edition of his commentary on Genesis, published in 1887. The 4th edition of his *Commentary on Isaiah*, published in 1889, was dedicated to two Oxford scholars, S. R. Driver and T. Cheyne. See Franz Delitzsch, *Der tiefe Graben zwischen alter und moderner Theologie. Ein Bekenntnis* (Leipzig, 1888; 2nd ed., 1890).

<sup>13</sup> Dillmann was especially important for reviving interest in Ethiopic studies. He also contributed commentaries on Genesis (eds. 1882, 1892; ET 1897), Exodus and Leviticus (1880, 1st ed.), Numbers, Deuteronomy, and Joshua (2nd ed., 1886), Job (4th ed., 1891), and Isaiah (5th ed., 1890) in the series, *Kurzgefasstes exegetisches Handbuch zum Alten Testament* (Leipzig).

<sup>14</sup> See note 4 as well as *Geschichte der Alttestamentlichen Religion* (Gütersloh, 1912). A respected Hebraist, he consistently rejected the evolutionary interpretation of the religion of Israel.

<sup>15</sup> R. Kittel fruitfully used extrabiblical sources in *Geschichte der Hebräer*, 2 vols. (Gotha, 1888—1892; ET, London, 1895—1896; 2d ed., Vol. I, 1912, Vol. II, 1909; 3d ed., Vol. I, 1916, essentially unrevised through eds. 4—7, the last appearing in 1932). See also *Die orientalischen Ausgrabungen und die ältere biblische Geschichte* (Leipzig, 1903) and *Studien zur hebräischen Archäologie und Religionsgeschichte* (Leipzig, 1908). The 1st ed. of *Biblica Hebraica*, with other scholars, appeared 1907.

<sup>6</sup> Wellhausen, *Prolegomena*, p. 434.

<sup>7</sup> *Ibid.*, pp. 440.

<sup>8</sup> *Ibid.*, pp. 288—294, 342—362, 438—440.

<sup>9</sup> *Ibid.*, pp. 411 f.

<sup>10</sup> *Ibid.*, pp. 418 f.

<sup>11</sup> For general appraisals see W. A. Irwin, "The Significance of Julius Wellhausen," *JBR*, XII (1944), 160—173, and W. Baumgartner, "Wellhausen und der heutige Stand der Alttestamentlichen Wissenschaft," *Theologische Rundschau*, II (1938), 287—307.

massive devaluation of OT sources for the reconstruction of the religion of Early Israel were Orientalists, chiefly Assyriologists, whose professional interests drew them to the OT only as a cognate field. From their knowledge of the new sources they insisted that the Ancient Near East in the second millennium was not primitive either in religion (fetishism, animism, polydemonism) or in general culture. Nor was there reason to believe that the religion of Early Israel could not indeed have been highly developed. Such scholars were Eberhard Schrader (1836—1908),<sup>16</sup> A. H. Sayce (1846—1933),<sup>17</sup> Fritz Hommel (1854—1936),<sup>18</sup> Hugo Winckler (1863 to 1913),<sup>19</sup> A. T. Clay (1866—1925),<sup>20</sup>

<sup>16</sup> *Die Keilinschriften und das Alte Testament* (Giessen, 1872, 2d ed., 1883; ET of 2d ed., Edinburgh, 1885 to 1888, in 2 vols.; 3d ed. rev. by H. Zimmern and H. Winckler, Berlin, 1903). Though trained as an Old Testament scholar Schrader turned to Assyriology. He was the teacher of Friedrich Delitzsch.

<sup>17</sup> "I fully admit that until Schrader and Sayce arose, Old Testament critics did not pay much attention to Assyriology," T. K. Cheyne, *Founders of Old Testament Criticism* (London, 1893), p. 234. See A. H. Sayce, *Fresh Light from the Monuments: A Sketch of the Most Striking Confirmations of the Bible from Recent Discoveries in Egypt, Assyria, Palestine, Babylonia, and Asia Minor* (London, 1883), *The "Higher Criticism" and the Verdict of the Monuments* (London, 1894), *Monuments, Facts and Higher Critical Fancies* (London, 1904), and *Archaeology of the Cuneiform Inscriptions* (London, 1907). An acknowledged scholar, Sayce tended to popularize before he had prepared detailed studies. For this and his apparent alliance with uncritical orthodoxy he is reprimanded by Cheyne, pp. 231—241.

<sup>18</sup> Hommel made many contributions to South Arabian studies. His impact on OT studies was not great. The significance of his work is clearer today. See his *Altsyrische Überlieferung* (Munich, 1897; ET, New York, 1897). From the preface of the ET comes the following salutary appeal: "I take this opportunity of urging the younger school of Old Tes-

and Franz Böhl (1882— ).<sup>21</sup> While none of these scholars is without his liabilities, they are the intellectual ancestors of the critical but conservative reevaluation

tament theologians to abandon their barren speculations in regard to the source of this or that fraction of a verse, and rather to devote their youthful energies to the far more profitable study of the Assyro-Babylonian and South Arabian inscriptions, in order that they may be able, at first hand, to place the output of these absolutely inexhaustible mines of knowledge at the service of Biblical students; nothing can be more deplorable than to find a scholar persistently devoting his most important labours to second-hand sources of information." (P. xi)

<sup>19</sup> Winckler edited the first autograph edition of Amarna letters, *Der Thontafelfund von El-Amarna* (Berlin, 1889—1890). These texts were translated in *Die Thontafeln von Tell-el-Amarna*, Keilinschriftliche Bibliothek, Vol. V, ed. E. Schrader (Berlin, 1896; ET, New York, 1896). The impact of this new material was considered in *Geschichte Israels in Einzeldarstellungen*, Vol. I (Leipzig, 1895), Vol. II (1900). His views lent support to the "pan-Babylonian" school later crystallized by F. Delitzsch, *Babel und Bibel* (Leipzig, 1902). See H.-J. Kraus, pp. 274—283 (see note 4).

<sup>20</sup> Clay received his degree from Pennsylvania in 1894 under H. V. Hilprecht. He taught at his alma mater from 1899 to 1910, when he went to Yale. There he developed and began publication of the Babylonian Collection. In all he published 11 volumes of cuneiform texts. A series of popular lectures reflects the enthusiasm of *The Sunday School Times* for archaeological information: A. T. Clay, *Light on the Old Testament from Babel* (Philadelphia, 1906). His efforts at historical reconstruction were not regarded by his contemporaries as successful. See four titles: *Amurru, The Home of the Northern Semites* (Philadelphia, 1909), *The Empire of the Amorites* (New Haven, 1919), *A Hebrew Deluge Story in Cuneiform* (New Haven, 1922), and *The Origin of Biblical Tradition* (New Haven, 1923). Soon after Clay's death George A. Barton wrote in the *Dictionary of American Biography*, Vol. IV (New York, 1930), pp. 168 f.: "His training had not fitted him for such historical investigations, and it is sufficient to say that the theory is already disproved. . . . [In ethnology and history] he was to the end a dogmatist and propagandist." However, a successor to Clay at Yale, A. Goetze,

of the OT as a source for religious history. Our indebtedness to this heritage is immense.

Both Oriental and critical Biblical studies were transplanted to this continent by American scholars trained in Europe, particularly Germany, and by European scholars immigrating to this continent. It is fair to say that until World War II it was the simplistic views of the evolution of the history of Israel's religion given classic shape by Wellhausen as well as the strong emphasis on literary criticism as a source of historical knowledge that dominated American OT teaching and research.<sup>22</sup> Though the American Schools of Oriental Research established its Jerusalem school in 1900, it was slow to sponsor excavations

"Professor Clay and the Amurrite Problem," *Yale University Library Gazette*, XXXVI (1962), 133—137, generally sees Clay vindicated by the new evidence.

<sup>21</sup> Böhl's dissertation began a distinguished career. See *Die Sprache der Amarna-briefe mit besonderer Berücksichtigung der Kanaanäer, LSS*, V/2 (Leipzig, 1909); *Kanaanäer und Hebräer: Untersuchungen zur Vorgeschichte des Volkstums und der Religion Israels auf dem Boden Kanaans, BWAT 9* (Leipzig, 1911); *Das Zeitalter Abrahams. Der Alte Orient*, 29/1 (Leipzig, 1931). An interpretation and synthesis of Old Babylonian evidence that has been useful is his "King Hammurabi of Bablyon in the Setting of His Time (about 1700 BC)," *MKNAW*, New Series, Vol. 9, No. 10 (1946), 341—370. The last two items have been reprinted in *Opera Minora* (Groningen, 1953), pp. 26—49 and 339—363.

<sup>22</sup> Leroy Waterman, "A Half-Century of Biblical and Semitic Investigation," *AJSL*, XXXII (1915—1916), 219—229. J. M. P. Smith, "Old Testament Interpretation," *Religious Thought in the Last Quarter-Century*, ed. G. B. Smith (Chicago, 1927), pp. 1—25. G. E. Wright, "The Study of the Old Testament," *Protestant Thought in the Twentieth Century: Whence and Whither?* (New York, 1951), pp. 17—46.

until W. F. Albright (1891— ) served as director from 1920 to 1929.<sup>23</sup> As significant as was his publication of the ceramic chronology of Tell Beit Mirsim for the science of Palestinian archaeology, more important in its impact on the mainstream of OT scholarship was his early synthesis of all relevant epigraphic and anepigraphic evidence from the Ancient Near East that had a bearing on the history of Israel's religion.<sup>24</sup> *From the Stone Age to Christianity* appeared in 1940 and *Archaeology and the Religion of Israel* in 1942.<sup>25</sup> Since so many

<sup>23</sup> ASOR has been especially influential through its publications program. The *AASOR* began appearing in 1920. Vol. XXXIX appeared in 1968, the final excavation report for Bethel. As technical as the annual but smaller is the quarterly, *BASOR*, begun in 1921 (No. 198, April 1970). More popular is *BA*, begun in 1938, currently publishing vol. XXXIII. In addition to these regular series there is the irregular *Supplementary Studies*. Nos. 15/16 appeared in 1953. Vol. IV (see note 67m) of a series of *Publications in Archaeology* from the Jerusalem School appeared in 1966. Extremely important is the quarterly published by the Baghdad School, *JCS*, begun in 1947, currently in vol. XXIII (1969). In addition to popular volumes there is joint publication with other institutions of texts and reports from Tepe Gawra, Yorgan Tepe, in Iraq; Gerasa and Tell en-Nasbeh in Palestine.

<sup>24</sup> W. F. Albright, *The Excavation of Tell Beit Mirsim in Palestine. Vol. I. The Pottery of the First Three Campaigns, AASOR XII* (New Haven, 1932); *The Excavation of Tell Beit Mirsim. IA: The Bronze Age Pottery of the Fourth Campaign, AASOR XIII* (New Haven, 1933), pp. 55—127. For an appraisal of Albright's contribution see G. E. Wright, "Archaeology and Old Testament Studies," *JBL*, LXXVIII (1958), 39—51, especially pp. 40 f.

<sup>25</sup> The best edition of *From the Stone Age to Christianity* is in Anchor Books, 2d ed. with New Introduction (New York, 1957). Important reviews are in *Or*, XX (1951), 216—236; *JAOS*, LXI (1941), 64—66; *JQR*, XXXII (1941), 79—87; *RB*, LIV (1947), 435—440. W. F. Albright, *Archaeology and the Religion of Israel* (Baltimore, 1942; 2d ed. 1946).

important contributions to the intersection of archaeology, broadly defined, and OT studies have been made by Albright, his students, or their students, it is appropriate to summarize his views of the religion of Early Israel.

Albright is not less an evolutionist than Wellhausen. Albright is, however, entirely immersed in the relevant new texts, artifacts, and stratigraphic indices from the Ancient Near East, which Wellhausen either did not have available or steadfastly ignored. Albright begins his discussion of the history of the religion of Israel with Palaeolithic man in order to show that "the history of Israelite and Jewish religion, from Moses to Jesus . . . stand[s] on the pinnacle of biological evolution as represented in *homo sapiens*."<sup>26</sup> We may summarize Albright's contribution to our discussion in four observations, the first two methodological, the second two substantive to the history of Early Israel. (a) Albright's phenomenal grasp of Oriental studies generally has allowed him to demonstrate the supreme significance of social, economic, political, and cultural history of the Ancient Near East to establish the context for religious history. In this way it is possible to perceive the role religion plays in the total life of Israel.<sup>27</sup> (b) Al-

bright continually reminds his readers that new information supports the "substantial historicity of the account of the Exodus and the wandering . . ." or that the connections of the patriarchs with Northwest Mesopotamia are solidly demonstrated. He does not believe our reconstruction of Israel's religion or history should deviate significantly from the received tradition.<sup>28</sup> (c) Albright affirmed not only that Moses led Israel out of Egypt but also that he was a monotheist. Though perhaps indebted to the concepts of creator-god who ruled a cosmic dominion in the Aten revolution in Egypt, Mosaism was a mutation in the religions of the Ancient Near East, an abrupt change that cannot be entirely explained.<sup>29</sup> (d) For Albright Yahweh is the creative, innovative element in the re-

practices, personages and chronology that have persisted as major categories of Albright's scholarship. According to Hardwick 70 percent of the time Albright introduces extrabiblical (that is, archaeological) evidence for new interpretations. Usually the evidence is epigraphic. Forty-three percent of the time the new evidence adduced had not been mentioned before. Anepigraphic evidence is introduced most frequently in the interpretation of the conquest (*ibid.*, p. 569). Indeed, the greatest number of changes in Albright's position was noted in his interpretation of the archaeological evidence for the fall of Jericho (*ibid.*, pp. 407, 409—412, 424—436, 439—444, 465 f.). Between 1932 and 1946 Albright contended for a 9th-century date for the Book of the Covenant (Ex. 21 to 23). Parts may be earlier but not Mosaic. Since 1951, however, he has followed H. Cazelles in arguing for a Mosaic core (*ibid.*, pp. 368—371). Before 1940 there is no reference to covenant in Albright's writings except in Book of the Covenant. See text related to note 32 below. Hardwick points out that it was rare for Albright to have omitted consideration of such a major theme (*ibid.*, pp. 381—385).

<sup>28</sup> *From the Stone Age*, p. 255 and pp. 236 to 249.

<sup>29</sup> *Ibid.*, pp. 249—272.

<sup>26</sup> *From the Stone Age*, p. 122.

<sup>27</sup> See Stanley E. Hardwick, "Change and Constancy in W. F. Albright's Treatment of Early Old Testament History and Religion, 1918—1958," unpublished Ph.D. dissertation, New York University, 1965. This extensive study shows that the great number of changes in Albright's position occurred in the first decade of his career. This refers not to details of chronology, language, and the like but to his general estimate of the historical reliability of the Biblical material (*ibid.*, pp. 571—578). Indeed, it was this problem in addition to the determination of the nature of objects, institutions and

ligion of Israel between Joshua and Samuel. Yahweh is one, the Creator, holy and just, invisible and nonsexual, unique and universal.<sup>30</sup> Albright emphasizes the conflict in Palestine with Canaanite religion as the force that made Israel increasingly particularistic.<sup>31</sup>

Albright's most significant contributions are in two areas, reappraisal of the veracity of traditions of Early Israel (item b above) and restoration of the primary character of Moses and premonarchic Yahwism (item c above). It would be valuable to elaborate on these conclusions and the evidence. For theologians it might be of particular interest to examine Albright's philosophy of history adumbrated in item a above. However, it seems to this writer that it is in the area of item d above that Albright has left unfinished business. In the Introduction to the 1957 edition of *From the Stone Age to Christianity* he admits that he had "failed to recognize that the concept of 'covenant' dominates the entire religious life of Israel. . . . We cannot understand Israelite religion, political organization, or the institution of the Prophets without recognizing the importance of the 'Covenant.'" <sup>32</sup> The archaeological evidence for this assertion was first published in two essays by G. E. Mendenhall (1916— ) in 1954.<sup>33</sup> These studies showed that the

<sup>30</sup> Ibid., especially p. 272. See also *Archaeology and the Religion of Israel*, pp. 115—119.

<sup>31</sup> *From the Stone Age*, pp. 276—289. *Archaeology and the Religion of Israel*, pp. 110 to 115. See also W. F. Albright, *Yahweh and the Gods of Canaan. A Historical Analysis of Two Contrasting Faiths*, SOAS, Jordan Lectures VII, 1965 (London, 1968), pp. 96—229.

<sup>32</sup> *From the Stone Age*, p. 16. See the end of note 27 above.

<sup>33</sup> G. E. Mendenhall. *Law and Covenant in Israel and the Ancient Near East* (Pittsburgh:

covenant in Early Israel was an adaptation of the formal structure of Hittite vassal treaties and that Israelite law was an application of the treaty stipulations to the particular circumstances of the new religious community in Palestine. In this article we shall attempt to show that because *law* and *warfare* are functions of the Giver of the covenant the religion of Early Israel can best be interpreted under the rubric of *Israel as the kingdom of Yahweh*.

## II. ARCHAEOLOGICAL SOURCES

It will be useful to describe briefly the chief sources available for a reconstruction of the conceptual framework of the religion of Early Israel. Since it will be necessary to evaluate the Biblical sources in the light of the archaeological sources, the latter will be considered first. Usable publications of archaeological sources have been accumulating rapidly since World War I. These sources are typically of two kinds: first, archives of clay tablets written in cuneiform, discovered in Egypt (1), Palestine (1), Syria (3), Turkey (3), and Iraq (2).<sup>34</sup> In these archives two centuries are reasonably well documented, the 18th and the 14th B.C. A second major source is the stratigraphic history of Palestinian and Syrian tells during the Bronze Age (ca. 3000—1200 B.C.) and the transition to the Iron Age (ca. 1200—1000

The Biblical Colloquium, 1955); reprinted from *BA*, XVII (1954), 26—46, 49—76, and now reprinted in *The Biblical Archaeologist Reader 3*, ed. Edward F. Campbell Jr. and David Noel Freedman (Garden City, 1970), pp. 3 to 54. See the review by W. L. Moran, *Biblica*, XLI (1960), 297—299.

<sup>34</sup> Numbers in parentheses represent the number of archives from the respective countries listed and described in the paragraphs that follow.



B.C.). The development of precise and rational methods of excavation and recording in addition to an accepted ceramic typology have done much to enhance the documentary value of the archaeological record.

Ten collections of tablets in Ugaritic and Akkadian, Hittite and Hurrian, are listed below in geographic order. The chief value of these documents is that they allow for chronological synchronisms as well as a reconstruction of the outlines of social, political, economic, and linguistic history.<sup>35</sup> With this background it is possible to learn the function of religion in society. An apparent limitation of these sources is that they are written largely from the point of view of the ruling establishment. This is inevitable, considering the professional role of the scribe.<sup>36</sup> Since, however, the court was in contact, even in conflict, with all elements in society, the picture is reasonably complete, lacking chiefly statistical controls. This may be due less to the nature of the archival source than to the accidental manner in which the tablets are discovered.

a. El-Amarna.<sup>37</sup> Egypt, ca. 190 miles

<sup>35</sup> See now the summary statement of W. F. Albright and T. O. Lambdin, "The Evidence of Language," *CAH*, rev. ed., Fascicle 54 (Cambridge, 1966).

<sup>36</sup> On the significance of the scribe at the royal court see A. L. Oppenheim, "A Note on the Scribes in Mesopotamia," *Studies in Honor of Benno Landsberger*, AS 16 (Chicago, 1965), pp. 253—256. See also C. J. Gadd, *Teachers and Students in the World's Oldest Schools* (London, 1956).

<sup>37</sup> Excavation reports: W. M. F. Petrie, *Tell el-Amarna* (London, 1894). L. Borchardt, "Ausgrabungen in Tell el-Amarna, 1911," *MDOG*, XLVI (1911), 1—32; L (1912), 1 to 40; LII (1913), 1—55; LV (1914), 3—39. T. E. Peet, C. L. Wooley, H. Frankfort *et al.*,

south of Cairo. Discovered by peasant woman in 1887. Authoritative publication of transliterated text in 1907.<sup>38</sup> Of 377 tablets, 357 are letters, diplomatic correspondence covering 25 years of the reigns of Amenophis III and IV (Akhenaten), ca. 1377—1348 B.C.<sup>39</sup> No. 24 is in Hurrian; 31—32 in Luwian. Special interest is in letters from Palestine-Syria.<sup>40</sup> Interpretation of these is complicated by non-Akkadian scribes writing peripheral Akkadian. They also frequently gloss words with their Canaanite synonymns. These tablets are important for details of the social organization and political struggles in Canaanite society and also for Egyptian provincial administration.

*The City of Akhenaten*, Vol. I (1923); Vol. II (1933); Vol. III (1951).

<sup>38</sup> *EA*, Vol. I (Leipzig, 1907); Vol. II (Leipzig, 1915). The English edition by S. A. B. Mercer, *The Tell el-Amarna Tablets*, 2 vols. (Toronto, 1939), largely a translation of Knudtzon's German, has not been well received. See reviews in *BSOAS*, X (1940), 492—497; *PEQ*, LXXII (1940), 116—123; LIX (1940), 313 to 315; *AJA*, XLIV (1940), 399 f. In addition to the first item in note 19 above, see E. A. Wallis Budge, *The Tell El-Amarna Tablets in the British Museum with Autotype Facsimiles* (London, 1892) (82 tablets), and Otto Schroeder, *Die Tontafeln von El-Amarna. Vorderasiatische Schriftdenkmäler der königlichen Museen zu Berlin*, XI (Berlin, 1915) (189 tablets), and XII (*ibid.*) (13 tablets).

<sup>39</sup> Knudtzon published 358 tablets. See E. F. Campbell, *The Chronology of the Amarna Letters* (Baltimore, 1964), pp. 79 f., note 29, for bibliography on 19 more letters published since. Add A. R. Millard, "A Letter from the Ruler of Gezer," *PEQ*, C (1965), 140—143, for *EA* 378. For *EA* 379 see P. Artzi, "The Exact Number of Published Amarna Documents," *Or*, XXXVI (1967), 432.

<sup>40</sup> W. F. Albright "The Amarna Letters from Palestine," *CAH*, 2d ed., Fascicle 51 (Cambridge, 1966), where the historical value of the letters is exploited. Note the bibliography, *ibid.*, pp. 21—23.

b. Ugarit.<sup>41</sup> Syria, modern Ras Shamra, ca. 155 miles north of Beirut near coast. Thirty campaigns of French excavation began in 1929, a year after the accidental discovery of a nearby tomb by a farmer. Two major groups of texts: (1) A collection of 439 Akkadian administrative tablets dealing with commercial, legal, and diplomatic life of the court through the 14th century until late in the 13th century when Ugarit fell.<sup>42</sup> (2) Better known are the mythological texts (Ba'al and Anath, King Keret and 'Aqhat) composed in a new cuneiform syllabary of only 30 signs.<sup>43</sup>

<sup>41</sup> Preliminary reports have appeared regularly since *Syria*, X (1929), 285—303, in the same journal. Final publications are also published by C. F. A. Schaeffer, *Ugaritica* I. MRS III. BAH XXXI (Paris, 1939). *Ugaritica* II. MRS V. BAH XLVII (Paris, 1949). *Ugaritica* III. MRS VIII. BAH LXIV (Paris, 1956). *Ugaritica* IV. MRS XV. BAH LXXIV (Paris, 1962). *Ugaritica* V. BAH LXXX (in the press). *Ugaritica* VI. BAH LXXXI (in the press).

<sup>42</sup> Final publication of the Akkadian tablets is in the hands of J. Nougayrol. The first is PRU III. MRS VI. 2 vols. (Paris, 1955). The second is PRU IV. MRS IX. 2 vols. (Paris, 1956). For texts not in these volumes see the bibliography in G. G. Swaim, "The Grammar of the Akkadian Tablets Found at Ugarit," unpublished Ph.D. dissertation, Brandeis University, 1962, pp. 82 f.

<sup>43</sup> From the beginning C. Virolleaud has published preliminary studies of the so-called alphabetic cuneiform tablets along with Schaeffer's report in Syria. All the earlier publications of the epics together with bibliographies have been gathered together by A. Herdner, *Corpus des Tablettes en Cunéiformes Alphabétiques Découvertes à Ras Shamra-Ugarit de 1929 to 1939*. MRS X. BAH LXXIX. 2 vols. (Paris, 1963). Later material is published by C. Virolleaud, PRU II. MRS VII (Paris, 1957); and PRU V. MRS XI (Paris, 1965). All published texts are also available in transliteration in Cyrus H. Gordon, *Ugaritic Textbook*, AO 38 (Rome, 1965), pp. 159—256 and a supplement, pp. 1\*—31\*.

It was soon discovered that the language was Northwest Semitic, closely related to Hebrew, now commonly designated "Ugaritic."<sup>44</sup> Of the 408 published texts in this script some are letters, ration lists, or commercial dockets.

c. Alalah.<sup>45</sup> Turkey, Tell el-'Atshānah, ca. 40 miles west of Aleppo in North Syria and ca. 30 miles east of the Mediterranean on the Orontes River. Excavated by the British, 1937—1939, 1946—1949. 457 Akkadian tablets are divided between Level VII (18—17th cent.) and IV (15 to 14th cent.).<sup>46</sup> The archives are from the palace and deal with royal administration including treaties, lists (ration, census, weapons, *et al.*), contracts, letters, records dealing with royal holdings, and other subjects. Noteworthy is the 104-line narrative inscription on the statue of Idrimi, king of Alalah, describing his exile in Canaan and return to power.<sup>47</sup> Hurrian speakers, present in Level VII, dominate

<sup>44</sup> See the major review of the problem by A. Halдар, "The Position of Ugaritic Among the Semitic Languages," *BiOr*, XXI (1964), 267—277, where he tends to agree with Gordon that Ugaritic is an independent West Semitic language. W. F. Albright continues to regard it as North Canaanite, *Yabweh and the Gods*, p. 100.

<sup>45</sup> L. Woolley, *Alalakh. An Account of the Excavations at Tell Atchana, 1937—1949* (London, 1955). The popular account is his *A Forgotten Kingdom, Being a Record of the Results Obtained from the Excavation of Two Mounds, Atchana and Al Mina, in the Turkish Hatay* (Baltimore, 1953 [Penguin Books]).

<sup>46</sup> D. J. Wiseman, *The Alalakh Tablets*. Occasional Publications of the British Institute of Archaeology in Ankara, No. 2 (London, 1953); "Supplementary Copies of Alalakh Tablets," *JCS*, VIII (1954), 1—30; "Ration Lists from Alalah," *JCS*, XIII (1959), 19—33, 50—62.

<sup>47</sup> S. Smith, *The Statue of Idrimi*. Occasional Publications of the British Institute of Archaeology in Ankara, No. 1 (London, 1949).

in IV, so that the language may be called "Mitanni Akkadian."<sup>48</sup>

d. Mari.<sup>49</sup> Syria, Tell Hariri, on Euphrates ca. 7 miles from Iraq border. Excavated by the French since 1933, 18th campaign in 1968. The site was discovered by bedouin who uncovered a statue in their search for stone. The late 18th-century B.C. archive of more than 25,000 tablets in Old Babylonian cuneiform contains diplomatic correspondence and administrative dockets in addition to about a dozen historical texts in monumental script.<sup>50</sup> It is evident from personal names that the population was heavily Amorite.<sup>51</sup> Tribal structure,

<sup>48</sup> J. Aro, "Remarks on the Language of the Alalakh Texts," *Afo*, XVII (1956), 361—365. See also G. Giacomakis, "The Akkadian of Alalakh," unpublished Ph. D. dissertation, Brandeis University, 1963.

<sup>49</sup> Since André Parrot, "Les fouilles de Mari. Première Campagne (Hiver 1933—34)," *Syria*, XVI (1935), 1—28, 117—140, preliminary reports have appeared regularly in *Syria*. Six volumes of the final publication have appeared under the general title *MAM*, all by A. Parrot. *MAM I. Le Temple d'Ishtar*. *BAH*, LXV (1956). *MAM II. 1. Le Palais. Architecture*. *BAH*, LXVIII (1958). *MAM II. 2. Le Palais. Peinture murales*. *BAH*, LXIX (1958). *MAM II. 3. Le Palais. Documents et Monuments*. *BAH*, LXX (1959). *MAM III. Les Temples d'Ishtar et de Ninni-Zaza*. *BAH*, LXXXVI (1967). *MAM IV. Le "Trésor d'Ur."* *BAH*, LXXXVII (1968).

<sup>50</sup> Ten volumes of autographs have appeared in the series, *ARM*, part of the *TCL* collection, vols. XXII—XXXI. Parallel volumes of transliteration and translation have been published, three without accompanying autographs. These are designated *ARMT* I—XV. *ARMT* X and XIV are in preparation. For full bibliographic details see Huffmon cited in note 51, pp. xi f., and for publication of all other Mari texts outside the above series, *ibid.*, pp. 274—277.

<sup>51</sup> H. B. Huffmon, *Amorite Personal Names in the Mari Texts. A Structural and Lexical Study* (Baltimore, 1965). This is Huffmon's University of Michigan dissertation, 1963.

prophecy, and warfare in the OT have been better understood thanks to parallels at Mari.<sup>52</sup> The final years of Mari are contemporary with Hammurapi of Babylon.

e. Nuzi.<sup>53</sup> Iraq, modern Yoghlan Tepe, ca. 150 air miles north of Baghdad. Of more than 4,000 tablets recovered during the ASOR excavations (1925—1931), 1,928 have been published in autograph.<sup>54</sup> Fifty-one related tablets came from Kirkuk, ancient Arrapkha.<sup>55</sup> An original Akkadian

<sup>52</sup> A. Malamat, "Mari and the Bible: Some Patterns of Tribal Organization and Institutions," *JAOS*, LXXXII (1962), 143—150. See now his "Aspects of Tribal Societies in Mari and Israel." *XV<sup>e</sup> Rencontre Assyriologique Internationale. La Civilisation de Mari*, ed. J.-R. Kupper (Paris, 1967), pp. 129—138. H. B. Huffmon, "Prophecy in the Mari Letters," *BA*, XXXI (1968), 101—124. W. L. Moran, "New Evidence from Mari on the History of Prophecy," *Biblica*, L (1969), 15—56. A. E. Glock, "Warfare in Mari and Early Israel," unpublished Ph. D. dissertation, University of Michigan, 1968.

<sup>53</sup> Final reports of the excavation are by Richard F. S. Starr, *Nuzi*, 2 vols. (Cambridge, 1937—1939).

<sup>54</sup> *American Schools of Oriental Research Joint Expedition with the Iraq Museum at Nuzi* (commonly cited as *JEN*), Vols. I—V, 1927 to 1939. E. Chiera edited Vols. I—V, and E. Lachemann Vol. VI. Since 1929 the remaining texts have appeared in the *HSS. Excavations at Nuzi*, Vols. I—VIII. In *HSS* about a thousand more texts have appeared in transliteration than in autograph. Texts in both transliteration and translation are the following: R. H. Pfeiffer and E. A. Speiser, *One Hundred New Selected Nuzi Texts*, *AASOR*, XVI (New Haven, 1936); E. A. Speiser, *New Kirkuk Documents Relating to Family Laws*, *AASOR*, X (New Haven, 1930), pp. 1—73. See also E. Chiera and E. A. Speiser, "Selected 'Kirkuk Documents,'" *JAOS*, XLVII (1927), 36—60; E. A. Speiser, "New Kirkuk Documents Relating to Security Transactions," *JAOS*, LII (1932), 350—367; LIII (1933), 24—46.

<sup>55</sup> C. J. Gadd, "Tablets from Kirkuk," *RA*, XXIII (1926), 49—161. The Biblical parallels

population was displaced by a strong Hurrian element by ca. 1500 B. C. The archive is 15th century, written in Akkadian by Hurrian scribes. Of particular interest are the private records of three leading families, largely legal, reflecting customs strikingly parallel to Genesis 12—38.<sup>56</sup> These tablets deal with sale and real adoptions, wills, securities and loans, purchases of land, slaves.

f. For lack of space we must be content merely to mention five additional archives that supplement and control sources listed above: (1) East of Ankara 100 miles is Bogazkale (new name), ancient Hittite capital of Hattusas, which since 1906 produced more than 10,000 tablets. Of special importance are the vassal treaties.<sup>57</sup> (2) Southeast of Ankara 195 miles is Kültepe, site of a 19th-century B. C. Assyrian trading colony, which has preserved more than 6,000 tablets revealing economic, social, and political realities that bear on the

were first observed by S. Smith *apud* *ibid.*, p. 127.

<sup>56</sup> One of the most productive students of Hurrian language and culture was E. A. Speiser, whose *Genesis*, in *The Anchor Bible* (New York, 1964), makes full use of the Nuzi archive.

<sup>57</sup> The complicated archive from Boghazkoy can take us far beyond the range of this essay. As an introduction to history relevant to our study see A. Goetze, "The Struggle for the Domination of Syria (1400—1300 B. C.)," *CAH*, rev. ed., Fascicle 57 (Cambridge, 1965), especially p. 22 for the bibliography of texts. The treaties are of particular interest. See E. Weidner, *Politische Dokumente aus Kleinasien. Die Staatsverträge in akkadischer Sprache aus dem Archiv von Boghazkoi. Boghazkoi Studien* 8—9 (Leipzig, 1923). Also J. Friedrich, *Staatsverträge des Hatti-Reiches in hethitischer Sprache. I, MVAG, XXXI. 1* (Leipzig, 1926), XXXIV. 1 (Leipzig, 1929).

patriarchal narratives.<sup>58</sup> (3) Two smaller archives from the 18th century supplement the picture in the Mari sources. In the Upper Habur River triangle is Chāgar Bāzār, 92 tablets discovered in 1936, largely economic lists.<sup>59</sup> (4) In 1957 Shemshāra was first excavated and has produced 249 texts reflecting the fate of Assyrian interests in the East, the Zagros foothills.<sup>60</sup> (5) From Palestine the only cuneiform archive has come from Tell Ta'annek, numbering now 13 tablets, probably from the 15th century B. C.<sup>61</sup>

g. Finally, three genres of texts are sig-

<sup>58</sup> For the bibliography of the Kültepe texts see L. L. Orlin, "Assyrian Colonies in Cappadocia," unpublished Ph. D. dissertation, University of Michigan, 1960, pp. 221—231, 238—241. This study is currently in the press. See also P. Garelli, *Les Assyriens en Cappadoce* (Paris, 1963), pp. 391—393.

<sup>59</sup> C. J. Gadd, "Tablets from Chagar Bazar, 1936," *Iraq*, IV (1937), 178—185; "Tablets from Chagar Bazar and Tall Brak, 1937—38," *Iraq*, VII (1940), 22—66.

<sup>60</sup> J. Laessøe, *The Shemshāra Tablets. A Preliminary Report* (Copenhagen, 1959); "The Second Shemshāra Archive," *Sumer*, XVI (1960), 12—19. Three additional letters have been published in articles. Laessøe, "Akkadian Annakum: 'Tin' or 'Lead?'" *Acta Orientalia*, XXIV (1959), 83—94. Laessøe, with E. E. Knudsen, "An Old Babylonian Letter from a Hurrian Environment," *ZA*, n. f., XXII (1961), 131—137; Laessøe "IM 62100: A Letter from Tell Shemshara," *Studies in Honor of Benno Landsberger*, AS 16 (Chicago, 1965), pp. 189 to 196.

<sup>61</sup> F. Hrozný in E. Sellin, *Tell Ta'annek. Denkschriften der Kaiserlichen Akademie der Wissenschaften in Wien. Philos.-Hist. Klasse*, L (Wien, 1904), pp. 113—122, Taf. X—XI, and *Eine Nachlese auf dem Tell Ta'annek in Palästina*, *ibid.*, LII (Wien, 1905), pp. 36—41, Taf. I—III. The collation prepared by the writer in Istanbul in June 1966 is being used by the CAD staff but remains unpublished. Tablet 13, discovered in the summer of 1968, will appear in a forthcoming issue of *BASOR*. It is a name list, probably of prisoners of war.

nificant for recovering the style of action and thought that had a formative influence on Early Israel. The first is the Assyrian Royal Inscriptions, beginning with Sargon I in the late third millennium through Shamshi Adad I in the 18th century to the fall of the kingdom at the end of the 7th century.<sup>62</sup> The second source is the half dozen law collections, particularly those from the end of Hammurapi's reign. These should be viewed in the light of the king's desire to establish *kittum u mēsharum*, "justice and order."<sup>63</sup> Third is the collection of Old Babylonian letters, many from Hammurapi to his servant-officials, describing the administration of an important kingdom of the 18th century B.C.<sup>64</sup>

<sup>62</sup> R. Borger, *Einleitung in die assyrischen Königsinschriften*. Part I. *Das zweite Jahrtausend v. Chr. Handbuch der Orientalistik*. Part K. *Ergänzungsband Fünf. Keilschrifturkunden* (Leiden, 1964) is the best critical introduction to texts and bibliography. Many texts are available in D. D. Luckenbill, *Ancient Records of Assyria and Babylonia*, 2 vols. (Chicago, 1926—1927).

<sup>63</sup> R. Haase, *Einführung in das Studium keilschriftlicher Rechtsquellen* (Wiesbaden, 1965). See particularly F. R. Kraus, *Ein Edikt des Königs Ammisaduqa von Babylon*, *SD*, V (Leiden, 1958), and the study by J. J. Finkelstein, "Ammisaduqa's Edict and the Babylonian 'Law Codes,'" *JCS*, XV (1961), 91—104; "Some New *misharum* Material and Its Implications," *Studies in Honor of Benno Landsberger* (note 36), pp. 233—246.

<sup>64</sup> This widely scattered material is now conveniently collected in the new series *ABUU* edited by F. R. Kraus. *Briefe aus dem British Museum* (CT 43 and 44), ed. F. R. Kraus, *ABUU*, I (Leiden, 1964). *Briefe aus dem British Museum* (LIH and CT 2—33), ed. R. Frankena, *ABUU*, II (Leiden, 1966). *Briefe aus dem Archiv des Shamash-Hāzir in Paris und Oxford* (TCL 7 and OECT 3), *ABUU*, IV (Leiden, 1968). See also the article on Hammurapi cited in note 21 above, in Bohl's *Opera Minora*, p. 341, note 68 to p. 355.

As penetrating and eloquent as is the epigraphic evidence, the empirical facts of the stratigraphic record, if carefully observed, excavated, and recorded, provide not only an independent control for chronological sequence but also an essential embodiment of words and phrases in physical structures and artifacts. Unfortunately, rigorous stratigraphic excavation, following the principles of the so-called Wheeler-Kenyon method, is all too rare.<sup>65</sup> The development of a precise ceramic typology based on the pottery content of sealed loci plus the fact that people tend to live on level surfaces has preserved from total chaos materials excavated as horizontal bands of soil or arbitrary spits rather than empirically discreet layers.<sup>66</sup> Because of the caution with which one must interpret archaeological reports, some field experience under competent leadership would seem a desirable requisite for the historian who must critically evaluate archaeological evidence.

The chart on the following pages is an attempt to summarize by means of typical examples the kind of archaeological evi-

<sup>65</sup> The method is described by M. Wheeler, *Archaeology from the Earth* (Baltimore, 1956 [Penguin Books]), and K. M. Kenyon, *Beginning in Archaeology*, rev. ed. (New York, 1953).

<sup>66</sup> No better evidence for the seriousness with which Palestinian field archaeologists discuss the matter of method can be offered than the manner in which J. B. Pritchard, *Winery, Defenses, and Soundings at Gibeon*, Museum Monographs (Philadelphia, 1964), was greeted by three fellow field archaeologists in reviews: *RB*, LXXIII (1966), 130—135 by R. de Vaux; *PEQ*, XCVIII (1966), 114—118 by Peter Paar; and *AJA*, LXXII (1968), 391—93 by Paul Lapp. A "spit" is a British term for a layer of earth as deep as the blade of a spade.

12. Summary of 3rd—2nd Millennium Archaeological Record in Palestine (See note 67)

EARLY BRONZE 2300—2700	2700—3000	3000—3300	<b>Megiddo</b> Strata XX-XIX. Rectangular shrine w/altar against rear wall.	<b>Ta'annek</b>	<b>Dothan</b> City wall c. 3 m. wide, steps 4 m. wide go down slope, part of gateway. Levels 11-10	<b>Far'ah (N)</b> Occupation in shallow pits Tomb 3 and probably "upper chalcolithic" tombs. City founded c. 3100	<b>et-Tell</b> Tombs B, C, G. No architecture	<b>Jericho</b> Earliest large bldgs. destr. by earthquake. Terrace wall remains but later falls. Tombs A94, 108	<b>Arad</b>
			<b>II</b> Strata XVIII-XVI. Stages 1-4 (on slopes). Rectangular houses. City (?) wall enlarged from 4 to 8 m. wide. Altar 4017 in Area BB is 8 m. in diameter, 1.4 m. high w/steps		Walls and gate enlarged  City falls Levels 7-9	Rectangular houses border streets w/drains; defended by mudbrick wall c. 2½ m. thick, gate w/2 towers. Kiln. Small Sanctuary.	Sanctuary B c. 2900—2700 2 rooms against city wall A; circular stone altar; city walls C-B. Citadel wall B phase. 27 acres inside walls.	Terrace wall rebuilt. New architecture and traditions. Tomb A 127	25 acres surrounded by wall 2.30 m. wide w/semicircular towers. 4 strata. Clay model of EB house. Houses, streets, circular granaries; destr. end of EB II.
					4 phases of city wall c. 4 m. wide plus revetment and glacis-roadway on S slope. Towers associated w/city walls	Lime kiln between gate towers  Levels 5-6		Sanctuary A Altar against city wall B. City falls c. 2500. City wall A built against B. Wall A phase of citadel	Brick const. silos. Much rebuilding from earlier phases. Tombs F 4, A, 2, 351. EB city wall rebuilt 16 times
INTERMEDIATE BRONZE 1900—2300			<b>Megiddo</b> Tombs 1101B, 1102 lower. Shaft tombs.  Shrine 4040 in Area BB Inner room 7½ m. X 13½ m. Rectangular altar approached by 4 lateral steps. 2 pillar bases in cella and portico. Altar 4017 in use, surrounded by low wall.	<b>Mirzbâneh</b> C. 45 cylindrical shaft tombs. Pottery dates to IB II. 1-3 persons per tomb. Many skeletal remains were decarnate. Gifts few.		<b>Bâb edh-Dhrâ</b> Large cemetery w/3 types of burials: cairn, charnel houses, and shaft tombs. Latter contains EB material fr. occupation of adjacent city. Charnel house A 51 had 600 pots, beads, crescent battle axe of copper; skulls lined room, piles of separated bones.	<b>‘Ajjul</b> 1500 cemetery, rectangular shafts. 100-200 cemetery, rounded shafts.  Green brick houses. Shrine (?)	<b>Jericho</b> 346 rock-cut shaft tombs. 4 main types. Dagger pottery, square shaft, outsize	<b>Beit Mirsim</b>  Stratum I is early phase of Stratum H which is walled (?) city. No artifacts. Poor.
			<b>el-Jib</b> 15 shaft tombs w/4-spouted lamps, javelin point w/tang. One burial per tomb.	<b>Lachish</b> 120 tombs in cemetery 2000. Small and badly preserved. Tell was not occupied.					

Blank box indicates period when excavations show the site was unoccupied.

<b>MIDDLE BRONZE</b>	1750—1900	<b>A</b>	<b>Megiddo</b> Strata XV-XIII. 3 temples. May be EBI Jar burials. City wall w/glacis (XIII). End w/destruction.	<b>Hazor</b>	<b>Shechem</b>	<b>Taanek</b>	<b>Farfah (N)</b>	<b>Beit Mirsim</b>		
	1650—1750	<b>B</b>	XII-XI. Width of city wall doubled (XII); interior buttresses (XI). City partially destr.	Lower city founded, Area C:4=(XVII). Earth rampart. Akkadian name inscription. Area F tombs.	1st const. c. 1800. Seal cylinder impression w/N. Syrian connections. Double city walls. "Courtyard temple" (?) w/paved entrance below which was jar burial of infant.		Sparse occupation. Use EB defenses. Burials between houses.	Strata F-G preserves city and house walls, esp. G incense stand.		
	1550—1650	<b>C</b>	X. Repairs and additions to XI structures.	Area C:3=(XVI) city destr. Infant jar burials. Area F palace. Temple in Area H.	New city wall + NW gate. Old temple area filled in. New temple c. 26x21 m. Entrance flanked by masseboth (pillars).	West Building founded over EB structures. Glacis against W. wall. Floor burials.	Iron Age. Underground sanctuary w/swine bones.	Stratum E. City wall has glacis of tramped earth. E. gate. Bastion. Houses.		
<b>LATE BRONZE</b>	1400—1550	<b>I</b>	IX. Bi-chrome ware w/birds and fish in panels. c. 1468	Area C:2=(XV). Shrine contained 10 stelae, statue, offering tables. Houses and pottery shop near. Cult mask and standard. Lion orthostat. Akk. clay liver model(s).	E. gate. Earth altar. Century gap in occupation. City declines in LB: temple rebuilt, less massive. One massebah in stone socket. Brick altar cont. thru	Akkadian tablets. Courtyard house w/8 rooms destr. c. 1468	Silver-leafed bronze statue of Hathor found in temple (?). Level 4 is LB. Tomb 6, elements in tombs 11, 12, 16.			
	1200—1400	<b>II</b>	VIII-VIIB. City gate on N. Temple 2048. Ivories from palace. (VIII, Megiddo of Amarna letters). VII B city destr. but rebuilt only slightly altered.	Area C:1a-b=(XIV-XIII). Mycenaean III A ware, Area D. Area F became cult center. Stone altar 2.4x.85x1.2 m. Temple in Area H Temple rebuilt w/porch, hall, holy of holies, dressed basalt orthostats forming dado. Gate in Area K. Destr. 1250-1200=XIII in Upper City.	LB II. Amarna letters from Lab'ayu of Shechem. Fortress-temple 2a constr. c. 1450 in use.  No destr. Layer divides end of LB with beginning of Iron Age.	Drain-pipe bldg. on S. Cultic installation, a basin. Israelite occupation begins in 10 cent. City destr. c. 1150.	c. 1250 Is. houses begin in 10th cent.	C. 2.50 m. wide city wall. House: court w/rooms on 2-3 sides, silos common thru Str. B. Libation tray w/lions. 12 Astarte figurines. Slight gap.		
<b>IRON I</b>	1000—1200	<b>A</b>	VIIA Water system. c. 1150 c. 1075  VI A-B. New bldg. tradition begins. Only in A is wall w/gate constr. Hoard of silver jewelry. Bronze statuette covered w/gold. Canaanite culture. City is destroyed.	<b>Hazor</b> Lower city abandoned. Upper city Area A XII-XI silos, hearths, tent foundations show modest occupation. Same in Area B. No city here in this period.	<b>el-Jib</b> No LB city yet. Iron Age city is crude. Pool constr. removed 3000 tons of limestone.	<b>Shechem</b> Fortress-temple 2b. Floor raised. New stone altar. 3 masseboth. Destr. c. 1100, area no longer sacred.	<b>Arad</b> Stratum XII Silos and simple houses. Earliest Iron Age occup. from end of 11th cent. Fortress of Stratum XI begins in 10th cent.	<b>et-Tell</b> Unwalled village limited to summit of tell. Less than 3 acres. Villa court stone wall has 4 stone pillars.	<b>Bethel</b> Destr. c. 1240. 1-1.5 m. thick ash. Pottery. Houses are very poorly made. Destr. early in 12c. Very little Philistine ware. Piers common in house walls. Canaanite massebah incorporated into house wall.	B <sub>1</sub> . No city wall. Houses, street concentric w/wall line. Silos. 7 crude figurines.  B <sub>2</sub> . Philistine ware appears. Only one house can be reconstructed.  B <sub>3</sub> . City wall built. Casemate. Small limestone altar.

dence at hand, the segmentation into time periods, and the fundamental patterns of occupation and disoccupation. Though Biblical events in Palestine are limited to the second and first millennium, the third

is an essential prolog. Architectural traditions, choice of sites for urban development, and forms of industrial and cultic installations and artifacts are established in the Early Bronze Age. Also, since the

<sup>67</sup> Notes and discussion on each box would take us far afield. Below are listed alphabetically the 16 sites cited with appropriate basic bibliography.

a. *Tell el-'Ajjul*. F. Petrie, *Ancient Gaza*, 4 vols. (London, 1931—1934). See interpretation by W. F. Albright, "The Chronology of a South Palestinian City, Tell el-'Ajjul," *AJSL*, IV (1938), 337—359.

b. *Tell Arad*. Preliminary reports by Y. Aharoni, "Excavations at Tell Arad," *IEJ*, XIV (1964), 131—147; Y. Aharoni and R. Amiran, XVII, (1967), 233—249. Popular summary: Y. Aharoni and R. Amiran, "Arad: A Biblical City in Southern Palestine," *Archaeology*, XVII (1964), 43—53.

c. *Bâb edh-Dhrâ'*. W. F. Albright *et al.*, "Early-Bronze Pottery from Bâb ed-Drâ' in Moab," *BASOR*, 95 (1944), 3—13. P. W. Lapp, "The Cemetery at Bab edh-Dhra', Jordan," *Archaeology*, XIX (1966), 104—111. Paul W. Lapp, "Bâb edh-Dhrâ' Tomb A76 and Early Bronze I in Palestine," *BASOR*, 189 (1968), 12—41.

d. *Bethel*. J. Kelso *et al.*, *The Excavation of Bethel (1934—1960)*, *AASOR*, XXXIX (New Haven, 1968). J. Kelso, "The Fourth Campaign at Bethel," *BASOR*, 164 (1961), 5—19. Earlier reports in *BASOR*, 55 (1934), 24 f.; 56 (1934), 1—15; 137 (1955), 5—9; 151 (1958), 3—8.

e. *Dothan*. Seven preliminary reports by J. Free in *BASOR*, 131 (1953), 16—20; 135 (1954), 14—20; 139 (1955), 3—9; 143 (1956), 11—17; 152 (1958), 10—18; 156 (1959), 22—29; 160 (1960), 6—15. Popular summary by J. Free, "The Excavation of Dothan," *BA*, XIX (1956), 43—48.

f. *Tell el Far'ah (N)*. R. de Vaux, seven preliminary reports, *RB*, LIV (1947), 394—443, 573—589; LV (1948), 544—580; LVI (1949), 102—138; LVIII (1951), 552—580. A summary: "The Excavations at Tell el Far'ah and the Site of Ancient Tirzah," *PEQ*, XCI (1956), 125—140.

g. *Hazor*. Y. Yadin *et al.*, *Hazor I* (Jeru-

salem, 1958); *Hazor II* (Jerusalem, 1960); *Hazor III—IV* (Jerusalem, 1961). Four preliminary reports appeared in both *BA* and *IEJ* between 1956 and 1959. Summary: Yadin, "Excavations at Hazor (1955—1958)," *The Biblical Archaeologist Reader*, 2, ed. D. N. Freedman and E. F. Campbell Jr. (Garden City, 1964), pp. 191—224.

h. *Jericho*. K. M. Kenyon, *Digging up Jericho* (New York, 1957); *Excavations at Jericho*, Vol. I: *The Tombs Excavated in 1952—4* (London, 1960); *Excavations at Jericho*, Vol. II: *The Tombs Excavated in 1955—8* (London, 1965). Miss Kenyon's preliminary reports appeared in *PEQ* each year between 1951 and 1957. Results from the two earlier excavations are summarized in J. and J. B. E. Garstang, *The Story of Jericho* (London, 1948), and E. Sellin and C. Watzinger, *Jericho* (Leipzig, 1913).

i. *Tell el Jib*. Besides the item in note 66, see J. B. Pritchard, *The Bronze Age Cemetery at Gibeon* (Philadelphia, 1963); *The Water System of Gibeon* (Philadelphia, 1961). A popular summary is *Gibeon, Where the Sun Stood Still* (Princeton, 1962).

j. *Lachish or Tell ed Duweir*. Olga Tufnell *et al.*, *Lachish IV. The Bronze Age*. Text and Plates Vols. (London, 1958). *Lachish II. The Fosse Temple* (London, 1940). *Lachish III. The Iron Age*. Text and Plates Vols. (London, 1953).

k. *Megiddo*. G. Loud, *Megiddo II: Seasons 1935—39*, 2 vols., *OIP*, 62 (Chicago, 1948). See reviews by W. F. Albright in *AJA*, LIII (1949), 213—215, and G. E. Wright, *JAOS*, LXX (1950), 56—60. P. L. O. Guy and R. M. Engberg, *Megiddo Tombs*, *OIP*, 33 (Chicago, 1938). R. S. Lamon, *The Megiddo Water System*, *OIP*, 32 (Chicago, 1935).

l. *Tell Beit Mirsim*. See note 24. Also, W. F. Albright, *Tell Beit Mirsim II. The Bronze Age*, *AASOR*, XVII (New Haven, 1938). *Tell Beit Mirsim III. The Iron Age*, *AASOR*, XXI—XXII (New Haven, 1943).

m. *Mirzbâneh*. P. W. Lapp, *The Dhar Mirz-*



Intermediate Bronze Age allows one to examine the problem of cultural discontinuity, one is prepared to approach the disruption of traditions represented by the establishment of Israel in Palestine with some perspective. Not included in this chart is the evidence for Transjordan, except for Bâb edh-Dhrâ, nor any sites in Syria, for example, Mishrifé-Qatna, Ras Shamra, Hamâ, Carchemish, Alalah, Amuq Plain, Tell Mardikh, as well as sites along the Habur and its tributaries. Finally, the political and cultural events in peripheral regions (Mesopotamia-Iran, Anatolia-Aegean, and Egypt-Sudan) must be included in order to uncover the sources and meaning of dominant trends, which may include revolution, international peace and commerce, or the influx of new and powerful ideas and peoples.

*bâneh Tombs. Three Intermediate Bronze Age Cemeteries in Jordan* (New Haven, 1966).

n. *Shechem*. G. Ernest Wright, *Shechem. The Biography of a Biblical City* (New York, 1965). This is a summary of the preliminary reports, which are by G. E. Wright, *BASOR*, 144 (1956), 9—23; 148 (1957), 11—28; 161 (1961), 11—54; 169 (1963), 1—60; 180 (1965), 7—41; by R. J. Bull and E. F. Campbell Jr., 190 (1968), 2—41. A popular summary is E. F. Campbell Jr. and J. F. Ross, "The Excavation of Shechem and the Biblical Tradition," *The Biblical Archaeologist Reader*, 2, pp. 275—300 (reprinted from *BA*, XXVI [1963], 1—27).

o. *Tell Ta'annek*. P. W. Lapp has compiled the preliminary reports, which have appeared in *BASOR*, 173 (1964), 4—44; 185 (1967), 2 to 39; 195 (1969) 2—49. Earlier reports by E. Sellin are cited in note 61.

p. *Tell et-Tell*. The first preliminary report on the new excavation is J. A. Callaway, *BASOR*, 178 (1965), 13—40. The earlier work is Mme. J. Marquet-Krause, *Les Fouilles de 'Ay (et-Tell) 1933—1935*, *BAH*, XLV (Paris, 1949). See analysis by L. H. Vincent, "Les fouilles d'et-Tell," *RB*, XLVI (1937), 231—266.

### III. OLD TESTAMENT SOURCES

Archaeological discovery has provided the historian of Israel's religion with important controls for dating OT sources. In general, orthography, lexicon, syntax, and concepts, where they can be tested by reliably dated parallels in the Ancient Near East, support the view that materials in the OT that describe the religion of Early Israel accurately reflect and perhaps are even derived in written form from the 13th to the 11th century B.C. The new sources allow us to fill in some details of the history of the Masoretic Text as well as a closely related subject, the history of the Hebrew language. The orthographic analysis of Northwest Semitic inscriptions by Albright, Cross, and Freedman suggests that the Masoretic Text can best be understood as the composite of at least five major phases of orthographic development, that is, Phoenician (to the end of the 10th century), Aramaic (9th and 8th century), Jewish (6th to 1st century), Rabbinic (Early Christian period), Masoretic phase (7th to 10th century after Christ).<sup>68</sup> The Phoenician phase is characterized by purely consonantal spelling, vowels represented in no position. In the 9th century *matres lectiones* begin to appear in final positions. Ostraca from Samaria, Lachish, and Arad and monumental inscriptions from Dibon and Jerusalem document the orthography of this period. Masoretic spelling begins to

<sup>68</sup> F. M. Cross Jr. and D. N. Freedman, *Early Hebrew Orthography, A Study of the Epigraphic Evidence*, *AOS*, 36 (New Haven, 1952), pp. 69 f. W. F. Albright began these studies with "The Earliest Forms of Hebrew Verse," *JPOS*, II (1922), 69—86. The evidence from Ugarit was considered first in the essay on the Oracles of Balaam cited in note 79 below.

appear already in the Jewish period. By the Maccabean Era *scriptio plene* reached its fullest development. Hebrew orthography and paleography from the 3d century B.C. to the 1st century of the Christian era have been richly illuminated by the discovery of the so-called Dead Sea Scrolls.<sup>69</sup>

Another, perhaps even prior, concern is the history of the Hebrew text that serves as the basis for the reconstruction of the religion of Early Israel. Since 1937 the Hebrew text used by most scholars has been Codex B 19a, dated ca. A.D. 1008, the property of the Leningrad Public Library, commonly available in the Kittel-Kahle edition, *Biblia Hebraica*<sup>3</sup>.<sup>70</sup> This manuscript, the high point of Masoretic activity, is the work of Aaron ben Moses ben Asher, the last of five generations of the Ben Asher family in Tiberias, A. D. 780—930. Until 1947 the Septuagint

<sup>69</sup> P. Wernberg-Møller, "Studies in the Defective Spellings in the Isaiah-Scroll of Saint Mark's Monastery," *JSS*, III (1958), 244—264. M. Burrows, "Orthography, Morphology, and Syntax of the St. Mark's Isaiah Manuscript," *JBL*, LXVIII (1949), 195—211. D. N. Freedman, "The Masoretic Text and the Qumran Scrolls: A Study in Orthography," *Textus*, II (1962), 87—102, on 4Q Jer<sup>a</sup> and the Proto-Masoretic family. Paleography is another index that has been systematized by F. M. Cross, "The Development of Jewish Scripts," *BANE*, pp. 133—202.

<sup>70</sup> P. E. Kahle, *The Cairo Geniza*, The Schweich Lectures for 1941, 2d ed. (Oxford, 1959), pp. 131—138, on the discovery and evaluation of this manuscript. *Biblia Hebraica*, ed. R. Kittel and P. Kahle, 3d ed. (Stuttgart, 1937). The critical apparatus has been consistently and justifiably attacked by H. Orlinsky. See "The Textual Criticism of the Old Testament," *BANE*, pp. 113—132, for a summary of his critique. K. Elliger and W. Rudolph are editing an entirely new edition of the Hebrew Bible to be known as *Biblia Hebraica Stuttgartensia* or *BHS*. Isaiah and Psalms have appeared.

(LXX) was the major bridge to the pre-Masoretic Text tradition.<sup>71</sup> Because the LXX often diverged from the Masoretic Text, sometimes widely, as in the case of Samuel, there was disagreement about the nature of the "translation."<sup>72</sup> The dramatic discovery of scrolls in the Judean Desert between 1947 and 1956 has leaped a millennium of silence in the history of the text of the Hebrew Bible. The recovery of Hebrew manuscripts that agree with the shorter LXX editions of Samuel illustrates the complicated background of the formation of the text type we have inherited in Codex B 19a.<sup>73</sup> The LXX, as Wellhausen had guessed, is a reliable, even literal, translation of a Hebrew *Vorlage*, and not a Targum as some had contended.<sup>74</sup>

<sup>71</sup> H. M. Orlinsky, "Current Progress and Problems in Septuagint Research," *The Study of the Bible Today and Tomorrow*, ed. H. R. Willoughby (Chicago, 1947), pp. 144—161. See now S. Jellicoe, *The Septuagint and Modern Study* (Oxford, 1968). J. D. Shenkel, *Chronology and Recensional Development in the Greek Text of Kings*, *Harvard Semitic Monographs*, 1 (Cambridge, 1968), pp. 5—21.

<sup>72</sup> H. M. Orlinsky, "On the Present State of Proto-Septuagint Studies," *JAOS*, LXI (1941), 81—91. H. Gehman, "Exegetical Methods Employed by the Greek Translator of I Samuel," *JAOS*, LXX (1950), 292—296. See now F. M. Cross Jr., "A New Qumran Biblical Fragment Related to the Original Hebrew Underlying the Septuagint," *BASOR*, 132 (1953), 15—26, and "The Oldest Manuscripts from Qumran," *JBL*, LXXIV (1955), 147—172, esp. 165—172.

<sup>73</sup> F. M. Cross Jr., "The History of the Biblical Text in the Light of Discoveries in the Judean Desert," *HTR*, LVII (1964), 281—299. P. W. Skehan, "The Biblical Scrolls and the Text of the Old Testament," *BA*, XXVIII (1965), 87—100. F. M. Cross Jr., "The Contributions of the Qumran Discoveries to the Study of the Biblical Text," *IEJ*, XVI (1966), 81—95. Also J. D. Shenkel (see note 71).

<sup>74</sup> J. Wellhausen, *Der Text der Bücher Samuelis untersucht* (Berlin, 1871).

Thanks to these discoveries the history of the OT text is clearer, and textual obscurities are receiving more adequate treatment. We are on firmer textual ground to begin historical studies than ever before.

The relative rarity in the OT of phonetic consonantism, that is, a script exclusively consonantal, which characterizes Phoenician spelling, means that the Hebrew text we have dates from the 9th century and later. Already in the Dead Sea Scrolls of the 2d century B.C. the essentials of the Masoretic Text tradition are apparent. These sources allow us therefore to return to between the 9th and 2d century B.C. Can we go farther? Do we possess controls that would permit us to date linguistic, literary, and cultural forms in the Pentateuch and Former Prophets to the period between 1300 and 1000 B.C., direct witnesses to the religion of Early Israel? The chief new source that has proved decisive for an affirmative answer began to appear on May 14, 1929, in the form of 20 clay tablets in an unknown cuneiform script located in a temple library room in the upper layers of Ras Shamra in Syria.<sup>75</sup> Stratum I was dated 1500—1100 B.C. The three Canaanite epics plus the administrative archive (also in Akkadian) discovered there contain more than enough analogy in all categories cited above to locate much of the tradition of religion in Early Israel in the period between 1300 and 1000 B.C. Combine the new information with the Canaanite glosses in the Amarna Let-

ters, and the light on the historical grammar of the OT shines brightly.<sup>76</sup>

Since the orthographic and phonetic traditions preserved in the Masoretic Text postdate the 10th century B.C., it is a measure of the conservatism of the tradition and the editors that any evidence from the 13th to the 11th century survives in the Hebrew Bible. Because of the formative significance of this material in Israel, it is probable that this tendency was in part religiously motivated. To simplify presentation one may separate the grammatical and the cultural archaisms, though the latter are reflected in the content of the lexicon. On the basis of Ugaritic and Amarna Canaanite, many nominal forms, once emended because they did not make sense, are now known to be valid and meaningful. This has been shown to be particularly true in poetic materials, for example, Gen. 49, Ex. 15, Num. 22—24, Deut. 32—33, Judg. 5, 2 Sam. 22 = Ps. 18, Ps. 68, and Hab. 3.<sup>77</sup> A few illustrations

<sup>76</sup> One of the most active contributors to this field is M. J. Dahood. See E. R. Martinez, *Hebrew-Ugaritic Index to the Writings of Mitchell J. Dahood* (Rome, 1967).

<sup>77</sup> F. M. Cross Jr., "Studies in Ancient Yahwistic Poetry," unpublished Ph.D. dissertation, The Johns Hopkins University, Baltimore, 1950. See also B. Vawter, "The Canaanite Background of Gen. 49," *CBQ*, XVII (1955), 1—18; F. M. Cross and D. N. Freedman, "The Song of Miriam," *JNES*, XIV (1955), 237—250, and "The Blessing of Moses," *JBL*, LXVII (1948), 191—210; "A Royal Song of Thanksgiving—ii Samuel 22 = Psalm 18," *JBL*, LXXII (1953), 15—34; W. F. Albright, "The Oracles of Balaam," *JBL*, LXIII (1944), 207—233; "Some Remarks on the Song of Moses in Deuteronomy XXXII," *VT*, IX (1959), 339 to 346; "A Catalogue of Early Hebrew Lyric Poems (Psalm 68)," *HUCA*, Vol. XXIII, Part I (Cincinnati, 1950—1951), pp. 1—39; and "The Psalm of Habakkuk," *Studies in Old Testament Prophecy* (Edinburgh, 1950), pp. 1—18.

<sup>75</sup> The basic textbooks are cited in note 43. The compendious survey of J. Gray, *The Legacy of Canaan: The Ras Shamra Texts and Their Relevance to the Old Testament*, 2d rev. ed. (Leiden, 1965), SVT V. The recent summary of W. F. Albright, *Yahweh and the Gods* (see note 31) fully exploits the new material.

must suffice. What were formerly thought to preserve traces of nominal cases, genitive /-i/ and accusative /-a/ generally elided after Amarna (early 14th century), must now be explained otherwise. The terminative <-āb> in *shamaimāb* ("heavenwards") and *'arsāb* ("earthwards") is not a vestigial accusative. In the orthography of Ugarit the final <b> appears as a consonant, *sbmb*, and therefore not a *mater lectionis* for vowel /-a/.<sup>78</sup> Also, the discovery that in Canaanite the infinitive absolute may serve as a finite verb has resulted in the recovery of meaning from forms long regarded as corrupt. The final /-i/ in *n'dry* = *ne'dāri* (Ex. 15:6) and in *'sry* = *'os'eri* (Gen. 49:11) is not an old genitive to be pointed as an active participle plus a "connecting *hireq*" as in the Masoretic Text. It is most probable that these consonants must be revocalized as infinitive absolutes, *ne'dori* ("it is fearful") and *'āsori* ("he tethers"), and translated as finite verbs, a phenomenon discovered by Moran in Canaanite Amarna Letters.<sup>79</sup> Huseman has noted about 50 exam-

<sup>78</sup> See E. A. Speiser, "The Terminative-Adverbial in Canaanite-Ugaritic and Akkadian," *IEJ*, IV (1954), 108—115. Gordon, *Ugaritic Textbook* (note 43), p. 102, par. 11.1. The transliteration symbols are those of G. M. Schramm, *The Graphemes of Tiberian Hebrew*, University of California Publications, Near Eastern Studies, Vol. II (Berkeley, 1964), p. 3, note 2. The symbols < and > enclose one-to-one transliteration of letter(s) of the Hebrew text of the Old Testament or other ancient documents. Slash lines, / /, enclose phonemes.

<sup>79</sup> See first W. L. Moran, "The Use of the Canaanite Infinitive Absolute as a Finite Verb in the Amarna Letters from Byblos," *JCS*, IV (1950), 169—172, who deals with the paradigmatic construction, *qatāli anāku*. The interpretation is a suggestion of W. F. Albright *apud* Cross and Freedman, "The Song of Miriam," *JNES*, XIV (1955), 245 f. This super-

ples in the Pentateuch and Former Prophets.<sup>80</sup> There is not space to extend this list or elaborate on its significance. The weight of this type of evidence supports an early date for the vocabulary, grammar, and clichés in the poetry cited above.<sup>81</sup>

It is therefore reasonable to use these poems to reconstruct the religion of Early Israel. Can we also use the intervening prose, relevant portions of Exodus, Numbers, Joshua-2 Samuel? The literary form may be late, and its historical usefulness may require considerable help from extra-biblical sources.<sup>82</sup> The basic objective here, however, is to establish whether in the main the traditions contained in the prose of the Pentateuch and Former Prophets can belong to the last half of the second millennium B. C. Again, one must be content with a few illustrations. There is little doubt in this writer's mind that the keystone in the argument for the antiquity of

sedes Cross's dissertation "Studies in Ancient Yahwistic Poetry," pp. 112 f. The word pattern of this verse (AB:CD, AB:EF) is also common in Ugaritic epics.

<sup>80</sup> J. Huseman, "Finite Uses of Infinitive Absolute," *Biblica*, XXXVII (1957), 271 to 295, and "The Infinitive Absolute and the Waw + Perfect Problem," *Biblica*, XXXVII (1956), 410—434.

<sup>81</sup> A summary is W. L. Moran, "The Hebrew Language in Its Northwest Semitic Background," *BANE*, 54—72. Early but still useful introductory statements are H. L. Ginsberg, "Ugaritic Studies and the Bible," *The Biblical Archaeologist Reader*, 2, pp. 34—50 (reprinted from *BA*, VIII [1945], 41—58). Also W. F. Albright, "The Old Testament and Canaanite Language and Literature," *CBQ*, VII (1945), 5—31.

<sup>82</sup> A good example is the almost 20 parallels E. A. Speiser finds between the patriarchal narrative and the Nuzu tablets. See his Genesis (note 56). We will not deal with the patriarchs in this essay. The most recent survey is W. F. Albright, *Yahweh and the Gods* (note 31).

those traditions in the Pentateuch that are crucial for the religion of Early Israel is G. E. Mendenhall's demonstration that the covenant between Yahweh and Israel at Sinai is an adaptation of the vassal treaty, most clearly extant in the Hittite Suzerainty Treaty.<sup>83</sup> The "murmuring" narrative in Numbers assumes the covenant and reflects "breach of treaty," which Yahweh punished severely. "Murmuring" is not merely complaint about conditions in the desert that demoralized the fleeing slaves.<sup>84</sup> Though literary critics have assigned these traditions to P, they are as ancient as the covenant itself. Another kind of evidence is decisive: the demonstration on the basis of Akkadian administrative documents from Ugarit and Alalah that Samuel's hostility to kingship in Israel (1 Sam. 8:4-17) was based on precise knowledge of Canaanite monarchic patterns, which had disintegrated by the time monarchy was established in Israel.<sup>85</sup> At the same time, the type of warfare practised in Israel, her perpetuation of military traditions that can be traced back to 18th-century Mari, and her disdain for the professional military equipment and leadership employed by the Canaanite city-states establish not

only the antiquity of Israelite traditions but also her unique character as a dissenting and disinherited community of *hophshi* (emancipated slaves) and *habirū* (social outcasts).<sup>86</sup> This is the kind of evidence that supports the general assumption that one may safely use the prose sources reflecting Israel between Moses and Samuel to reconstruct the religion of Early Israel.<sup>87</sup>

#### IV. PALESTINE-SYRIA IN THE SECOND MILLENNIUM B. C.

Two comments are in order as we begin to sift through the mass of new and old material for the key to understanding the religion of Early Israel. In order to interpret these alien and ancient OT sources we do need at least reasonably contemporary witnesses to provide some sense of the inward form and outward meaning of events, of the values and conflicts, dilemmas and desires, implied in the language of texts. Fortunately, sufficient resources have been provided by archaeology to restore tentatively at least the historical context within which Early Israel was born and matured. Continuity and discontinuity with essential features of life in Palestine-Syria in the second millennium B. C. may help identify the *Eigenart* of Israel as well as discover a model by which to interpret the events between Sinai and Shiloh. A model is an unconscious system of thought deep within the OT sources, revealed more by action and function of per-

<sup>83</sup> See note 33. Also D. J. McCarthy, "Covenant in the Old Testament: The Present State of Inquiry," *CBQ*, XXVII (1965), 217-240. G. E. Mendenhall, *IDB*, s. v. "Covenant."

<sup>84</sup> See the writer's unpublished essay, "The Murmuring Narratives in Numbers" (1958), 1-18. See G. W. Coats, *Rebellion in the Wilderness: The Murmuring Motif in the Wilderness Tradition of the Old Testament* (New York, 1968); he ignores the archaeological material and therefore advances little beyond the subjective sum of earlier literary criticism.

<sup>85</sup> I. Mendelsohn, "Samuel's Denunciation of Kingship in the Light of Akkadian Documents from Ugarit," *BASOR*, 143 (1956), 17-22.

<sup>86</sup> A. E. Glock, "Warfare in Mari" (note 52), pp. 189-237.

<sup>87</sup> The task of the literary critic is, among other things, to attempt to discover how the ancient writer is using his sources, his special point of view, whether he understands his sources, and how his personal viewpoint alters the testimony of the ancient sources.

sons and groups than by explicit abstract description. The validity of the model is its ability to provide deep meaning and unity to diverse elements in the sources.<sup>88</sup> One further general restatement on the limitation of the extrabiblical sources is in place. Both epigraphic and archaeological evidence, the words and buildings that have survived, in large measure reflect the thought and work of the royal court and its administrative offices, that is, the powerful upper strata in society. The little that is heard indirectly in the archives of the vast majority of the "people" comes either when they serve the court or rebel against it. Indeed, in the crisis resulting from revolt one learns more of the "people," their exploitation, and the defenders of the status quo than in routine records. In this section the basic focus will be on political and social structures of the two best documented centuries, the 18th and the 14th. Here ideas and people provide a vivid setting for the shape and meaning of the religion of Early Israel.

After four centuries in which the population of Palestine did not commonly live in buildings that have survived within walled cities (Intermediate Bronze Age, hereafter IB, 2300—1900 B.C.), a reurbanization began ca. 1850 B.C. (Middle Bronze Age, hereafter MB, to ca. 1550 B.C.). The people involved in this development were probably the West Semitic Amorites, from whom the Biblical patri-

<sup>88</sup> W. F. Albright, *Archaeology, Historical Analogy and Early Biblical Tradition* (Baton Rouge, 1966), pp. 5 f., on stochastic model. M. Brodbeck, "Models, Meaning and Theories," *Symposium on Sociological Theory*, ed. L. Gross (New York, 1959), pp. 373—403, provides basic analysis of analog theory. See now D. Willer, *Scientific Sociology, Theory and Method* (Englewood Cliffs, N. J., 1967).

archs are descended.<sup>89</sup> Massive detail for reconstructing the style of life in the MB age has been provided by the excavation of the following ten representative major sites in Palestine: Tell ed-Duweir (Lachish), Tell Beit Mirsim (Debir), Tell el-'Ajjūl (Beth 'Eglaim), Tell er-Rumeileh (Beth Shemesh), Tell es-Sultan (Jericho), Tell Balâtah (Shechem), Tell el-Fâr'ah (Tirzah), Tell Ta'annek (Taanach), Tell el-Mutesellim (Megiddo), and Tell el-Qedah (Hazor).<sup>90</sup> In the absence of literary sources from MB Palestine one is forced to extrapolate from contemporary texts from Syria, namely, Mari, Châgar Bâzâr, Shemshâra, and Alalah VII.<sup>91</sup> From these it is evident that the primary form of social and political organization was the city-state.<sup>92</sup> A particularly revealing pas-

<sup>89</sup> See note 2 above. Also R. T. O'Callaghan, *Aram Nabaraim: A Contribution to the History of Upper Mesopotamia in the Second Millennium B. C.*, AO, 26 (Rome, 1948), *passim*. I. J. Gelb, "The Early History of the West Semitic Peoples," *JCS*, XV (1961), 27—47.

<sup>90</sup> See note 67 above. Even though this note is merely representative and not complete, one ought to mention the excavation of Beth-Shan by the University of Pennsylvania from 1921 to 1933. For our period see A. Rowe, *The Topography and History of Beth Shan*, Vol. I (Philadelphia, 1930); *The Four Canaanite Temples of Beth Shan*, Vol. II, Part I (Philadelphia, 1940). See review by G. E. Wright, *AJA*, XLV (1941), 483—485. Also G. M. FitzGerald, *The Four Canaanite Temples of Beth Shan. The Pottery*, Vol. II, Part II (Philadelphia, 1930). See the convenient summary by H. O. Thompson, "Tell el-Husn — Biblical Beth-Shan," *BA*, XXX (1967), 110 to 135.

<sup>91</sup> See notes 46, 50, 59.

<sup>92</sup> A. Alt, "The Settlement of the Israelites in Palestine," *Essays on Old Testament History and Religion* (Oxford, 1966), pp. 145—157, on LB city-states in Palestine. In general, *City Invincible, A Symposium on Urbanization and Cultural Development in the Ancient Near*

sage in a letter by an official of the Mari court to his "lord," the king, indicates that "there is no king who is in himself really powerful."<sup>93</sup> In the case of four kings who are named, 10 to 15 other kings "go along." Clearly the power center was Yamhad, Aleppo in North Syria, for there 20 vassal kings "go with" its "lord." Cities were centers of commerce and manufacture, homes for businessmen and artisans and others who inevitably served the court. Much of the population lived in unwalled villages away from the urban centers. Indeed, cities and their villages were political property transferred from one king to another, maneuvering for political advantage.<sup>94</sup> Thanks to the excavation of one of the cities of Yamhad, Alalah, and other centers, we are in a position to describe the function of kings and the techniques by which powerful city-states bound vassal cities and their villages.<sup>95</sup>

A word on the origins and ideals of kingship will indicate its supreme significance

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*East*, ed. C. H. Kraeling and R. McAdams (Chicago, 1960). See now R. McAdams, *The Evolution of Urban Society: Early Mesopotamia and Prehistoric Mexico* (Chicago, 1966).

<sup>93</sup> G. Dossin, "Les archives épistolaires de palais de Mari," *Syria*, XIX (1938), 117, for the Akkadian text.

<sup>94</sup> Wiseman, *Alalakh Tablets* (note 46), pp. 52 f., nos. 76—81, pls. XX—XXI; also pp. 47—49, nos. 52—58, pls. XIII—XVII. On confiscation of tribal villages in the kingdom of Mari, see G. Dossin, "Benjaminites dans les textes de Mari," *Mélanges syriens offerts à Monsieur René Dussaud*, BAH, XXX (Paris, 1939), pp. 981—996, especially pp. 984 and 989.

<sup>95</sup> See note 49. Also S. Smith, "Yarim-Lim of Yamhad," *RSO*, XXXII (1957), 115—184; G. Dossin, "Le royaume d'Alep au XVIII<sup>e</sup> siècle avant notre ère d'après le 'Archives de Mari,'" *Bulletin de l'Académie Royale de Belgique, Classe des Lettres*, series 5, vol. XXXVIII (1952), 229—239.

in Ancient Near Eastern society. In third millennium Mesopotamia the "king" was at first appointed by the assembly of citizens to a limited term of office in order to meet either a domestic or military crisis.<sup>96</sup> As the position became more permanent the "king" acquired a garrisoned palace, dispensed justice, and extended his boundaries. In response to the cries of the oppressed citizens a king might institute reforms.<sup>97</sup> In the second millennium the functions of a king are conveniently described in the prolog and epilog of two important collections of legal precedent, the Lipit-Ishtar Laws and the Hammurapi Laws. In the former the name of the king "had been pronounced" by the god "in order to establish justice in the land, to banish complaints, to turn back enmity and rebellion by force of arms, (and) to bring well-being to the Sumerians and Akkadians."<sup>98</sup> The remainder of the prolog and the epilog affirm that the king met his obligations, "abolished enmity and rebellion; made weeping, lamentations, outcries . . . taboo; caused righteousness and truth to exist; brought well-being to the Sumeri-

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<sup>96</sup> T. Jacobsen, "Early Political Development in Mesopotamia," *ZA*, n. f. XVIII (1957), 91 to 140. A fuller statement including Egypt and a postscript on Israel is H. Frankfort, *Kingship and the Gods* (Chicago, 1948).

<sup>97</sup> A. Deimel, "Die Reformtexte Urukagina," *Or*, II (1920), 3—31. I. M. Diakonoff, "Some Remarks on the 'Reforms' of Urukagina," *RA*, LII (1958), 1—15, with references to earlier discussions. See also S. N. Kramer, *The Sumerians* (Chicago, 1963), pp. 317—322. Note the items by Kraus and Finkelstein in note 63 dealing with the *mēsharum*-act or release from debt.

<sup>98</sup> F. R. Stelle, "The Code of Lipit-Ishtar," *AJA*, LII (1948), 425—450. The translation cited is from Col. I:20—32, p. 432. The same translation is offered by S. N. Kramer, *ANET*, p. 159.

ans and Akkadians."<sup>99</sup> A century later Hammurapi says that the god "named me to promote the welfare of the people . . . to cause justice to prevail in the land, to destroy the wicked and the evil, that the strong might not oppress the weak, to rise like the sun over the black-headed (people), and to light up the land."<sup>100</sup> In sum, these inherited conventional views of the role of the king show that he was regarded as responsible for justice at home and peace on the borders, for *law* and *warfare*.

In Mari the king was regarded as "father" by "brother" kings who recognized his suzerainty. Kinship terminology reflected levels of political, not genetic, relationship.<sup>101</sup> The scribes at Alalah clearly distinguished between the king of Yamhad, the lord, and the king of Alalah, the vassal.<sup>102</sup> It was pointed out above that Yamhad was the most powerful kingdom in Syria. Alalah was one of at least 20 vassal city-states, each bound to Yamhad by treaty. Three parts of the treaty with Alalah, fortunately preserved, are important: (a) The suzerain king of Yamhad, Abba-AN, *gave* Alalah and its territory to Yarim-Lim, "the king's brother." Nor will Abba-AN ever take back what he has

given.<sup>103</sup> (b) He lays upon the vassal specific *obligations*: he must not "sin" against the king, that is, he may not "give away (any) word (that) Abba-AN confides to him, giving it away to another king," nor can he "take hold of the hem of another king's garment," that is, recognize another king as lord.<sup>104</sup> (c) If Yarim-Lim or a descendent "*sins*," he shall forfeit his cities and territories.<sup>105</sup> Another copy of this instrument adds violent curses on the head and house of whoever does evil against the lord or his vassal in this relationship.<sup>106</sup> One may conjecture that the MB cities of Palestine were populated by Amorites, were busy centers of trade, and were deeply involved in shifting political alliances, which ultimately were of no avail, however, against the superior forces of the Eighteenth Egyptian Dynasty (1570 to 1304).

Kings like Hammurapi of Babylonia and Shamshi-Adad of Assyria devoted careful and persistent attention to the administration of law and warfare in their kingdoms. In general, warfare in 18th-century

<sup>99</sup> Steele, "Code . . .," p. 445, Col. XVIII: 6—17. Kramer, *ANET*, p. 161.

<sup>100</sup> G. R. Driver and J. C. Miles, *The Babylonian Laws*, Vol. II, p. 6, for "Laws of Hammurabi," Col. ia:25—49; translation by T. J. Meek, *ANET*, p. 164.

<sup>101</sup> J. M. Munn-Rankin, "Diplomacy in Western Asia in the Early Second Millennium," *Iraq*, XVIII (1956), 68—110.

<sup>102</sup> Wiseman, *Alalakh Tablets* (note 46), pl. XV, tablet no. 56:43—44. The first two witnesses in a contract for the sale of villages are *Ab-ba-AN LUGAL* and *Ya-ri-im Li-im a-bi LUGAL*.

<sup>103</sup> D. J. Wiseman, "Abban and Alalah," *JCS*, XII (1958), 124—129, AT 456:32, 42. For an improved interpretation of AT 456:27 to 62 see A. Draffkorn, "Was King Abba-AN of Yamhad a Vizier for the King of Hattusha?" *JCS*, XIII (1959), 94—97. On dating this Yarim-Lim to the first half of the 17th century see B. Landsberger, "Assyrische Königsliste und 'dunkles Zeitalter,'" *JCS*, VIII (1954), 52, and M. B. Rowton, "The Date of Hammurabi," *JNES*, XVII (1958), 97—111, especially p. 98.

<sup>104</sup> AT 456:44—49. The improved reading in line 44 is generally supported by W. G. Lambert, "A Vizier of Hattusha? A Further Comment," *JCS*, XIII (1959), 132, who would like to translate "sin" as "do an injury to."

<sup>105</sup> AT 456:47—57.

<sup>106</sup> Wiseman, *Alalakh Tablets*, p. 25, AT 1:13—20, Pl. I.



Syria or Northwest Mesopotamia was a function of international law; it was regarded as a judgment of the gods for violation of treaty.<sup>107</sup> Rulers were not despots, and warfare was not a way of life. There is indeed slight evidence for a standing army other than the king's bodyguard. Armies were largely composed of citizens called to arms in times of need.<sup>108</sup> Credit for protection on the march and success in battle was sometimes given to the deity.<sup>109</sup> The most specialized personnel were the priests who read liver omens before battle to discern the will of the gods.<sup>110</sup> Since the king was administering also legal affairs in the realm, he himself rarely could afford the time to accompany troops into battle. From the correspondence of Hammurapi with two officials at Larsa, Sin-id-dinam and Shamash-hazir, it is evident that holders of royal estates were at some time obligated to serve the king, either as soldiers, laborers, or artisans.<sup>111</sup> The "laws" in the collection of Hammurapi are more nearly "principles" than "rules."<sup>112</sup> The king's task was to "establish justice." This may have included the proclamation of

legal norms.<sup>113</sup> The judicial system included judges and administrators and courts.<sup>114</sup> Where the protection of royal interests was at stake Hammurapi kept very close contact with his officials. The population in villages far from direct contact with the court received "justice" at the hands of the "village administrator," who was often the choice of the clans, as at Mari.<sup>115</sup>

The stratigraphic evidence from MB layers in Palestine and Syria supports and elaborates the epigraphic evidence, especially the high cultural level of urban life.<sup>116</sup> Elaborate defense systems in addition to well-constructed public buildings and domestic quarters on paved streets in planned cities point to a powerful centralized government able to marshal human and material resources of great quantity and quality. Most impressive are the MB city walls 3—4 meters wide surmounting a steep *terre pisée* slope of hard white clay. This has commonly been regarded as a defense against the battering ram, though it has recently been argued that the *glacis* merely prevented the erosion of

<sup>107</sup> Glock, "Warfare in Mari" (note 52), pp. 46—50, 62—65.

<sup>108</sup> *Ibid.*, pp. 66—68.

<sup>109</sup> *Ibid.*, pp. 23 f. for relevant texts.

<sup>110</sup> *Ibid.*, pp. 128—138. Also J. Nougayrol et al., *La Divination en Mésopotamie Ancienne et dans les Régions Voisines*. XIV<sup>e</sup> Rencontre Assyriologique Internationale (Paris, 1966).

<sup>111</sup> See note 64. Also C. J. Gadd, "Hammurabi and the End of His Dynasty," *CAH*, rev. ed., Fascicle 35 (Cambridge, 1965).

<sup>112</sup> E. A. Speiser, "Authority and Law in Mesopotamia," *Authority and Law in the Ancient Orient*. Supplement to the *JAOS*, no. 17, (Baltimore, 1954), pp. 8—15, especially pp. 12 f., note 25.

<sup>113</sup> This was first established by B. Landsberger, "Die babylonischen Termini für Gesetz und Recht," *Symbolae ad Iura orientis Antiqui Perisinentes Paulo Koschaker*, ed. J. Friedrich et al., *SD*, II (Leiden, 1939), pp. 219—234. See also F. R. Kraus, "Ein zentrales Problem des altmesopotamischen Rechtes: Was ist der Codex Hammurabi?" *Genava*, n. s. VIII (1960), 283 to 296.

<sup>114</sup> A. Walther, *Das altbabylonische Gerichtswesen*, *LSS*, VI/4—6 (Leipzig, 1917).

<sup>115</sup> J. Bottéro, "Lettre de la Salle 110 du palais de Mari," *RA*, LII (1958), 163—176, especially pp. 164—167, Letter No. 311:16 and comments on p. 166.

<sup>116</sup> K. M. Kenyon, "Palestine in the Middle Bronze Age," *CAH*, rev. ed., Fascicle 48 (Cambridge, 1966), is the most recent survey.

the soft slopes around the city.<sup>117</sup> Except for cities newly occupied in MB this may indeed have been one function of the *glacis*. The gate in the city wall was vulnerable and therefore was defended by towers with two or three chambers separated by removable gate-doors and an approach ramp that required a 90-degree (usually) right turn to enter the gateway. Weapons of war, the fenestrated axe, short daggers with one or more low ribs in a wide blade, and the sickle-sword all reveal on analysis an advanced metallurgy.<sup>118</sup> Houses are several rooms on the west side of an open courtyard, sometimes as elaborate and well built as the West Building at Ta'annek.<sup>119</sup> This high level of material culture begins to diminish in the next period (LB) as the function of monarchy shifted to a caretaker role thanks to Palestinian vassalage to the Egyptian New Kingdom (1546—1085 B.C.). Again, the sources provide little contact with and knowledge of the "people of the land."

Between 1550 and 1000 B.C. there is a steady deterioration of the level of physical culture in Palestine. Despite major disturbances in the mid-16th century and the late 13th century, in many cities the cultural tradition seems to be fundamentally

<sup>117</sup> P. J. Parr, "The Origin of the Rampart Fortifications of Middle Bronze Age Palestine and Syria," *ZDPV*, LXXXIV (1968), 18—45.

<sup>118</sup> R. Maxwell-Hyslop, "Daggers and Swords in Western Asia," *Iraq*, VIII (1946), 1—65, especially Types 25—26 on pp. 26—27 and Pl. III; "Western Asiatic Shaft-Hole Axes," *Iraq*, XI (1949), 90—130, especially Types B.3 and B.4, pp. 119—121, Pl. XXXVI, 7 and XXXVII, 6,7.

<sup>119</sup> H. K. Beebe, "Ancient Palestinian Dwellings," *BA*, XXXI (1968), 38—58, especially 42—47.

continuous.<sup>120</sup> Gaps in occupation up to a century are registered in many cities; for example, Megiddo and Ta'annek were destroyed by Thutmose III ca. 1468 B.C., while Shechem and Tell Beit Mirsim fell somewhat earlier. Due to erosion and robbing we are poorly informed about LB defenses.<sup>121</sup> In general MB city walls were reused. The fosse, so characteristic of MB defenses, appears to have become dysfunctional.<sup>122</sup> An inner line of defense may be in the heavy-walled temples and palaces found at several sites.<sup>123</sup> One of the most characteristic features of the ceramic culture is the import of Mycenaean III ves-

<sup>120</sup> Already observed by S. R. Driver, *Modern Research as Illustrating the Bible*. The Schweich Lectures, 1908 (London, 1909), p. 87. This was, of course, before modern excavations in Palestine. Sixty years later and with more precision Paul Lapp, "The Conquest of Palestine in the Light of Archaeology," *CTM*, XXXVIII (1967), 295, is able to say: "The basic general typology is virtually identical in the 13th and 12th centuries B.C." The major difference between the two centuries, he finds, is the absence of imported wares in the 12th century (p. 296).

<sup>121</sup> A good example is Jericho. See K. Kenyon, *Digging Up Jericho* (New York, 1957), pp. 256—265.

<sup>122</sup> O. Tufnell, *Lachish II: The Fosse Temple* (London, 1940), pp. 19—21, 35 f. Not only is the LB temple in the fosse, the foundations of the first structure rested on debris that had accumulated in the 15th century B.C. The great fosse at Tell el 'Ajjul was not in use in LB. F. Petrie, *Ancient Gaza I* (London, 1931), p. 11, Pl. LVII, correlated by W. F. Albright, "The Chronology of a South Palestinian City, Tell el-Ajjûl," *AJSL*, LV (1938), 337—359, especially 349.

<sup>123</sup> F. Petrie, *Ancient Gaza II* (London, 1932), pp. 4 f., 13 f., Pls. XLVIII f. Palace III walls are 8 feet thick. At Shechem the fortress-temple walls are 6.5—7.5 feet wide. G. E. Wright, *Shechem* (note 67n), p. 96. The Beth-Shan *miḡdāl* has walls 7.5 feet wide. A. Rowe, *The Topography and History of Beth-Shan* (Philadelphia, 1930), pp. 20 f. and fig. 2.

sels as well as Cypriote ware.<sup>124</sup> This betokens the wide-open internationalism of the period in East Mediterranean lands.<sup>125</sup> The disturbance in Palestine between 1250 and 1150 B.C. touches almost every city from Alalah in the north to Lachish in the south. Most cities were rebuilt, but not always immediately and usually along entirely different lines. The causes for this deterioration in political stability were many. Some factors appropriate for Palestine are the following: (a) New populations were moving in, for example, Philistines, Sea-Peoples, Hebrews;<sup>126</sup> (b) *Habiru* and peasants generally were revolting against oppressive social and economic conditions in Canaanite life;<sup>127</sup> (c) Also, Egypt was unable to police city-state intrigue.<sup>128</sup> Between 1200 and 1000 B.C.

<sup>124</sup> F. H. Stubbings, *Mycenaean Pottery from the Levant* (Cambridge, 1951). S. A. Immerwahr, "Mycenaean Trade and Colonization," *Archaeology*, XIII (1960), 4—13. B. Maisler, "Cypriote Pottery at a Tomb-Cave in the Vicinity of Jerusalem," *AJSL*, XLIX (1933), 248 to 253, Pl. 2. This hoard of 52 pots has been restudied by R. Amiran, "A Late Bronze Age II Pottery Group from a Tomb in Jerusalem," *Eretz-Israel*, VI (1960), 25—37, Pls. 3—4 (in Hebrew).

<sup>125</sup> An important pioneering study is H. J. Kantor, "The Aegean and the Orient in the Second Millennium B. C.," *AJA*, LI (1947), 3—103, Pls. I—XXVI. Now add W. S. Smith, *Interconnections in the Ancient Near East* (New Haven, 1965). Both studies examine chiefly artistic evidence.

<sup>126</sup> The most recent summary of the evidence with full bibliography is W. F. Albright, "The Amarna Letters from Palestine," and "Syria, the Philistines and Phoenicia," *CAH*, rev. ed., Fascicle 51 (Cambridge, 1966).

<sup>127</sup> See below, p. 586.

<sup>128</sup> On the basis of the Amarna letters it has been shown that the Egyptians were organized to control Syria-Palestine. Abdul-Kader Mohammad, "The Administration of Syro-Palestine During the New Kingdom," *Annales du Service*

the patterns of occupation were complex. The Philistines were anchored in the southwest,<sup>129</sup> Israel in the central hill country, Canaanites in the major cities of the plains and north. Israel appears to have been in this period strongly village oriented, occupying unwallled sites.

By the 14th century three major centers of power surrounded Syria-Palestine and diminished the sovereignty of local monarchs. Hittite and Mitanni kings controlled inner Syria, the Egyptians attempted to govern lower Syria and Palestine, while Hittites and Egyptians grasped at Ugarit by turns.<sup>130</sup> Relationships could be complicated. In one instance the Hittite king was "lord" of the king of Ugarit who in turn was "lord" of the king of Siyannu, the third owing tribute to the second who transferred it to the first "lord."<sup>131</sup> Indeed, kings three and two were "servants" of king one. Though officially no king in

*des Antiquités de l'Égypte*, LVI (1959), 105 to 137. That this "administration" had little effect on intercity politics is clear from a random reading of the Amarna correspondence. See, for example, E. F. Campbell Jr. "Shechem in the Amarna Archive," *apud* Wright, *Shechem*, pp. 191—207.

<sup>129</sup> G. E. Wright, "Fresh Evidence for the Philistine Story," *BA*, XXIX (1966), 70—86.

<sup>130</sup> K. A. Kitchen, *Suppiluliuma and the Amarna Pharaohs: A Study in Relative Chronology*, *Liverpool Monographs in Archaeology and Oriental Studies* (Liverpool, 1962), for outline of 14th-century contacts. A. Goetze, "The Struggle for the Dominion of Syria (1400—1300 B. C.)," and "The Hittites and Syria (1300 to 1200 B. C.)," *CAH*, rev. ed., Fascicle 27 (Cambridge, 1965).

<sup>131</sup> *MRS*, IX (see note 42), pp. 71—78. The relationship becomes apparent when Siyannu seceded from Ugarit and became vassal of the king of Carchemish. See the discussion in G. Buccellati, *Cities and Nations of Ancient Syria*, *Studi Semitici*, 26 (Rome, 1967), pp. 47—52.

Syria-Palestine was his own political master, this deterred few from enlarging their domains where possible. According to the letters of Rib-Addi of Byblos to the pharaoh the kings of Amurru in South Syria were particularly ambitious.<sup>132</sup> Of the almost 30 vassal treaties to come from the Hittite archive at Hattusas (Bogazkale),<sup>133</sup> one describes how Mursilis (1345—1315 B.C.) "sought after" Duppi-Teshub of Amurru.<sup>134</sup> Following the (a) preamble

<sup>132</sup> EA 68—95 refers commonly to Abdi-Ashirta's aggressive policies; EA 101—138 and 362 frequently speak of similar policies of his son, Aziru. On the language see W. L. Moran, "A Syntactical Study of the Dialect of Byblos as Reflected in the Amarna Tablets," unpublished Ph.D. dissertation, the Johns Hopkins University, Baltimore, 1950. On peasant revolt reflected in the Amarna letters see M. C. Astour, "The Amarna Age Forerunners of Biblical Anti-Royalism," *For Max Weinreich on his Seventieth Birthday* (The Hague, 1964), pp. 6—17.

<sup>133</sup> See note 57, items by Weidner and Friedrich. E. von Schuler, *Die Kaskäer. Ein Beitrag zur Ethnographie des alten Kleinasien. Untersuchungen zur Assyriologie und vorderasiatischen Archäologie* 3 (Berlin, 1965), pp. 109—151. A convenient list of treaty texts in D. McCarthy, *Treaty and Covenant. A Study in Form in the Ancient Oriental Documents and in the Old Testament. Analecta Biblica*, 21 (Rome, 1963), pp. xiii f. Also V. Koroshec, "Les Hittites et leurs vassaux syriens à la lumière des nouveaux textes d'Ugarit (PRU IV)," *RHA*, XVIII (1960), 65—79. For recently discovered fragments of a treaty between Suppiluliuma and Aziru see H. Freydank, "Eine hethitische Fassung des Vertrages zwischen dem Hethiter-König Suppiluliuma und Aziru von Amurru," *MIO*, VII (1960), 356—381.

<sup>134</sup> *ANET*, pp. 203—205. The syntactic variations in category (c) below are important. Note a 2d person singular imperative: "Do not turn your eyes to anyone else!" *ANET*, p. 204a, paragraph 8. Legal analysis of Hittite treaties has been done by V. Koroshec, *Hethitische Staatsverträge. Ein Beitrag zu ihrer juristischen Wertung. Leipziger Rechtswissenschaftliche Studien*, LX (Leipzig, 1931). An element not

in which the Hittite king's titulary is paraded, (b) a historical statement traces the former relationships between Duppi-Teshub's father and grandfather and contemporary Hittite kings. The former Egyptian alliance of Amurru is repudiated. (c) There follows a list of obligations imposed on the vassal, which are designed to protect the interests of the great king. The description of reciprocal military aid is detailed. Added are requirements to obey the king's orders, return deportees who flee, and return refugees. The treaty concludes with (d) an invocation of the gods and (e) a summary statement of curses and blessings.

Within the limitations imposed by treaties, kings of the LB age in Syria-Palestine are responsible for waging both war and law. In the 'Aqhat epic from Ugarit Dan'el is functioning as judge who "is upright, sitting before the gate . . . judging the cause of the widow, adjudicating the cause of the fatherless."<sup>135</sup> In the Keret epic the king musters a large popular army, which he leads to the chief city of 'Udum, which he besieges.<sup>136</sup> Though the present form of the epics is LB they represent traditions at least as old as

present in the example cited is the provision for deposit and periodic public reading. On this, D. McCarthy, *Treaty and Covenant*, pp. 37—39.

<sup>135</sup> *MRS*, X (see note 43), p. 82, No. 17, Col. V:6—8; Fig. 55, Pl. XXVII. Translation based on *ANET*, p. 151a, by H. L. Ginsberg. In general see J. Gray, "Canaanite Kingship in Theory and Practice," *VT*, II (1952), 193 to 220.

<sup>136</sup> *MRS*, X, pp. 58—67, No. 14; Figs. 36 to 37, Pls. XX—XXII. *ANET*, pp. 142—145. Note the use of this episode by R. H. Smith, "Abram and Melchizedek (Gen. 14:18-20)," *ZAW*, LXXVII (1965), 129—153, esp. 131 to 139.

MB.<sup>137</sup> To discover the realities of the 15th—14th century we must examine the administrative texts. At Alalah and Ugarit the king continued to maintain close supervision of domestic policy and problems, particularly those dealing with real estate. The king was legal owner of all the land in the kingdom.<sup>138</sup> Loyal subjects received estates in return for service to the king.<sup>139</sup> He witnessed the transfer of property and adjudicated disputes between male and female landholders.<sup>140</sup> The king considered cases of breach of contract. Tablets and witnesses were introduced as evidence in cases.<sup>141</sup> The king reassigned the confiscated property of the guilty.<sup>142</sup> While

<sup>137</sup> In the MB age neither "wagons" nor "chariots," both well known already in the third millennium B. C., were well enough constructed to be used for tactical operations in warfare. They served only as transport for supplies and officials and for ceremonial purposes. By the LB age, however, swift war-chariots are in use all over the Ancient Near East. At Ras Shamra the chariot in the epics corresponds by usage most to MB practice, while in the art and administrative texts it is used in hunting and warfare. In the Amarna Letters Rib-Addi appeals for chariots against the *habiru* (EA 88:24; 107:40 f.; 127:37; 131:12; 132:57).

<sup>138</sup> MRS, VI (see note 42), pp. 293—299 for G. Boyer, "Le droit des fiefs a Ugarit." MRS, IX (see note 43), pp. 103—105, Text 17.130 is an order from Hattusilis III (1282 to 1250 B. C.) to Niqmepa of Ugarit. The merchants of Ur(a) are not to purchase land in Ugarit. Lines 32—34 indicate that land in Ugarit is "real estate of the King of Ugarit." See C. H. Gordon, "Abraham of Ur," *Hebrew and Semitic Studies, G. R. Driver Festschrift* (Oxford, 1963), pp. 77—84.

<sup>139</sup> MRS, VI, pp. 79—81, RS 16.239; p. 135, RS 15.140. See also AT 52—58.

<sup>140</sup> MRS, VI, pp. 94 f., RS 16.245; p. 157, RS 16.254C.

<sup>141</sup> MRS, VI, pp. 71 f., RS 16.356; pp. 153 f., RS 16.205.

<sup>142</sup> MRS, VI, pp. 131 f., RS 15.122; p. 169, RS 16.145.

there were undoubtedly legal authorities under the king who executed deeds and conveyances, the extant texts do not offer details.<sup>143</sup> The king also remained leader in war, but dramatic new developments altered his role considerably.

A study of the administrative documents from Ras Shamra shows that in texts dealing with military matters the personal names are largely non-Semitic, chiefly Hurrian and Indo-Aryan, while those texts that deal with lands of the *hupshū* and affairs of slaves have names that are usually pure Semitic.<sup>144</sup> The presence of a significant non-Semitic population is also reflected in the tablets from Taanach and Shechem as well as the Amarna archive.<sup>145</sup> From the latter source Indo-Aryan etymologies are available for the ruler of Megiddo (Biridiya), Taanach (Jashdāta), Acco (Zurāta), Keileh (Shuwardāta), and others.<sup>146</sup> The picture that emerges is a

<sup>143</sup> Two references to a "judge," MRS, VI, pp. 61 f., RS 16.156; 20; pp. 140 f., RS 16.132:26. See also the *rabis* (*ekallim*), governor (of the palace), MRS, VI, p. 169, RS 16.145:24—26, who uses the seal of the king. An important review of MRS, VI, which discusses many of these problems (notes 138—143) is E. A. Speiser, "Akkadian Documents from Ras Shamra," *JAOS*, LXXV (1955), 154—165, especially p. 157 on the "dynastic" seal.

<sup>144</sup> M. Noth, "Die syrisch-palästinische Bevölkerung des zweiten Jahrtausends v. Chr. im Lichte neuer Quellen," *ZDPV*, LXV (1942), 35—67.

<sup>145</sup> A. Gustavs, "Die Personennamen in den Tontafeln von Tell Ta'annek," *ZDPV*, I (1927), 1—19; LI (1928), 169—218. F. M. Th. Böhl, "Die bei den Ausgrabungen von Sichem gefundenen Keilschrifttafeln," *ZDPV*, XLIX (1926), 321—327 and Pl. 44, especially Tablet No. 1350, pp. 322—325, a list of seven witnesses.

<sup>146</sup> R. O'Callaghan, *Aram Nabaraim* (note 89), pp. 56—64, and an appendix by P.-E. Dumont, *ibid.*, pp. 149—155.

basic Semitic or Amorite population dominated by a non-Semitic minority of military professionals descended from Hurrian and Indo-Aryan elements present already in Alalah VII, Chāgār-Bāzār and Kültepe texts of the 19th and 18th century B. C.<sup>147</sup> Abdi-Hepa, military ruler of Jerusalem, possesses at least a part-Hurrian name.<sup>148</sup> Within a year of the beginning of excavations at Nuzi in 1925 scholars began to perceive the dynamic import of "Hurrians" in the Ancient Near East.<sup>149</sup> The Mitanni state was Hurrian though ruled by kings with Indo-Aryan names. Hurrian power appears to have been based on regiments of disciplined horse-drawn chariots, a potent new military weapon. A Hittite version of a manual on the care and training of horses recovered at Hattusas was probably based on a Hurrian original.<sup>150</sup> The term for chariot-warrior

was an Indo-Aryan loanword, *maryannu* (lit. "young warrior"), a word designating both high professional and social status that could be transferred and inherited.<sup>151</sup> Common use of chariots by military governors both to transport military personnel and to maneuver in battle suggests that the Egyptians were employing Hurrians to control Palestine.<sup>152</sup> A century earlier the term *maryannu* had been adopted as a loanword in Egyptian. In the face of disciplined professional military power the Semitic population of Palestine had no recourse but to submit.

Not for long, however. Reform and revolt against oppressive political, economic, and social conditions have a long history in the Ancient Near East.<sup>153</sup> Early in the 15th century Idrimi, son of the king of Alalah, fled when his "brothers . . . grew great against (him)," that is, revolted.<sup>154</sup> He found refuge in Ammia, a city "in Canaan," the later "Amurru."<sup>155</sup> There he found other outlaws, some from his homeland, generally designated *habiru*.<sup>156</sup> A

<sup>147</sup> I. J. Gelb, *Hurrians and Subarians*, SAOC, 22 (Chicago, 1944), pp. 50—83. See reviews in JAOS, LXVIII (1948), 1—13; JNES, V (1946), 165—168; BiOr, III (1946), 116—119; PEQ, LXXXI (1949), 117—126. Also E. A. Speiser, "The Hurrian Participation in the Civilization of Mesopotamia, Syria and Palestine," JWH, I (1953), 311—327, reprinted in *Oriental and Biblical Studies: Collected Writings of E. A. Speiser*, ed. J. J. Finkelstein and M. Greenberg (Philadelphia, 1967), pp. 244—269.

<sup>148</sup> S. I. Feign, "Abd-Heba and the Kashi," JQR, XXXIV (1943/4), 441—458, especially pp. 441 f., note 1.

<sup>149</sup> E. Chiera and E. A. Speiser, "A New Factor in the History of the Ancient East," AASOR, VI (New Haven, 1926), pp. 75—92. See also E. A. Speiser, "Ethnic Movements in the Near East in the Second Millennium B. C.: The Hurrians and their Connections with the Habiru and the Hyksos," AASOR, XIII (New Haven, 1933), pp. 13—54.

<sup>150</sup> A. Kammenhuber, *Hippologia Hethitica* (Wiesbaden, 1961). See reviews by A. Goetze, JCS, XVI (1962), 30—35, and H. Gütterbock, JAOS, LXXXIV (1964), 267—273.

<sup>151</sup> W. F. Albright, "Mitannian *maryannu*, 'chariot-warrior,' and the Canaanite and Egyptian Equivalents," AfO, VI (1930/1), 217—221, and R. T. O'Callaghan, "New Light on the *maryannu* as 'Chariot-Warrior,'" JKF, I (1954), 309—324.

<sup>152</sup> The Amarna Letters commonly report appeals for troops and chariots. See note 137, final sentence. Most commonly the troops are archers on chariots. In only rare cases is there information on chariots in military action: EA 243:16, walls of Megiddo are guarded by troops and chariots; EA 173:1, chariots are used in an attack on Amki.

<sup>153</sup> See note 97 and Astour (note 132).

<sup>154</sup> Smith (note 51), p. 14, lines 7—8.

<sup>155</sup> Ibid., lines 18—20.

<sup>156</sup> Ibid., lines 20—28. Landsberger *apud* B. Mazar, "The Military Élite of King David," VT, XIII (1963), 310—320, especially 311,

century later in the Amarna letters Rib-Addi of Byblos reports that Abdi-Ashirta and his son, Aziru, led *habiru* in uprising against the king of Ammia, encouraging its citizens: "Kill your lord."<sup>157</sup> Later there is the report: "And behold, now Abdi-Ashirta has taken Shigata to himself and said to the people of Ammia: 'Kill your princes. Then you will be as we are, and you will have rest.' And they did according to his words, and have become as the *habiru*."<sup>158</sup> Oppressed elements in the population joined the *habiru* to overthrow established rule. The situation was not different in South Palestine.<sup>159</sup> It may be that by the end of the LB age a form of republican government had been substituted for dynastic monarchy and Egyptian provincial governors.<sup>160</sup> The rigidly stratified

Canaanite society was made up in large part of *hubshu*, the freeborn small landholders.<sup>161</sup> They stand between the landed aristocrats, which include the *maryannū*, and the slaves at the bottom of the scale. When the *hubshu* or Canaanite *ba'alim* joined the revolt, the threat was serious. Rib-Addi of Byblos asked hopelessly: "From whom shall I protect myself? From my enemies or from my *hubshu*?"<sup>162</sup> For the *hubshu* to become *habiru* meant that they defied the authority of the king. Details of peasant complaints are not available, but "all the lands are uniting with the *habiru*," a despairing king reported.<sup>163</sup>

#### V. EARLY ISRAEL AS THE KINGDOM OF YAHWEH

With the political and social context of second millennium Palestine-Syria in mind it may be possible to begin to understand enough of the OT material to formulate a hypothesis or model for reconstructing the religion of Early Israel. Early Israel was an amalgam of Palestinian peasants who traced their lineage back to Amorite Mesopotamia, "a fugitive Aramean," and the charismatic leadership of Moses in Sinai. The various strata of tradition that have

note 3, reads the first word in line 27 as *sa-ra-ak* and renders: "I was captain over the *hapiru* men."

<sup>157</sup> See note 132. Also *EA* 73:27.

<sup>158</sup> *EA* 74:23—29. See also *EA* 75:33—34. See translations and notes in M. Greenberg, *The Hab/piru*, *AOS*, 39 (New Haven, 1955), pp. 36 ff. In general, R. de Vaux, "Le problème des Hapiru après quinze années," *JNES*, XXVII (1968), 221—228.

<sup>159</sup> *EA* 271:9-21 (*ANET*, pp. 486 f). Milkilu of Gezer pleads for help against the *habiru* who are pressing him and Shuwardata, probably of Keileh, Hebron region. *EA* 29:5-24 (*ANET*, p. 489), yet Abdu-Hepa of Jerusalem says that Milkilu and Shuwardata are allied with the *habiru* against Jerusalem. *EA* 286:16 to 60 (*ANET*, p. 487), no one understands! Not even the commissioner of the king (*rabis sharri*) recognizes imminent disaster consequent on *habiru*-led disorders.

<sup>160</sup> *EA* 102:20—23, following the death of the king of Ammia the city is in the hands of a "chief" (*rabu*) and "lords of the city" (*ba-li alim*). *EA* 100:1-4, letter from the "people" of Irqata to the Pharaoh. On the fate of the king of Irqata, see *EA* 75:25-34. See also H. Reviv, "The Government of Shechem in the El-Amarna Period and in the Days of Abimelech," *IEJ*,

XVI (1966), 252—257. J. A. Wilson, "The Assembly of a Phoenician City," *JNES*, IV (1945), 245.

<sup>161</sup> I. Mendelsohn, "The Canaanite Term for 'Free Proletarian,'" *BASOR*, 83 (1941), 36 to 39; "New Light on the *hubshu*," *BASOR*, 139 (1955), 9—11. Wiseman, *Alalakh Tablets*, pp. 10 f., and review by E. A. Speiser, "The Alalakh Tablets," *JAOS*, LXXIV (1954), 18 to 25, especially pp. 20 f.

<sup>162</sup> *EA* 112:10—13. See also *EA* 118:21 to 38; 125:25—30; 127:31—34.

<sup>163</sup> *EA* 73:32. Also P. Artzi, "'Vox populi' in the El-Amarna Tablets," *RA*, LVIII (1964), 159—166.

made the experience of the few who escaped state slavery in Egypt the heritage of "all Israel" combined to describe the escapees as 600 *'alāp̄him* or military units en route to Sinai.<sup>164</sup> Indeed, "the people of Israel went up out of the land of Egypt as five military units, *h<sup>a</sup>mushim*."<sup>165</sup> Yahweh caused the Egyptians to say, "Let us flee from Israel: for Yahweh is fighting for them. . . ." <sup>166</sup> The camp of Israel in the wilderness is pictured as a military camp with "companies" stationed on four sides of a square in the center of which was a tent protecting the ark of the covenant, a war palladium which symbolized the presence of Yahweh.<sup>167</sup> This is precisely the pattern of the camp of Ramses II at the battle of Qadesh painted on the walls of Abu Simbel.<sup>168</sup> In the sources Early Israel is considered to be the army of Yahweh.

Although the Assembly of Yahweh, the *qābāl Yahweh*, did not commonly function

<sup>164</sup> Josh. 24:2. See also Ezek. 16:3, 45b in the context of Ex. 3:8, 17; Judg. 3:5 *et al.*; Deut. 26:5. See *EA* 67:16, "stray dogs" = "fugitive slaves." On Moses see Ps. 103:7; Hos. 12:13; Num. 12:7 f.

<sup>165</sup> Ex. 13:18. See also Josh. 1:14; 4:12; Judg. 7:11; Num. 32:17, according to LXX and Vulgate. The meaning is based on Arabic *hamish*, van and rearguard, main body and two flanks. NEB "fifth generation" can hardly be correct.

<sup>166</sup> Ex. 14:25b. The translations of Biblical quotations are the responsibility of the writer.

<sup>167</sup> Num. 2:2-17. LXX *tagma* for Masoretic Text *degel*. In Xenophon *tagma* means "a regiment." Israel had no military "standards," for, as it was said, "Yahweh is my standard," *YHWH nissi*, Ex. 17:15. It is most unlikely that the animal symbols given tribes in Gen. 49:9, 14, 17, 21, 27 refer to military standards.

<sup>168</sup> See Y. Yadin, *The Art of Warfare in Biblical Lands*, Vol. I (New York, 1963), pp. 236-237, for a colored restoration of the camp of Ramses II.

as a unity in warfare, on the one occasion when it did the deep ethical unity of the community surfaced.<sup>169</sup> The rape and death of the Levite's concubine was a "foolishness" and an "abomination" in "all Israel." All tribes sent troops to the Mizpah Assembly to organize the punishment of Benjamin. Deep in the fabric of Early Israel was a commitment to Yahweh's *law* and *order*. The clues that can be picked up through the literary and theological overlays in the Book of Judges allow one to conclude that when Israel "did what was right in their own eyes," in reality a very high level of community responsibility for the welfare of persons was in effect.<sup>170</sup> Though the material in the Book of the Covenant (Ex. 2-23) may not have been codified before the monarchy, its statements accurately reflect the village-farmer-oriented existence of Early Israel.<sup>171</sup> The

<sup>169</sup> See M. Noth, *Das System der Zwölf Stämme Israels*, BWANT, 4/1 (Stuttgart, 1930), pp. 162-170, for a literary analysis of Judg. 19-21; *qābāl* is common in P but Noth, pp. 102 f., note 2, argues that it is an old technical term and not late as commonly supposed. L. Rost, *Theologisches Wörterbuch zum Neuen Testament*, ed. G. Kittel, vol. III (Stuttgart, 1938; ET, Grand Rapids, 1965), pp. 529 f., note 90, believes *qābāl* was originally a call-up for war (1 Sam. 17:47). In Israel this meant call-up of the people for either counsel (= law) or for war. See Gen. 49:6 and Num. 22:4.

<sup>170</sup> Judg. 17:6; 21:25. Both passages suggest that the days are evil because there is no king in Israel. A striking parallel is in the final columns of Papyrus Harris where Ramses III (ca. 1164 B.C.) is given to say that before he became king Egypt had deteriorated "with every man being his (own standard of) right. They had no chief spokesman for many years" (*ANET*, p. 260). In royalist eyes it is simply incomprehensible that people could rule their own lives. Deut. 12:8 and Jer. 34:15.

<sup>171</sup> The most recent full study is S. M. Paul, "The Book of the Covenant: Its Literary Setting



process of law and order, of course, must be reconstructed.<sup>172</sup> In the village the elders adjudicated conflicts. Assuming some formal analogy with the process of law in the Ancient Near East, no law-books were ever used.<sup>173</sup> Custom provided legal principles that were adapted to the facts of the case. Ex. 21—23 is a collection of precedents used as principles. But the absence of commercial laws or of the distinction of the status of persons common in Canaanite society indicates how widely Israel diverged from her cultural neighbors.<sup>174</sup> Since experience and need precede the formulation of laws or even legal principles, the current form of the tradition in which it appears that Moses proclaims the laws in the desert is certainly not literal history.<sup>175</sup> The form may well remember, however, that Israel is a community that obeys Yahweh. The total metaphor is that Yahweh is King, and Israel is His kingdom in law and warfare.

Since Early Israel successfully met the needs of every political organization for both security and order without recourse

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and Extra-Biblical Background," unpublished Ph.D. dissertation, University of Pennsylvania, 1965. See also A. Jepsen, *Untersuchungen zum Bundesbuch, BWANT*, 3 (Stuttgart, 1927).

<sup>172</sup> L. Köhler, *Der Hebräische Mensch* (Tübingen, 1953; ET, New York, 1956), pp. 127—150.

<sup>173</sup> See note 113.

<sup>174</sup> Mendenhall, *Law and Covenant* (note 33), pp. 11—17.

<sup>175</sup> Anglo-American common law tradition is a good parallel to law in the Ancient Near East. See W. Friedmann, *Legal Theory*, 5th ed. (New York, 1967), pp. 463—475, on precedent and legal development; pp. 533—543 on Continental code or statute law versus Anglo-American case law as the basis for what happens in the courts. In general see R. Pound, *The Spirit of the Common Law* (Boston, 1949 and 1963).

to the formal structures of monarchy, it is reasonable to accept as a working hypothesis that Yahweh in some way actually functioned in the community as King, the ultimate authority in both law and war.<sup>176</sup>

Once the community existed the state was possible, though, as 200 years of history argued, not necessary. There is no basis for doubting the antiquity of Gideon's rejection of the invitation to kingship in these decisive terms, "I will not rule over you, nor will my son rule over you; Yahweh will rule over you," or the sincerity of Samuel when he is reported to have been "displeased" by the demands of the royalist party for a king.<sup>177</sup> There is no doubt that in our sources Yahweh is *said* to be king in Early Israel. The introduction to the Blessing of Moses concludes: "Then Yahweh became king in Jeshurun."<sup>178</sup> The later gravitation to monarchy may have meant that Yahweh was no longer truly *functioning* as king in the communities of Israel. If this led to the breakdown in security and order, then it may be that, as some insisted, in formal monarchy there could perhaps be continuity of Yahweh's rule.<sup>179</sup> This appears to be the choice of coercion rather than reformation as a means of curing the

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<sup>176</sup> G. E. Mendenhall, "Biblical History in Transition," *BANE*, pp. 32—53, especially pp. 40—45.

<sup>177</sup> Judg. 8:23; 1 Sam. 8:7; 10:19. See also M. Buber, *Königtum Gottes*, 3d ed. (Heidelberg, 1956; ET, New York, 1967), pp. 59—65; and E. F. Campbell, Jr., "Sovereign God," *McCormick Quarterly*, XX (1967), 3—16.

<sup>178</sup> Deut. 33:5. See also Ex. 15:18; Num. 23:21b; 24:7b; Ps. 68:25 (MT), 24 (EVV).

<sup>179</sup> R. de Vaux, "Le roi d'Israel de Yahvé," *Mélanges Eugène Tisserant, Studi e Testi*, 231 (Vatican City, 1964), pp. 119—133. Reprinted in *Bible et Orient* (Paris, 1967), pp. 287 to 301. Critique by McCarthy, *CBQ*, XXVII (1965), 237 f.

ills in Israel. Whatever the case may be, the remarkable success of Early Israel beckons us to examine in some detail how in fact Yahweh's leadership in law and warfare functioned. OT sources do not, of course, appreciate this curiosity and therefore are either vague or obscure on vital questions. The vassal treaties discovered in the excavations of Hattusas in Anatolia seem to have provided the model that for scholars today unlocks the meaning of the Mosaic covenant. The key to the kingdom was the covenant.

#### VI. THE KINGDOM AND THE COVENANT

In the LB age a political treaty was the powerful legal instrument for a significant "friendship" that sought to establish an effective "peace" either between equally strong rulers or between a mighty king and the client king or vassal to whom he graciously gave his "friendship."<sup>180</sup> Since J. Begg's essay on *berith* in the OT was published in 1944, scholars have been more ready to see that the "covenant" was "imposed" on Israel by Yahweh.<sup>181</sup> That this was indeed an adaptation of LB political tradition did not become clear until

<sup>180</sup> W. L. Moran, "A Note on the Treaty Terminology of the Sefire Stelas," *JNES*, XXII (1963), 173—176 on *ibt'*, EA *tābūta epēshu*, the semantic parallel to *damqatum*, "good things," at Mari. Parallels in Deut. 23:7 and 2 Sam. 2:6 were pointed out by D. Hillers, "A Note on Some Treaty Terminology in the Old Testament," *BASOR*, 176 (1964), 46 f. J. C. Greenfield, "Some Aspects of Treaty Terminology in the Bible," *Fourth World Congress of Jewish Studies: Papers* (Jerusalem, 1967), pp. 117—119.

<sup>181</sup> J. Begg, "Berith. Ein Beitrag zur Erfassung einer alttestamentlichen Denkform," *ZAW*, LX, n. f. XIX (1944), 1—11. Reprinted in *Gesammelte Studien zum Alten Testament, Theologische Bücherei 21* (Munich, 1964), pp. 55—66.

Mendenhall's essays a decade later.<sup>182</sup> Curiously enough the OT preserves only fragments of covenants between Yahweh and Israel, though one finds more consecutive descriptions of their presentation and ritual ratification. Comparative analysis of Ex. 19—20, 24, and Josh. 24 with Hittite vassal treaties shows close parallels in language and sequence of ideas.<sup>183</sup> What is similar is not the same, however, and all adaptations make important changes. Thus the Mosaic covenant betrays no evidence of gods as witnesses, nor is there acknowledgment of their role in benediction and disaster consequent on loyalty or treachery.<sup>184</sup> In Israel the covenant is consummated with family fathers who teach their children, not with other kings.<sup>185</sup> This fact

<sup>182</sup> See note 33.

<sup>183</sup> Mendenhall, *Law and Covenant*, pp. 31—44. D. J. McCarthy, *Treaty and Covenant*, pp. 141—167. K. Baltzer, *Das Bundesformular*, 2d ed., *WMANT*, 4 (Neukirchen, 1964), pp. 19—47. D. Hillers, *Covenant: The History of a Biblical Idea* (Baltimore, 1969), pp. 25—71. On the literary structure of Ex. 19:3-6, Josh. 24, and 1 Sam. 12 see J. Muilenberg, "The Form and Structure of the Covenantal Formulations," *VT*, IX (1959), 347—365.

<sup>184</sup> Josh. 24:22 appeals to the people, v. 27 as a stone, to serve as witness to covenant commitment. V. 22 must mean that where the individual is guilty of breach of covenant the community is responsible. On the appeal to the natural world, see H. Huffmon, "The Covenant Lawsuit in the Prophets," *JBL*, LXXVIII (1959), 285—295. Also G. E. Wright, "The Lawsuit of God: A Form-Critical Study of Deuteronomy 32," *Israel's Prophetic Heritage: Essays in Honor of James Muilenberg*, ed. B. W. Anderson and W. Harrelson (New York, 1962), pp. 26—67. B. Gemser, "The *Rib*—or Controversy—Pattern in Hebrew Mentality," *Wisdom in Israel and the Ancient Near East* (Rowley Festschrift), *SVT*, III (Leiden, 1960), pp. 120—137. See also note 232.

<sup>185</sup> Josh. 24:15c, Ex. 19:3-6; 20:3-17. Stress in the proclamation is on the second person plural, often in emphatic position.

is an important clue explaining both the powerful hold of Yahweh's rule and the confidence in manifestations of His presence in events among the basic social groups in Early Israel. Commitment to the covenant with Yahweh freed LB man from the rule of kings who had deified politics.<sup>186</sup> No longer were the needs of people in the realm important to kings engaged in power struggles. Yahweh's covenant with Israel created a unique kingdom where faith and the inner experiences of people became the world of supreme value. The accumulated community experience of Yahweh's rule was codified ultimately in collections of "law" and extended historical accounts recalling Yahweh's success against Israel's enemies and, with astonishing honesty, her own frequent disloyalty.<sup>187</sup> Everywhere in the kingdom the impact of the covenant and its formulas is unmistakable.

Three of the six elements of the vassal treaty receive special emphasis in Early Israel's traditions: the historical prolog, the stipulations or obligations, and the curses and blessings.<sup>188</sup> Until the discovery of the model behind the covenant the OT counterparts to these features existed somewhat in isolation from one another. One can now be quite certain about their interconnections. Thus the historical prolog

provided motivation for the covenant. The choice of this event-oriented form was crucial in giving the religion of Early Israel a unique character among the religions of the Ancient Near East.<sup>189</sup> Israel's concern with the meaning of actual events tended to force her to face and not evade brute historical realities. Thus the reference to only the Exodus in the prolog to the Sinai covenant and the addition of patriarchal history in the Shechem alliance is surely a reflection of the inclusion of Amorite elements long resident in Palestine in the formation of the twelve-tribe league.<sup>190</sup> The second element, the stipulations, is a direct consequence of the events in the prolog. The Ten Commandments are obligations imposed on Israel. Their purpose is to protect the rulership of Yahweh, who is the source of all authority in Israel. The elaboration of the commandment-obligations in the form of "laws" grew out of their application to diverse circumstances as well as the commitment of the families of Israel to Yahweh-God.<sup>191</sup> The third element concludes the statement of relationship by specifying consequences in

<sup>186</sup> See particularly G. E. Mendenhall, "The Relation of the Individual to Political Society in Ancient Israel," *Biblical Studies in Memory of H. C. Alleman*, ed. J. M. Myers, et al. (Locust Valley, N. Y., 1960), pp. 89—108.

<sup>187</sup> The earliest historical record is in poetry, for example, Ex. 15, Judg. 5, victory hymns that have formal analogs in hymns of Ramses II after the battle of Qadesh. See A. Gardiner, *The Kadesh Inscriptions of Ramesses II* (Oxford, 1960), pp. 7—27.

<sup>188</sup> See text material in and following note 134.

<sup>189</sup> W. F. Albright, *The Biblical Period from Abraham to Ezra*, rev. ed. (New York, 1963 [Harper Torchbooks]), p. 1, "Hebrew national tradition excels all others in its clear picture of tribal and family origins. . . ."

<sup>190</sup> On the origins of the amphictyony see Noth (note 169). See also M. Newman, *The People of the Covenant: A Study of Israel from Moses to the Monarchy* (New York, 1962), pp. 102—127. Wright, *Shechem* (note 67n), pp. 134—138. See also F. M. Cross Jr., "Yahweh and the God of the Patriarchs," *HTR*, LV (1962), 225—259.

<sup>191</sup> A. Alt, "The Origins of Israelite Law," *op. cit.* (see note 92), pp. 81—132, *KS*, I, 278 to 332. M. Noth, *The Laws in the Pentateuch and Other Studies* (Edinburgh, 1966), pp. 1 to 107. The German essay was published in 1940. Mendenhall, *Law and Covenant*, pp. 3—17.

terms of historical experience. The curses and blessings are rewards and penalties.<sup>192</sup> This says that the links between the parts of the covenant are organic and functional. The entire prophetic tradition is anchored here in a continuing evaluation of Israel's covenant loyalty.<sup>193</sup> Thus the covenant provided the kingdom of Early Israel with a binding form and coherent meaning.

Interpreting the relations between Yahweh and Israel by means of the vassal treaty model strongly suggests that the covenant was the core of the kingdom in Early Israel. Important support for this view is its ability to provide consistent and enlarged meaning to the lexicon of the OT. Two examples will suffice. (a) Mendenhall has placed the root NQM, "vengeance," "to avenge," in the context of the history of law in the Ancient Near East.<sup>194</sup> He has shown that generally the root designates Yahweh's action as supreme ruler to deliver persons from jeopardy. This basic meaning is derived from its use in the Amarna letters. Milkilu of Gezer, for example, pleaded: "Let the king, my Lord, deliver his land out of the hand of the *habiru*."<sup>195</sup> Yahweh could administer *n<sup>o</sup>qāmāb* because He possessed in Israel the authority both to command and to exercise

force. Thus Early Israel was "a functioning state in which the totality of *imperium* over persons was held by Yahweh."<sup>196</sup> (b) Moran has shown that "love" in Deuteronomy owes nothing to the metaphor of conjugal love in Hosea but is rather the "love" shown by a subject to a king.<sup>197</sup> Rib-Addi of Byblos in the Amarna correspondence describes his loyal subjects as "those who love me."<sup>198</sup> The vassal's obligations are also described: "My lord, just as I love the king my lord, so (do) the king of Nuhashshe, the king of Ni'i. . . . All these kings are servants of my lord."<sup>199</sup> To "love" the king is to be a loyal and obedient servant. This is precisely the sense in which *'āhēb* is used in Deuteronomy. To "love" Yahweh is to be loyal, to obey His commands, heed His voice and serve Him.<sup>200</sup> In addition to these two examples we may cite studies of "to know" (*yāda'*) and "to murmur" (*lūn*) to illustrate the rich new possibilities for meaning made available to our understanding of the religion of Early Israel by archaeological research.<sup>201</sup>

In summary, the covenant in Israel was

<sup>196</sup> Mendenhall, "The Vengeance of God," p. 10.

<sup>197</sup> W. L. Moran, "The Ancient Near Eastern Background of the Love of God in Deuteronomy," *CBQ*, XXV (1963), 77—87.

<sup>198</sup> *EA* 83:50—51. See *EA* 137:47.

<sup>199</sup> *EA* 53:40—44.

<sup>200</sup> Deut. 11:1, 22; 30:20 / 10:12; 19:9 / 11:13; 30:16 / 10:12; 11:1, 13.

<sup>201</sup> H. B. Huffmon, "The Treaty Background of Hebrew *yada'*," *BASOR*, 181 (1966), 31—37. See the new translation of the Hittite texts in A. Goetze, "Hittite *shek-/shak-* '(Legally) Recognize,' in the Treaties," *JCS*, XXII (1968), 7 f. Also H. B. Huffmon and S. B. Parker, "A Further Note on the Treaty Background of Hebrew *yāda'*," *BASOR*, 184 (1966), 36—38. On "murmur" see note 84.

<sup>192</sup> F. C. Fensham, "Malediction and Benediction in Ancient Near Eastern Vassal-Treaties and the Old Testament," *ZAW*, LXXIV (1962), 1—9.

<sup>193</sup> D. R. Hillers, *Treaty-Curses and the Old Testament Prophets*, *Biblica et Orientalia*, 16 (Rome, 1964).

<sup>194</sup> G. E. Mendenhall, "The Vengeance of God: A Bridge Between Faith and Reality," unpublished essay due to appear in a forthcoming volume of Mendenhall papers from the Johns Hopkins Press.

<sup>195</sup> *EA* 271:13—16. See also *EA* 283:25 to 26, "Let the king, my lord, send archers. Let the king, my lord, deliver me (*yi-ik-ki-ni*)."

a transfer from international political life into religious experience of the emotions of a powerfully "imposed peace." On the analogy of the great king receiving the loyal recognition as sole source of ultimate authority from numerous satellite vassal states, Yahweh's rule over fiercely loyal peasant families, some newly resident in Canaan and many there already for a long time, was the key to religion in Early Israel. The instrument of common allegiance to Yahweh was the covenant. Modeled on the vassal treaty the covenant in Early Israel welded faith and reality, the exercise of power over and the adjustment of conflicts between persons. In the covenant the past was given meaning for the present, and hope grew from both. Israel was the kingdom of Yahweh. In that community the exercise of His rulership was meaningful in all areas of life. The categories of "law" and "warfare" summarize the range of Yahweh's rule that is reasonably well documented in OT sources. The brief discussion of these two major facets of Yahweh's lordship that follows will attempt to contribute to a delineation of actual life in the kingdom of Yahweh.

#### VII. COVENANT AND LAW IN EARLY ISRAEL

Comparative sources have made it evident that the covenant in Early Israel was a tightly framed structure of several parts. The element of the covenant that outlined the obligations imposed on the families in Israel is designated the Ten Words or Commandments.<sup>202</sup> It is important to dis-

<sup>202</sup> Ex. 20:2-17; Deut. 5:6-21. The term "Ten Words" is based on Ex. 34:28. J. J. Stamm and M. E. Andrew, *The Ten Commandments in Recent Research*, SBT (ss) 2 (Naperville,

tinguish between the covenant and the "commandments" it contains and the "law" that grappled with the daily conflicts in village-shepherd-farmer existence in Palestine.<sup>203</sup> The radical gap between covenant and law is supported by the following three observations: (a) the law requires organized social sanctions for enforcement.<sup>204</sup> Society has no jurisdiction over the covenant. It appeals to the supreme power of Yahweh Himself. (b) The covenant is not characterized by judicial process but is rather an expression of the group ethical conviction.<sup>205</sup> Nor does the covenant define crimes, for example, murder or adultery. It is therefore unenforceable from a legal point of view. (c) Rather, the covenant establishes standards of behavior and thus lays the foundations for law.<sup>206</sup> The covenant appeals to the

1967). Also E. Nielsen, *The Ten Commandments in New Perspective: A Tradition-historical Approach*, SBT (ss) 7 (London, 1968).

<sup>203</sup> The perspective in this paragraph and the next two is deeply indebted to a series of lectures by G. E. Mendenhall on "Religion and Law" delivered at Lutheran School of Theology at Chicago between July 20 and Aug. 6, 1959. On the distinction between law and covenant see M. Noth, *op. cit.* (note 191), pp. 20-60.

<sup>204</sup> In the absence of a formal state organization the binding force of custom became law, the *ius commune*. See T. E. Holland, *The Elements of Jurisprudence*, 13th ed. (Oxford, 1924), pp. 56-62.

<sup>205</sup> Legal process is implicit in the syntax of casuistic or case law. See, for example, Ex. 21:18-19. The protasis is introduced by *ki*, "when," stating the problem. The apodosis of the conditional sentence begins with *'im*, listing various circumstances in subordinate clauses. See on this A. Alt, *op. cit.* (notes 42 and 191), pp. 88-103. KS, I, pp. 285-302, should be checked; in the ET, p. 89, for example, the Hebrew particles are not in correct order.

<sup>206</sup> The covenant becomes the constitution of a "state," the kingdom of Yahweh.

highest motivations, for it is enforced by Yahweh. The covenant creates values, the law presupposes them. The covenant is activated by the free commitment of persons. The law coerces the unresponsive minority. The Ten Commandments are then covenant, not law.

The interpretation of the Ten Commandments as covenant obligations remains to be developed by scholars. Here we shall discuss only the First Commandment. It should also be emphasized that the traditional "commandments" are part of the Sinai covenant only. The Shechem covenant does not record stipulations. The best suggestion is that the latter are preserved in Deut. 27:15-26.<sup>207</sup> For Early Israel the strong warning against sexual aberrations is a manifesto of freedom from fertility-obsessed Canaanite culture.<sup>208</sup> The deification of the means of reproduction was no substitute for "love" of Yahweh. The Sinaitic commandments describe the interests of Yahweh to be protected by Israel. Except for the first obligation the remaining commandments are probably not universals. New circumstances required different moral boundaries. The first cove-

<sup>207</sup> G. E. Mendenhall, *Law and Covenant* (note 33), p. 42. One may regard the content of vv. 14 and 23 one stipulation, that of single-minded devotion to Yahweh. See on this problem McCarthy, *Treaty and Covenant* (note 133), pp. 145-151. Baltzer, *Das Bundesformular* (see note 183), pp. 30-32.

<sup>208</sup> Four of the twelve stipulations in Deut. 27:15-26 deal with sexual morality. The basis for united military action in Judg. 19-21 was sexual offense. The story may have been preserved precisely because it indicated a basic moral sensitivity in Early Israel. Note the detailed concern of the so-called "Holiness Code" (Lev. 17-26) with sexual morality. It seems extremely probable that this was a particularly urgent concern in Early Israel.

nant stipulation asserts, "No one else shall be God to you in My presence."<sup>209</sup> The emphasis is on exclusive loyalty to Yahweh. In political terms, the king alone determines foreign policy.<sup>210</sup> The client king is free to manage internal affairs in such a manner that he does not violate his higher commitment to the great king. If Israel is to protect Yahweh's interests, however, what about Israel's interests? This covenant says nothing about the obligations of Yahweh.<sup>211</sup> The OT unanimously affirms that Israel's benefit was exclusively in the fact that the covenant relationship was with Yahweh-God. Israel is bound by complete trust in Yahweh. He insists in effect, "You must trust Me even though what I do may seem contrary to your interests." Threats to Yahweh's sovereignty in Israel may on occasion require the sacrifice of one's life. Very probably the first stipulation implied the requirement, so common in vassal treaties, to demonstrate the ultimate loyalty to Yahweh-king by heeding the call to arms. Failure to respond was condemned as breach of covenant.<sup>212</sup> Much as Israelites gave their bodies as guarantee of their honesty and faithfulness to Yahweh in law, they answered the demands

<sup>209</sup> Ex. 20:3.

<sup>210</sup> In the Mursilis-Duppi Teshub treaty (see note 134 and related text) the former says: "Do not turn your eyes to anyone else! Your fathers presented tribute to Egypt; you [shall not do that!]," ANET p. 204a, paragraph 8.

<sup>211</sup> Gen. 15 is regarded as a model of the covenant in which Yahweh is bound. G. E. Mendenhall, *IDB*, s. v. "Covenant." See R. Clements, *Abraham and David: Genesis 15 and Its Meaning for Israelite Tradition*, SBT (ss) 5 (London, 1967).

<sup>212</sup> Curse of Meroz in Judg. 5:23. On warfare generally, see the first four paragraphs of Section VIII below.

of military muster to defend the name and land and people of Yahweh-king.<sup>213</sup>

When one turns from Israel as a covenant kingdom (Ex. 19—20, 24) to Israel as a legal community (Ex. 21—23), one turns from religious principles to legal precedents. Law in Israel and anywhere else in the Ancient Near East had two purposes: (a) the preservation of public peace and (b) the protection of the person of the king.<sup>214</sup> The great king in Hattusas or anywhere else did not interfere in domestic disputes unless they threatened to disrupt the kingdom. He was concerned only when evidence of alienation from his role as final arbiter appeared in word and deed. Thus Yahweh was not directly involved in day-by-day, inter- or intra-village conflicts. Yahweh does serve as the appeals judge against the decision of lower courts, however. The technical term is probably "cry out" (*sā'aq*).<sup>215</sup> A vivid example is the following sentence from the Book of the Covenant, "You shall not oppress any widow or orphan. If you do oppress them, and they cry out to Me, I will certainly hear their cry."<sup>216</sup> This is to invoke the supreme power of Yahweh. By David's time there was a need for courts of appeal

against the ruling of village courts.<sup>217</sup> Precisely as Israel "cried out" against her oppressors and was delivered by Yahweh through military action, so an individual Israelite accused of murder would flee to a "city of refuge" until a regular court of inquiry and trial, under God, established his innocence or guilt.<sup>218</sup> In Early Israel law served essentially three purposes: (a) to insure the fulfillment of sworn obligations of the covenant;<sup>219</sup> (b) to guard the community against the calamities of Yahweh's curses, since violation could threaten the life of the entire community;<sup>220</sup> (c) to regulate relations with other communities, foreign or friendly. The sources of legal tradition in Early Israel are the accumulated decisions of village courts, which often contained considerable borrowing from pre-Israelite precedents. However, the LB Canaanite

<sup>217</sup> 2 Sam. 15:1-16; 14:4-8.

<sup>218</sup> Ex. 21:12-14; Num. 35:9-34; Deut. 19:1-13. See the discussion of these texts by M. Greenberg, "The Biblical Conception of Asylum," *JBL*, LXXVIII (1959), 125—132. It is difficult to follow Greenberg's focus on expiation as the supreme religious concern of detention in the "city of refuge." It is better to regard the "city of refuge" as a means of enforcing the law that regarded the act of vengeance as a violation of divine sovereignty. Num. 35:6 is paradigmatic: "The cities which you give to the Levites shall be the six cities of refuge, where you shall permit the manslayer to flee." The law did not restrain the avenger but rather protected the accused until covenant society, under God, found an equitable solution to the case.

<sup>219</sup> If the covenant is an extended oath, as is commonly asserted, the covenant ceremonies described in the OT are solemn oath-taking events. See now M. R. Lehmann, "Biblical Oaths," *ZAW*, LXXXI (1969), 74—92.

<sup>220</sup> A. Malamat, "Doctrines of Causality in Hittite and Biblical Historiography: A Parallel," *VT*, V (1955), 1—12.

<sup>213</sup> The curses in the covenant (Deut. 28:15-68; Lev. 26:14-33) were directed against the person of the potential violator. See S. Gevirtz, "West-Semitic Curses and the Problem of the Origins of Hebrew Law," *VT*, XI (1961), 137—158; Hillers, *Treaty-Curses*, note 193.

<sup>214</sup> P. Koschaker, *Encyclopedia of the Social Sciences*, ed. E. R. A. Seligman, IX (New York, 1932), 211—219, 263 f., *s. v.* "Cuneiform Law."

<sup>215</sup> The term is deeply embedded in the historical traditions of Early Israel. Num. 20:16 and Josh. 24:7 include "crying out" to Yahweh as the initiation of rescue from jeopardy. See also Ex. 14:10, 15. Moses also "cries out" to Yahweh (Ex. 17:4; Num. 12:13).

<sup>216</sup> Ex. 22:22-23; also *v.* 27.

city-state was an international commercial center of socially stratified property owners.<sup>221</sup> Both in literary style and legal traditions Early Israel's indebtedness is curiously more profound to Old Babylonian and MB intellectual and social forms than to contemporary Canaanite traditions, toward which there was deep antagonism.<sup>222</sup> In short, law in the Book of the Covenant is an index to the social, political, and economic conditions of nonurban communities at home in a culture long superseded. On the other hand, law developed from covenant because the people failed to accomplish the "peace" of the community in trusting obedience to Yahweh-king.

In four important areas archaeological discovery has contributed to a more profound grasp of the role of law in the religion of Early Israel. First, the recovery of six major collections of law from the second millennium of the Ancient Near East since 1902 has provided the basis for comparative studies of law in Early Israel and the Early Ancient Near East.<sup>223</sup> This,

<sup>221</sup> J. Gray, *The Canaanites* (New York, 1964), pp. 53—118.

<sup>222</sup> As far as this writer knows, this thesis has not been dealt with in detail. S. M. Paul, *op. cit.* (note 171), pp. 64—125, studies adaptations of Mesopotamian legal tradition in the Book of the Covenant. He does not, however, establish the contrast with Canaanite society. See L. Waterman, "Pre-Israelite Laws in the Book of the Covenant," *AJSL*, XXXVIII (1921), 36—54.

<sup>223</sup> Haase, *Einführung* (note 63). See also V. Koroshec, "Keilschriftrecht," *Handbuch der Orientalistik. Orientalisches Recht. I/III* (Leiden, 1964), pp. 49—219. Briefly, the Laws of Hammurapi were discovered in January 1902, and published by Father V. Scheil in October 1902. The Middle Assyrian Laws were excavated between 1903 and 1914 at Assur and published between 1920 and 1926. The Hittite Laws were discovered in 1906—07 and pub-

in turn, has stimulated tentative efforts to reconstruct the history of law in the Ancient Near East and the location of Israel's proper place among her neighbors. Only in this way can the unique and distinctive features of each tradition be discovered. Second, having learned from diverse compilations of law that like problems and circumstances produce similar solutions, the significance of the life-styles of nations that surrounded Israel becomes clear. Since law reflects the values of a society, all that the literary texts (for example, Amarna Letters, Ugaritic tablets) and archaeological evidence can contribute to the reconstruction of all aspects of the history of the age illuminate the meaning of conflict and the need for coercive action in a covenanted society.<sup>224</sup> Third, archaeological material contributes substantially to illuminating the social and psychological content of the language of law and its administration in Early Israel. That *torāb* is probably "instruction" and not "rule" begins to emerge as a workable understanding.<sup>225</sup> The social and legal mechanism implied in terms as *shōphet* (judge) and *nāsī'*

lished in 1922. The Lipit-Ishtar Laws were discovered in the University of Pennsylvania Museum in 1947 (note 98) and published in 1948. Laws of Eshnunna, excavated at Tell Abu Harnal between 1945 and 1947, were published in 1948 and 1956. The Ur-Nammu Laws were also found in the tablet collection of the Museum of the Ancient Orient in Istanbul in 1952 and published in 1954.

<sup>224</sup> This task remains to be done. We may anticipate a good beginning with the Exodus volume of the Anchor Bible to be prepared by F. M. Cross Jr.

<sup>225</sup> G. Östborn, *Tōrā in the Old Testament: A Semantic Study* (Lund, 1945), pp. 17—22, finding Akkadian *tērtu* a close parallel. I. Engnell, "Israel and the Law: A Review Article," *Symbolae Biblicae Upsalienses*, 7 (1946), 1—34, objects.



(leader) become clear.<sup>226</sup> On the basis of increasing knowledge of the role of the "assembly" in Early Mesopotamia and much later in Early Israel it is evident not only that the "leaders" of clan and tribe in Early Israel are "chosen" but also that the social traditions in Early Israel tap a deep stream in the life of the Ancient Near East.<sup>227</sup> Finally, the evaluation of the Book of the Covenant on the basis of Ancient Near Eastern sources has amply documented the rediscovery that the law, even in Early Israel, is thoroughly anchored in historical actualities. The principal religious reality is the covenant with Yahweh, which provides the law with its motivation and goal.

#### VIII. COVENANT AND WARFARE IN EARLY ISRAEL

In Early Israel justice occurs not only in the village courts but also on the battlefield. In response to the "cry" of the Hebrew slaves in Egypt, Yahweh, "Warrior," "gloriously triumphed" over the "pharaoh's chariots and his army."<sup>228</sup> Warfare was an ultimate remedy for wrong. With a sword Yahweh "takes hold on judgment" and "takes vengeance on (His) adver-

saries."<sup>229</sup> Both law and warfare deal with the unusual in Early Israel, though our sources for Early Israel are entirely concerned with either one or the other. It is precisely in these extremities that one discovers the community functioning according to powerful inner patterns of conviction. Warfare is an extension of Yahweh's supreme rule of Israel by means of the covenant. As a covenant obligation participation in warfare is not specifically stated but may be implied in the First Commandment.<sup>230</sup> Nonparticipation of Jabesh-Gilead in the punitive war against Benjamin, both members of the covenant community, was deemed a serious violation of covenant.<sup>231</sup> It may well be that the "lawsuit" *Gattung* in the prophets is the adaptation of the declaration of war by a suzerain against a disloyal vassal.<sup>232</sup> Violation of the booty of war was regarded as an offense against the deity or king to whom it belonged.<sup>233</sup> Some vassal treaties explicitly regulated the distribution of booty.<sup>234</sup> In the violation of the "sacred booty" at Jericho Yahweh says: "They have broken My covenant . . . they have

<sup>229</sup> Deut. 32:41.

<sup>230</sup> See the end of the second paragraph of Section VII above.

<sup>231</sup> Judg. 21:8-12. See also Judg. 5:15b-17, 23.

<sup>232</sup> J. Harvey, "Le 'Rib-pattern,' Réquisitoire prophétique sur la rupture de l'alliance," *Biblica*, XLIII (1962), 172-196. See also items in note 184.

<sup>233</sup> *ARMT*, V, 72. However, "booty" appears to be an *ad hoc* translation of *shu-ub-tám*. See W. von Soden, "Neue Bände der *Archives Royales de Mari*," *Or*, XXII (1953), 209. The typical Mari phrase is "whoever takes the booty/breaks the covenant or contract/ will eat the *asakkum* of Shamash or another God."

<sup>234</sup> V. Koroshec, *Hethitische Staatsverträge*, pp. 72 f. See note 134.

<sup>226</sup> E. A. Speiser, "Background and Function of the Biblical *nāsi*," *CBQ*, XXV (1963), 111-117. On the meaning of *shiptum* in the Mari letters as "authoritative edict" and Biblical parallels, see Glock, "Warfare in Mari," (note 52), references cited *s.v.* "*shiptum*," p. 261. See M. Noth, "Das Amt des 'Richters Israels,'" *Festschrift Alfred Bertholet* (Tübingen, 1950), pp. 404-417.

<sup>227</sup> G. Evans, "Ancient Mesopotamian Assemblies," *JAOS*, LXXVIII (1958), 1-11. Also T. Jacobsen, "Primitive Democracy in Ancient Mesopotamia," *JNES*, II (1943), 159 to 172. See also Jacobsen's work cited in note 96.

<sup>228</sup> Ex. 3:7, 9 and 15:1, 4.

taken some of the sacred spoil (*ba-bērem*).<sup>235</sup> The ark of the covenant, which symbolized the presence of Yahweh in the camp and His leadership in battle, also contained the tablets of the covenant.<sup>236</sup> The ark plays a key role in the ritual conquest of Jericho.<sup>237</sup> It is a reasonable conclusion that warfare in Early Israel was a covenant obligation.

It has been pointed out that the OT pictures the Hebrews fleeing Egypt and encamped in the desert as the "army of Yahweh."<sup>238</sup> Comparative material from the Mari archive has added considerably to the coherent interpretation of this conception of Early Israel. Of crucial significance is the Mari *tēbibtum* or "purification."<sup>239</sup>

<sup>235</sup> Josh. 7:11. See now A. Malamat, "The Ban in Mari and the Bible," *Die Ou-Testam. Werkgemeenskap in Suid-Africa. Biblical Essays*, 1966 (Pretoria, 1967), pp. 40—49. An earlier form of this study appeared in *Yehezkel Kaufmann Jubilee Volume*, ed. Menahem Haran (Jerusalem, 1960), pp. 149—158 (in Hebrew).

<sup>236</sup> Num. 10:35-36; 14:39-45. Wright, "The Lawsuit of God," (note 184), p. 50, note 54, supports an early date for the ark. See also M. H. Woudstra, *The Ark of the Covenant from Conquest to Kingship* (Philadelphia, 1965). Woudstra ignored J. Dus, "Der Beitrag des benjaminitischen Heidentums zur Religion Israels (Zur ältesten Geschichte der heiligen Lade)," *Communio Viatorum*, VI (1963), 61 to 80.

<sup>237</sup> Josh. 3—6, the ark in the Gilgal traditions. J. Dus, "Die Analyse Zweier Ladeerzählungen des Josuabuches (Jos. 3—4 und 6)," *ZAW*, LXXII (1960), 107—134.

<sup>238</sup> See first paragraph under Section V, "Early Israel as the Kingdom of Jahweh."

<sup>239</sup> Glock, "Warfare in Mari," pp. 69—75, 82—86. The main texts are *ARMT*, I, 6, 7, 36, 37, 42, 62, 82, 129; II, 18, 130; III, 19, 21; V, 45, 51, 65; VI, 77. See also E. A. Speiser, "Census and Ritual Expiation in Mari and Israel," *BASOR*, 149 (1958), 17—25.

This is a public ceremony resulting in the formal enlistment of troops by trusted scribes authorized by the king. The names are written on tablets village by village. The *tēbibtum* very probably was climaxed by a ritual oath of "purification" in which those named on the list swore allegiance to the king. The names on this list were not only those who would be called up in a mustering but also those who received plots of land as a reward for promised military service. In return for guaranteed loyalty "enlisted" men received a measured field of royal real estate. The *tēbibtum* implies a vassal-king relationship. The lists in Num. 1—4 and 26 are not census but quota lists. Rather than name individuals the lists specify numbers of military units ("thousands!") followed by the number of men expected from each of the twelve tribes.<sup>240</sup> Yahweh is said to keep "a book of the living," that is, a list of the faithful in Israel.<sup>241</sup> The disloyal are stricken from this list. The military muster in Early Israel was regarded as a call to arms by Yahweh Himself. As at Mari, also in Israel the "census" involved land distribution. Following the quota list in Num. 26 two relevant orders are issued: (a) Yahweh said to Moses that to those "on the roster of names

<sup>240</sup> G. E. Mendenhall, "The Census Lists of Numbers 1 and 26," *JBL*, LXXVII (1958), 52—66, especially 61—63. For example, Num. 1:21 should be interpreted as follows: "Those who are enrolled belonging to the tribe of Reuben: 46 tribal subsections (*alaphim*) and 500 (men)," not, as has been the usual understanding of the formula, 46,500 troops from Reuben.

<sup>241</sup> Ex. 32:32-33. Israel's antagonism against Amalek may be an effort to "blot out" this people from the roster of Yahweh, Ex. 17:14 and as late as Deut. 25:19. See also Deut. 9:14; 29:19.

the land shall be divided for a possession." (b) Land allotment would be according to need, the larger tribes receiving more land than the smaller.<sup>242</sup> This was a new program of economic justice. The land tenure policy of Early Israel rejected the arbitrary distribution of favors by a king to an elite society and replaced it with an egalitarian system in which each man was in effect vassal-king in his own house responsible to the suzerain-king, Yahweh, who parcelled out plots of land to His faithful warriors whose names were recorded on census lists. The impact of such a land-distribution policy was a social and economic revolution.<sup>243</sup> In summary, MB thought forms inherited by Amorite peasants in Palestine, filtering through the problems and circumstances of the LB age, combine to depict Early Israel as the "army of Yahweh."

Though Biblical sources imply and say that Early Israel is "the army of Yahweh," it is evident that she was not devoted to the art of warfare. Israel's wars were fought by hastily recruited armies. Ehud "sounded the trumpet" to enlist Benjamin against the Moabites.<sup>244</sup> When the folk militia met with defeat, "they fled every man to his home."<sup>245</sup> Even before battle the ranks of the army sometimes thinned drastically as the fainthearted faded from

the scene.<sup>246</sup> Also, the modest arsenal of Early Israel is said to have included neither lance nor shield.<sup>247</sup> The sling was Early Israel's deadly weapon.<sup>248</sup> This the well-armed Philistine scorned prematurely.<sup>249</sup> Nor did horse, ass, or drawn wagon serve military purpose in battle. Indeed, from Joshua to David captured horses were hamstringed and chariots burned.<sup>250</sup> Archaeological discovery has shown that the sophisticated military capacity of contemporary LB Canaanite city-states bore little resemblance to the crude military manner of Early Israel. The new sources reveal four impressive developments effecting warfare since the MB age: (a) Military organization had become professional.<sup>251</sup> (b) Improved metal technology had increased the variety and durability of the weaponry, and the chariot had developed from a ceremonial or hauling wagon to a fighting platform.<sup>252</sup> (c) Masters of the

<sup>246</sup> Compare 1 Sam. 13:2 with v. 15b. It is implied in 1 Sam. 28:5 and the description of battle in 1 Sam. 31:1-7 that most of Saul's army deserted him on Mount Gilboa.

<sup>247</sup> Judg. 5:8; 1 Sam. 13:22.

<sup>248</sup> 1 Sam. 17:40-51. See Judg. 20:16 on the left-handed Benjaminites.

<sup>249</sup> G. A. Wainwright, "Some Early Philistine History," *VT*, IX (1959), 79 f., on the form of combat and weaponry of Goliath.

<sup>250</sup> Josh. 11:6b, 9 and 2 Sam. 8:4.

<sup>251</sup> See second-last paragraph of Section IV, "Palestine-Syria in the Second Millennium B. C.," above, as background. Also *MRS*, X (note 43) No. 113, pp. 200-204, is the same as Gordon, *Ugaritic Textbook* (note 43) No. 400, pp. 213 f. See the comment in J. Gray, *The Legacy of Canaan* (note 75), pp. 231-238. Also A. Rainey, "Military Personnel of Ugarit," *JNES*, XXIV (1965), 17-27.

<sup>252</sup> C. Hillen, "The Early Development of Metal-Working in the Ancient Near East," unpublished Ph. D. dissertation, University of Chicago, 1955, pp. 178-210, on axes. On chariot, Smith, *Interconnections* (note 125), pp. 22 to

<sup>242</sup> Num. 26:52-56.

<sup>243</sup> A full picture has been sketched by G. E. Mendenhall, "The Hebrew Conquest of Palestine," *BA*, XXV (1962), 66-87, especially 76-84. S. H. Bess, "Systems of Land Tenure in Ancient Israel," unpublished Ph. D. dissertation, University of Michigan, 1963, pp. 50-153.

<sup>244</sup> Judg. 3:27.

<sup>245</sup> 1 Sam. 4:10.

new military establishment were chiefly a non-Semitic minority descended from Hurrian and Indo-Aryan professional soldiers contemporary with MB Hyksos.<sup>253</sup> (d) Symbols of their status and prestige were chariots and horses.<sup>254</sup> One may take as axiomatic that a military force will attempt to reflect in its offensive and defensive weapons and strategy counterpart superiority over the enemy. But the military traditions that lived in Early Israel were antique MB modes preserved by autochthonous Amorite villagers. Warfare in Early Israel was an expression of loyalty to Yahweh, the defense of His name, His land, and His people.<sup>255</sup> Yahweh's leadership in war was an exercise of His authority as King to call on the families of Israel to offer their lives in defense of the kingdom of faith.<sup>256</sup> Warfare as conducted in Early Israel was neither as formal nor as cultic

28. *Ugaritica* II (note 41), pp. 1—23. W. Nagel, *Der mesopotamische Streitwagen und seine Entwicklung im ostmediterranen Bereich. Berliner Beiträge zur Vor- und Frühgeschichte*, X (Berlin, 1966).

<sup>253</sup> See second-last paragraph of Section IV, "Palestine-Syria in the Second Millenium B. C.," above, and related notes.

<sup>254</sup> As far back as *ARMT*, VI, Text 76:20 to 25, it is evident that the horse was an alien beast to Northwest Semites. G. M. A. Hanfmann, "A Near Eastern Horseman," *Syria*, XXXVIII (1961), 243—255. See also note 152 above.

<sup>255</sup> That Israel's wars were defensive is the position of G. von Rad, *Der Heilige Krieg im alten Israel*, 3d ed. (Göttingen, 1958), pp. 14 to 32. *Contra* Y. Kaufmann, *The Biblical Account of the Conquest of Palestine* (Jerusalem, 1953), pp. 91—97.

<sup>256</sup> Num. 7:2, the "chiefs of Israel" were in charge of the enlistment. In Num. 1:4 they are designated "chiefs of the tribes of their fathers' (house), heads of the *'alaphim* of Israel." On the role of *nāsī*, see text, sentence before and after note 185.

as the phrase "holy war" suggests.<sup>257</sup> Israel did, however, meet the enemy with superior firepower and mobility, for Yahweh Himself bore shield and spear, and He rode the clouds as a chariot of war.<sup>258</sup> High morale and strong purpose fired the fierce concentration of effort that made weakness strength and victory Yahweh's "salvation."

Archaeological discoveries have provided significant controls for the interpretation of the role of warfare in the life and religion of Early Israel. We may summarize these contributions in four categories. (a) The new sources have vastly illuminated the OT Hebrew lexicon related to warfare by unfolding the ancient frame of reference. The language of war turns out to be closely related to the language of law when the latter demands the death penalty. Thus anyone sacrificing to another god will be declared "sacred booty" in Early Israel, that is, liable to utter destruction.<sup>259</sup> Warfare is sometimes viewed as Yahweh's imposing a death penalty on Canaanite cities.<sup>260</sup> Also, the precise se-

<sup>257</sup> See R. de Vaux, *Les Institutions de L'Ancient Testament*, 2 vols. (Paris, 1959—60; ET, New York, 1961), pp. 258—267. Von Rad, *Der Heilige Krieg*, first published 1951, has popularized the "holy war" concept.

<sup>258</sup> Ps. 18:3, 31, 36 = 2 Sam. 22:3, 31, 36. Also Ps. 104:3; Ps. 68:5, 18, 34; Ps. 18:11 = 2 Sam. 22:11; Hab. 3:8, 15; 1 Sam. 4:4; 2 Sam. 6:2. It may be no accident that the only significant "chariot" or "wagon" mentioned in Early Israel is the *'agālah* on which also Yahweh rides in the form of the ark of the covenant. 1 Sam. 6:7, 8, 10, 11, 14; 2 Sam. 6:3 = 1 Chron. 13:7. On Deut. 32:13 see W. L. Moran, "Some Remarks on the Song of Moses," *Biblica*, XLIII (1962), 317—327, especially 323—327.

<sup>259</sup> Ex. 22:20.

<sup>260</sup> Occurrences of *n(oun)* and *v(erb)* forms of *HRM* in Joshua: 2:10v; 6:17n, 18n,

mantic range of the important root *PQD* ("take note, notice, consider; muster") in nominal and verbal forms is possible thanks to comparative texts.<sup>261</sup> (b) An important contribution to literary critical studies is the evidence that many of the military traditions in the so-called late Priestly source are demonstrably old. Most of the material in Num. 1—10, for example, the quota lists and the camp description, is deeply rooted in the experience of Early Israel. P's insistence on the inalienability of the land is vital to the religion of Early Israel.<sup>262</sup> (c) Stratigraphic, architectural, and artifactual evidence forces one to confront the actualities of ancient warfare. OT descriptions of warfare are commonly hymnic praise of Yahweh's power. The new sources force a serious evaluation of the actual experience of war. The result is a truer picture of both religious and historical realities in Early Israel. Words for weapons are matched with excavated artifacts, bronze blades and

19n, 21v; 7:1, 11-13, 15, all n; 8:26v; 10:1, 28, 35, 37, 39, 40, all v; 11:11, 20, 21, all v; 22:20n. The significant context is the "divine council" and the messengers from the council. Council members and messengers are servants of Yahweh. Not only did a "messenger" deliver Israel from Egypt (Num. 20:16), but the "messenger" is sent before them into Canaan and delivers the land to them (Ex. 33:2-3). See H. W. Robinson, "The Council of Yahweh," *JTS*, XLV (1944), 151—157; F. M. Cross Jr., "The Council of Yahweh in Second Isaiah," *JNES*, XII (1953), 274—277; also G. E. Wright, *The Old Testament Against Its Environment*, *SBT*, 2 (London, 1950), pp. 30—41.

<sup>261</sup> J. B. van Hooser, "The Meaning of the Hebrew Root *קָדַח* in the Old Testament," unpublished Th.D. dissertation, Harvard Divinity School, 1962. Also J. Scharbert, "Das Verbum *PQD* in der Theologie Alten Testaments," *BZ*, n. s. IV (1960), 209—226.

<sup>262</sup> Lev. 25:23. Also Ex. 23:10-11; Deut. 19:14.

points, sling stones, walled cities, including problems of tactics, organization, and communication.<sup>263</sup> (d) The more complete one's knowledge of MB-LB Syria-Palestine is, the more possible is some light on the *Eigenart* of the religion of Early Israel. In the midst of specific foes with eyes, ears, and legs that are economic, social, political, as well as cultic, Early Israel established herself in the world as a unique kingdom of free men under Yahweh.<sup>264</sup> A society open to the oppressed and alienated strangers and foreigners, Early Israel was closed in belligerent devotion to Yahweh who wrought her "salvation" by victories in courts of law and fields of battle to all who would dominate her with sophisticated military machinery and destroy both the personal freedom and social system that allowed the maximum expression of the rule of Yahweh.

#### IX. CONCLUSION

This essay has first attempted to describe some of the more important new

<sup>263</sup> E. A. Speiser, "On Some Articles of Armor and Their Names," *JAOS*, LXX (1950), 47—49. Y. Yadin, "Goliath's Javelin and the מִנְיָן אֲרָגִים" *PEQ*, LXXXVII (1955), 58—68. A. Malamat, "The War of Gideon and Midian, A Military Approach," *PEQ*, LXXXIV (1952), 61—65, elaborated in *The Military History of the Land of Israel in Biblical Times*, ed. J. Liver (Tel Aviv, 1964), pp. 110—123 (in Hebrew).

<sup>264</sup> The term to describe this phenomenon used by social scientists is *anomie*. See R. K. Merton, "Social Structure and Anomie," *American Sociological Review*, III (1938), 672—682. The best term is "counter-culture." See the following definition in Theodore Roszak, *The Making of A Counter Culture* (Garden City, 1969), p. 42: "a culture so radically disaffiliated from the mainstream assumptions of our society that it scarcely looks to many as a culture at all, but takes on the alarming appearances of a barbaric intrusion."

material available to the student of the religion of Early Israel. These sources are both epigraphic and archaeological. The chief written documents may be classified in three categories: (a) Literary works that have grown and been refined by usage over long periods, ultimately appearing in edited form. Included are epics as well as liturgical and omen literature.<sup>265</sup> Most of these are impossible to date precisely and have usually been the special province of priests. (b) Literary works that are officially sponsored by the court, particularly the royal annals, international treaties, and law collections authorized by the king. One might also include wisdom, for this was the product of the scribe in the setting of the court.<sup>266</sup> (c) A large body of letters, economic documents, contracts, or literature composed for limited utility. For the historian this evidence is of great significance for lexicon and for political and social history. This material allows one to compare the actual with the ideal reflected in the first category. Much of it is found in the rooms of court officials. The nonepigraphic or archaeological evidence may also be summarized in three groups: (a) Objects of art, that is, unique products of craftsmen, as incised ivories from Megiddo, Samaria, or Ugarit; Egyptian statuary or Mesopotamian cylinder seals. Palestine is relatively poor in such objects. (b) Architecture, that is, domes-

<sup>265</sup> A. L. Oppenheim, *Ancient Mesopotamia. Portrait of a Dead Civilization* (Chicago, 1964), pp. 228—275; *IDB*, s. v. "Assyria and Babylonia," especially pp. 276—293 on "Literature."

<sup>266</sup> W. G. Lambert, *Babylonian Wisdom Literature* (Oxford, 1960). R. E. Murphy, "The Concept of Wisdom Literature," *The Bible in Current Catholic Thought*, ed. J. L. McKenzie (New York, 1962), pp. 46—54.

tic, political, military, and religious or cultic structures. Here, too, Palestine is unimpressive by comparison with the rest of the Ancient Near East. (c) Artifacts, the smaller objects of daily life, including pottery, which, when carefully examined, yields substantial clues to the history of style, technology, and, on occasion, foreign influence. When focused on the Bible this vast array of new material is decisive in three general areas of investigation: (a) the structural analysis of OT literature,<sup>267</sup> (b) the delineation of the social, political, economic, and cultic context of OT religion,<sup>268</sup> and (c) the historical development of OT theology. This essay is a small contribution to the discussion of the first problem of the last category.

The second purpose of this essay has been to illustrate the use of this new material by proposing a solution to the problem of the model used within the OT to understand itself. The assimilation of archaeological material by OT scholars has been a slow process. This is in itself significant. The revolution produced by archaeological materials has not always suf-

<sup>267</sup> For example, A. Malamat, "King Lists of the Old Babylonian Period and Biblical Genealogies." *JAOS*, LXXXVIII (1968), 163—173. M. Noth, "History and Word of God in the Old Testament," *op. cit.* (note 191), pp. 179—193. A. Malamat, "Prophetic Revelations in New Documents from Mari and the Bible," *VTS*, XV (Leiden, 1964), pp. 207—227. C. Westermann, *Grundformen prophetische Rede. Beiträge zur evangelischen Theologie*. Vol. 31. (Munich, 1960; ET, Philadelphia, 1967), pp. 115—128. See Huffmon, *op. cit.* (note 52). Also W. W. Hallo, "New Viewpoints on Cuneiform Literature," *IEJ*, XII (1962), 13—26. R. Frankena, "The Vassal-Treaties of Esarhaddon and the Dating of Deuteronomy," *OTS*, Vol. XIV (Leiden, 1965), pp. 122—154.

<sup>268</sup> Probably the best is still Albright's *From the Stone Age*, chapters 3—6.

ficiently impressed Biblical scholars. Evidence that illustrates "animals, plants, and minerals," artifacts of daily life and geographical information has been readily absorbed and disseminated.<sup>269</sup> But evidence that resists simple interpretation or even creates difficulties for the Biblical interpreter, such as the archaeological record at Jericho and 'Ai, is commonly ignored or not treated with the respect it is due.<sup>270</sup> The key archaeological problem is historical-chronological and therefore stratigraphic. Because this is the case, ceramic typology is of crucial importance.<sup>271</sup> Since

<sup>269</sup> Cited from the minutes of the Centenary Annual General Meeting of the Palestine Exploration Fund held in London, June 22, 1965, on the same day of the founding of the Fund a century earlier, which quotes from the resolutions of the founders of the Fund: *PEQ*, C (1965), 182.

<sup>270</sup> H. J. Franken, "Tell es-Sultan and Old Testament Jericho," *OTS*, Vol. XIV (Leiden, 1965), 189—200. J. A. Callaway, "New Evidence on the Conquest of 'Ai," *JBL*, LXXXVII (1968), 312—320. Both are valiant efforts honestly to confront deep historical problems raised by archaeological evidence.

<sup>271</sup> The best general survey is R. Amiran, *The Pottery of Eretz-Israel* (Jerusalem, 1963) (in Hebrew; an ET is expected soon). A brief summary with the same title, reprinted as a booklet (1958), also appeared as "The Story of Pottery in Palestine," *Antiquity and Survival*, II/2—3 (1957), 187—207.

few Biblical scholars have bothered to gather even a modest familiarity with basic pottery forms, archaeological material is often only superficially employed at best. One must simultaneously emphasize the requirement of a fundamental knowledge of the written sources in at least Hebrew, Akkadian, and Ugaritic. The wedding of epigraphic and archaeological evidence is of primary interest to the Biblical scholar involved in recovering the meaning of the Biblical text. The solution proposed here for the self-understanding of the deepest levels of religious life in Early Israel is based on an attempt to consider typical sources. The reconstruction that has emerged, which accounts for both law and warfare as functions of the covenant in a LB Canaanite context, should at least be regarded as a strong candidate for a working understanding of the religion of Early Israel in the light of present sources available. In a remarkably consistent fashion Early Israel functioned on the analogy of an Ancient Near Eastern vassal state. This datum provided by archaeological discovery appears to be the key that opens the right door to understanding the religion of Early Israel.

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#### NOTES

Discussion in the footnotes has been kept at a minimum. A major function of these notes is bibliographic. The following abbreviations are used:

*AASOR* — *Annual of the American Schools of Oriental Research*.

*ABUU* — *Altbabylonische Briefe in Umschrift und Übersetzung*.

*AJO* — *Archiv für Orientforschung*.

*AJA* — *American Journal of Archaeology*.

*AJSL* — *American Journal of Semitic Languages and Literatures*.

*ANET* — *Ancient Near Eastern Texts Relating to the Old Testament*. Ed. J. B. Pritchard. 2d ed. Princeton, 1955.

*AO* — *Analecta Orientalia*.

*AOS* — *American Oriental Series*.

*ARM* — *Archives royales de Mari*.

*ARMT* — *Archives royales de Mari. Traductions*.

- AS** — *Assyriological Studies* (The Oriental Institute of the University of Chicago).  
**AT** — Alalah Tablet.  
**BA** — *The Biblical Archaeologist*.  
**BAH** — *Bibliothèque archéologique et historique*.  
**BANE** — *The Bible and the Ancient Near East. Essays in Honor of William Foxwell Albright*. Ed. G. E. Wright. New York, 1961.  
**BASOR** — *Bulletin of the American Schools of Oriental Research*.  
**BiOr** — *Bibliotheca Orientalis*.  
**(B)SOAS** — (*Bulletin of the*) *School of Oriental and African Studies*. University of London.  
**BWA(N)T** — *Beiträge zur Wissenschaft vom Alten (und Neuen) Testament*.  
**BZ** — *Biblische Zeitschrift*.  
**CAD** — *The Assyrian Dictionary*. Ed. A. L. Oppenheim *et al.* Chicago, 1956—.  
**CAH** — *Cambridge Ancient History*.  
**CBQ** — *Catholic Biblical Quarterly*.  
**CT** — *Cuneiform Texts from Babylonian Tablets in the British Museum*.  
**CTM** — *Concordia Theological Monthly*.  
**EA** — J. A. Knudtzon, Otto Weber and Erich Ebeling, *Die El-Amarna Tafeln*. 2 vols. VAB II. Leipzig, 1910—1913.  
**ET** — English translation.  
**EV(V)** — English version (s).  
**HSS** — *Harvard Semitic Series*.  
**HTR** — *Harvard Theological Review*.  
**HUCA** — *Hebrew Union College Annual*.  
**IDB** — *Interpreter's Dictionary of the Bible*. Ed. G. A. Buttrick *et al.* 4 vols. New York, 1962.  
**IEJ** — *Israel Exploration Journal*.  
**JAOS** — *Journal of the American Oriental Society*.  
**JBL** — *Journal of Biblical Literature*.  
**JBR** — *Journal of Bible and Religion*.  
**JCS** — *Journal of Cuneiform Studies*.  
**JKF** — *Jahrbuch für kleinasiatischen Forschung*.  
**JNES** — *Journal of Near Eastern Studies*.  
**JPOS** — *Journal of the Palestine Oriental Society*.  
**JQH** — *Jewish Quarterly Review*.  
**JSS** — *Journal of Semitic Studies*.  
**JTS** — *Journal of Theological Studies*.  
**JWH** — *Journal of World History*.  
**KS** — Albrecht Alt, *Kleine Schriften zur Geschichte des Volkes Israel*. 3 vols. Munich, 1959.  
**LIH** — L. W. King, *The Letters and Inscriptions of Hammurabi*. Vol. I. London, 1898.  
**LSS** — *Leipziger semitische Studien*.  
**MAM** — *Mission archéologique de Mari*.  
**MDOG** — *Mitteilungen der deutschen Orient-Gesellschaft*.  
**MIO** — *Mitteilungen des Instituts für Orientforschung*.  
**MKNAW** — *Mededeelingen der Koninklijke Nederlandsche Akademie Van Wetenschappen*.  
**MRS** — *Mission Ras-Shamra*.  
**MT** — Masoretic Text.  
**MVAG** — *Mitteilungen der Vorderasiatisch-Ägyptischen Gesellschaft*.  
**OECT** — *Oxford Edition of Cuneiform Texts*.  
**OIP** — *Oriental Institute Publications*.  
**Or** — *Orientalia*.  
**OTS** — *Oudtestamentische Studien*.  
**PEQ** — *Palestine Exploration Quarterly*.  
**PRU** — *Le palais royal d'Ugarit*.  
**RA** — *Revue d'assyriologie et d'archéologie orientale*.  
**RB** — *Revue biblique*.  
**RHA** — *Revue hittite et asianique*.  
**RSO** — *Rivista degli Studi Orientali*.



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- SAOC** — *Studies in Ancient Oriental Civilization* (The Oriental Institute of Chicago).  
**SBT(ss)** — *Studies in Biblical Theology* (second series).  
**SD** — *Studia et Documenta ad Iura Orientis Antiqui Pertinentia*.  
**SOAS** — See *BSOAS*.  
**SVT** — *Supplements to Vetus Testamentum*.  
**TCL** — *Textes cunéiformes du Louvre*.  
**VAB** — *Vorderasiatische Bibliothek*, Leipzig.  
**VT** — *Vetus Testamentum*.  
**WMANT** — *Wissenschaftliche Monographien zum Alten und Neuen Testament*, Neukirchen.  
**ZA** — *Zeitschrift für Assyriologie und verwandte Gebiete*.  
**ZAW** — *Zeitschrift für die alttestamentliche Wissenschaft*.  
**ZDPV** — *Zeitschrift des deutschen Palästinavereins*.