SDQ, MISPAT AND THE SOCIAL CRITIQUE OF THE EIGHTH CENTURY PROPHETS

Hemchand Gossai

A Thesis Submitted for the Degree of PhD at the University of St. Andrews

1986

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SDQ, MISPAT AND THE SOCIAL CRITIQUE OF THE EIGHTH CENTURY PROPHETS

HEMCHAND GOSSAI

DECLARATION

I was admitted as a research student under Ordinance 350 (General No. 12) on October 1st 1983 and as a candidate for the degree of Ph.D. under Resolution of the University Court, 1967, No. 1 (as amended) on October 3rd 1984.

The following thesis is based on the results of research carried out by myself, is my own composition, and has not previously been presented for a higher degree. The research was carried out in the University of St. Andrews under the supervision of Dr. James D. Martin.

Signature of Candidate
DECLARATION

I certify that Hemchand Gossai has fulfilled the conditions of the Resolution of the University Court, 1967, No. 1 (as amended), and is qualified to submit this thesis in application for the Degree of Doctor of Philosophy.

Signature of Supervisor
ACKNOWLEDGEMENTS

I am grateful to the many people, teachers and students alike at St. Mary's who have shown an interest in my work and on many occasions have graciously shared their insights with me.

I am particularly indebted to my supervisor Dr. James D. Martin for the insights, the deep interest and the invaluable counsel which he provided throughout this study. His friendship and ongoing encouragement were very much appreciated. My thanks are due also to Professor Hans Walter Wolff for graciously entering into correspondence with me regarding the overall direction of this study, and matters of Biblical interpretation.

For the encouragement and support which I received from my parents-in-law, Harold and Eunice Vold, and also from Michael and Bette Nelson, I am very grateful.

Finally, special thanks to my wife Marie who, with great care and understanding, typed this thesis. Without her constant support and dedication, this study might not have been possible.
In submitting this thesis to the University of St. Andrews, I understand that I am giving permission for it to be made available for use in accordance with the regulations of the University Library for the time being in force, subject to any copyright vested in the work not being affected thereby. I also understand that the title and abstract will be published, and that a copy of the work may be made and supplied to any bona fide library or research worker.
To:

Marie, Nathan and Chandra
This dissertation focuses primarily on three areas. It provides detailed examinations of פֹּתַי and מָמוֹם as they are used in the Old Testament. To this end, extra-Biblical material from the Ancient Near East is also examined, thus yielding the background meanings of these concepts. פֹּתַי and מָמוֹם are investigated with a view to demonstrating "relationship" as their overall functional locus, and all occurrences of these concepts in the Old Testament are studied. The occurrences of פֹּתַי and מָמוֹם indicate that whether these concepts have to do with aspects such as "justice in the gate", "Yahweh's ordinances", "salvation", "deliverance" or even secular matters such as "weights and measures" and "trading", the fundamental element that unites all of them is "relationship" and the sustaining of it.

The thesis argues that פֹּתַי and מָמוֹם as terms of "relationship", are the basis for the social critique of the Eighth Century Prophets. In this regard, the different subjects of the prophets' social critique are examined. The discussion concludes that corruption in the economic, social and religious aspects of life is directly correlated to the absence of פֹּתַי and מָמוֹם. In the Eighth Century prophets פֹּתַי is seen to be the bond which is integral for the covenant relationship between Yahweh and his people, while מָמוֹם is the element necessary for a right relationship amongst individuals. The absence of both פֹּתַי and מָמוֹם, as is the case in the Eighth Century, suggests clearly that the Prophets' critique concerns not only the relationship between individuals, but even more fundamentally, the people's relationship with Yahweh.

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<td>Australian Biblical Review, Melbourne</td>
</tr>
<tr>
<td>AJSL</td>
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<td>ANET</td>
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<td>BKAT</td>
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<td>BM</td>
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INTRODUCTION

There have been few monographs or articles recently which have studied in detail the Eighth Century prophets' message on social justice. Moreover, there is no study which to my knowledge has systematically examined the use of \( \text{דַּעַת} \) and \( \text{יִשָׂרָאֵל} \) in the message of these prophets in relation to their social critique. This thesis will endeavour to do just this, and in so doing, it will examine the use of \( \text{שָׁאָל} \) and \( \text{שָׁפֶט} \) in the Ancient Near East and use this as a basis for an investigation of \( \text{דַּעַת} \) and \( \text{יִשָׂרָאֵל} \) in the Old Testament. The objective here is to establish the basic meanings and nuances of these concepts before studying their use in the context of the Eighth Century prophets. However, before outlining the manner in which this will be undertaken, it is essential to have a brief overview of the main literature written on \( \text{דַּעַת} \), \( \text{יִשָׂרָאֵל} \), and social justice in the Eighth Century prophets.

One of the earliest studies of the concept of \( \text{דַּעַת} \) was done by Ludwig Diestel. \[1\] The primary orientation of Diestel's work is etymological, and using this method, he concludes that \( \text{דַּעַת} \) depicts the physical image of a straight line. This idea of the "straight line" represents for Diestel the notion of an objective norm. Thus, \( \text{דַּעַת} \) as "norm" was launched on its course. While Diestel's study set the basis for the study of \( \text{דַּעַת} \), it is the work of Emil Kautzsch \[2\] which became the standard by which

other studies were gauged. While Kautzsch adopts many of the findings of Diestel, he does not begin his examination of ἐπιθαύματος on an etymological principle. Rather, he attempts to find the general meaning and function of ἐπιθαύματος in the Old Testament through an exhaustive examination of its uses there. Kautzsch sees the development of ἐπιθαύματος in three stages. He suggests that ἐπιθαύματος is fundamentally a forensic concept and that this later led both to an ethical and to a religious use. According to Kautzsch, all three stages of development and the uses implied there, conform to "norm". Thus, he concludes that ἐπιθαύματος, regardless of its orientation (forensic, ethical or religious), is to be understood as conforming to "norm".

Two years after Kautzsch's monograph, another study of ἐπιθαύματος was presented by Hermann Cremer. [3] Cremer was the first proponent of the thesis that ἐπιθαύματος is best understood as a concept of "relationship". Accordingly, he suggests that ἐπιθαύματος fulfills the demands and responsibilities of a relationship. Cremer then argues that ἐπιθαύματος, when in reference to Yahweh, can only be seen in a forensic light. So while he regards "relationship" as the main orientation of ἐπιθαύματος, he sees the forensic use as primary to Yahweh's ἐπιθαύματος. When the individual

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2 Emil Friedrich Kautzsch, Über die Derivate des Stammes ὑπομονής im Altestamentlichen Sprachgebrauch (Tübingen), 1881.

responds to the demands of Yahweh's \( \text{תור} \), it is generally in the form of "trust". [4]

While Cremer's study introduced a new understanding of \( \text{תור} \), it was not readily accepted by all scholars. This is clearly evident in Nötscher's study of \( \text{תור} \) in the pre-exilic prophets [5] where he resorts to the conclusions of Kautzsch. While Nötscher adopts Kautzsch's stance regarding the general orientation of \( \text{תור} \) as "norm", he adds a new dimension in his conclusion. Nötscher views \( \text{תור} \) in the Eighth Century prophets primarily as a retributive principle. [6] This, for him, means that \( \text{תור} \) when used in reference to Yahweh, is punitive.

Following Nötscher, the next major study of \( \text{תור} \) was undertaken by Johannes Pedersen. [7] He develops the notion of \( \text{תור} \) as "relationship", but unlike Cremer, who studies \( \text{תור} \) as a theological principle, Pedersen sees \( \text{תור} \) as a psychological

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4 Cremer, Biblisch-theologisches Wörterbuch, pp. 287ff.

5 F. Nötscher, Die Gerechtigkeit Gottes bei den vorexilischen Propheten (Munster), 1915.

6 Ibid., p. 27.

7 Johannes Pedersen, Israel: Its Life and Culture, volumes I-II. (London: Oxford University Press), 1926. About the time of Pedersen's work, there were also two other studies on \( \text{תור} \). The first was that of O. Procksch, "Die hebräische Wurzel der Theologie", \textit{CuW} 2 (1926), 451-461. Procksch suggests that \( \text{תור} \) must be understood as "norm" and, in so doing, distinguishes between \( \text{תור} \), \( \text{תור} \), and \( \text{תור} \). \( \text{תור} \), he sees as the "norm of social order"; \( \text{תור} \) as the "right position within the social order", and \( \text{תור} \) as the "one who complies with the norm of the social order". The second was H.Fuchs, "Das alttestamentliche Begriffsverhältnis von Gerechtigkeit (\text{תור}) und Gnade (\text{תור}) in Prose und Dichtung" \textit{CuW} 3 (1927), 101-118. Like Procksch, Fuchs also sees \( \text{תור} \) as "norm", but in his case, Fuchs suggests that \( \text{תור} \) oriented towards the conforming of the moral-order to \( \text{תור} \).
concept. This psychological dimension is pervasive in Pedersen's examination of पृष्ठ. For Pedersen, while पृष्ठ is best understood as a "relationship" concept, it is a relationship between souls. He suggests that, "The good man acts rightly, because he acts entirely in accordance with the nature of his soul. But the soul exists only as a link in a covenant; it maintains its nature by maintaining the covenant." [8] However, even though Pedersen speaks of "covenant", it has little to do with Israel's पृष्ठ with Yahweh. In fact as Pedersen argues, ultimately, "It is the ability to maintain oneself which is implied by righteousness, to have a soul constructed in such a manner that it could maintain itself through all actions". [9] In other words, a relationship between individuals need not necessarily be grounded in Yahweh, but may have its source in the souls of the individuals.

The point which Pedersen is suggesting is the anthropocentric nature of पृष्ठ. True, it involves "relationship", but the ultimate source of this "relationship" is derived from the soul of the individual, and in turn, the soul is strengthened by good actions towards others in the community. It is the health of the soul which is the determining factor in the maintenance of the relationship in the community.

This psychological study of Pedersen did not however have any tangible effect on subsequent studies of पृष्ठ. This can be seen in the case of H.J.Fahlgren, [10] who overlooks Pedersen's

8 Pedersen, Israel I-II, pp. 337-338.

9 Ibid., p. 338.
proposals and resorts to a position which understands 푃管理条例 as "relationship within a norm". Fahlgren suggests that 푃管理条例 means primarily the orientation of all one's deeds to the norm which is derived from the relationship in community, between the people and Yahweh on the one hand and between the people themselves on the other. [11] Even with the different positions of Kautzsch, Cremer and Pedersen, Klaus Koch in his doctoral dissertation suggests that nothing had changed regarding the understanding of 푃管理条例 in a hundred years. [12] With this in mind, Koch argues that 푃管理条例 is an "entity" (Wesen) and not particularly associated with either "relationship" or "attribute". He links 푃管理条例 with the theophany of Yahweh in the Autumn Festival, and thus he sees 푃管理条例 as a divine gift which comes to the fore in cultic events.

Neither of the two studies of 푃管理条例 which followed Koch's incorporated his ideas. Elizabeth Achtemeier, [13] did a study of 푃管理条例 in which she combined the conclusions of Cremer and Fahlgren, without examining systematically, all the occurrences of 푃管理条例 in the Old Testament. The most recent comprehensive


11 Ibid., p. 81.

12 Klaus Koch, "Sdq im Alten Testament - Eine traditiongeschichtliche Untersuchung" (Ph.D. dissertation, University of Heidelberg), 1953, p. 3. Koch in making this assertion clearly overlooks the wide-ranging scholarship represented by scholars such as Kautzsch, Cremer and Pedersen.

examination of פִּזְעִי was done by Hans Heinrich Schmid. [14] Schmid begins his study by examining the background of the root פִּזְעִי, both in terms of Old Testament usage (e.g. wisdom, cult, judges, monarchy, etc.) and in the Ancient Near East, in particular comparing it with the Egyptian Maat. He proceeds to provide a history of the Old Testament use of פִּזְעִי, noting in so doing, a Canaanite influence and background. Schmid notes that the noun פִּזְעִי originally meant cosmic world order, becoming concrete in wisdom, justice, etc. However, he suggests that the fundamental meaning of the root פִּזְעִי is "recht, richtig, in Ordnung". [15] After a discussion of what he calls texts which are "specifically Israelite", Schmid concludes that Weltordnung is the central term for understanding פִּזְעִי and this covers the spheres of the cult, ethics and the natural world.

This significant number of major studies on פִּזְעִי indicates two important points. First, these studies recognise the immense importance of this concept for a proper understanding of the Old Testament. Second, the large number of studies with their variety of conclusions suggests a definite lack of consensus regarding the primary orientation of פִּזְעִי.


15 Ibid., p. 67. Schmid suggests moreover, that other Old Testament concepts also relate to some form of "world order". For example, נְזוֹן and נְזוֹון refer to the elements of constancy and continuity in world order; יָסְד refers to conformity in world order; נְזוֹן and נְזוֹון are viewed as "wholeness" in world order, and נְזוֹון, Schmid suggests, is similar to פִּזְעִי in meaning in that it likewise refers to "justice" and "straightness" in world order, p. 68.
In the case of שָׁמָּהּ, there have been few comprehensive studies. One of the earliest examinations of שָׁמָּהּ in the Old Testament was undertaken by H.W. Hertzberg. [16] Before his examination of שָׁמָּהּ, Hertzberg discusses briefly the root שָׁמָ, and concludes that its basic meaning is "rule". With this in mind, Hertzberg argues that the passing of judgement is the function of the ruler. In his examination of שָׁמָּהּ, he emphasizes its ethical orientation, noting that one aspect of the fulfilling of Yahweh's will is the ethical obligation which it lays on his followers. However, Hertzberg does not develop this argument, nor does he outline the elements which are involved in ethical responsibility. He does go on to point out that the administration of justice must be developed upon the basis of an ethical standard. [17] There are two salient features of Hertzberg's investigation, the importance of the ethical factor and the primary involvement of שָׁמָּהּ in a judicial framework.

Pedersen also has an examination (though brief) of the use of שָׁמָּהּ in the Old Testament. He sees שָׁמָּהּ as functioning in a similar fashion to קִיָּם in the Old Testament. Not only does he conclude that "מִשְׁפָּט ... virtually means the same as פֶּדֶךְ", [18] but, also like קִיָּם, he suggests that, "מִשְׁפָּט ... has its root in the very essence of the soul". [19] The primary difference between שָׁמָּהּ and קִיָּם as Pedersen sees

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16 H.W. Hertzberg, "Die Entwicklung des Begriffes שָׁמָּהּ im AT", ZAW 40 (1922), 256-287, and a second article in ZAW 41 (1923), 16-76.

17 Ibid., p. 274.

18 Pedersen, Israel I-II, p. 351.
it, lies in the premise that קֹדֶשׁ is principally rooted in one's own soul while בְּנֵי קֹדֶשׁ is best understood in relation to other souls. In effect, he examines בְּנֵי קֹדֶשׁ with a psychological slant and thereby concludes that קֹדֶשׁ is a term which is primarily used in the context of the maintenance of souls.

A study of בְּנֵי קֹדֶשׁ was undertaken by Fahlgren, as part of his monograph סדוקה, where he examines בְּנֵי קֹדֶשׁ as a synonym of קָדָשׁ. [20] Like Hertzberg, Fahlgren suggests that the background meaning of בְּנֵי קֹדֶשׁ is "rule" and that this is the dominant meaning in the Old Testament. Fahlgren goes on to argue from this that the Judges have nothing to do with the judicial office, but are exclusively rulers. Also, Fahlgren follows Pedersen in suggesting that בְּנֵי קֹדֶשׁ is used as a concept involved in the maintenance of relationships within the community. Fahlgren does not develop this position, but it appears likely that he views בְּנֵי קֹדֶשׁ in certain instances as a psychological term.

The most recent comprehensive study of בְּנֵי קֹדֶשׁ was that of Osborne Booth. [21] Booth's examination of בְּנֵי קֹדֶשׁ is a semantic one. He suggests that there are eleven possible meanings associated with בְּנֵי קֹדֶשׁ and these may be classified in three

19 Ibid., p. 351.
20 Fahlgren, סדוקה, pp. 120-138.
21 Booth's Ph.D. dissertation at Yale University was a semantic study of בְּנֵי קֹדֶשׁ in the Old Testament. Unfortunately I have not had access to this, but Booth, by way of an article, provides a summary of his dissertation. Osborne Booth, "The Semantic Development of the term בְּנֵי קֹדֶשׁ in the Old Testament", JBL 61 (1942), 105-110.
categories, namely, "custom", "law" and "right". According to Booth, "custom" is the earliest meaning and is followed by "law" and "right" in that order. Also, Booth argues that ḫaḏiḏ in the Prophets means "proper administration of the law by man". [22] In effect, Booth regards ḫaḏiḏ in the Prophets as being primarily forensic in overtone.

As far as I am aware these are the only major studies of ḫaḏiḏ which have been produced. While there are more recent studies on ḫaḏiḏ, [23] these only deal with ḫaḏiḏ tangentially.

In the case of studies of social justice in the Prophets, there are many articles which cover this area, but only few which focus exclusively on the Eighth Century prophets. Most of these articles will be cited in the body of this thesis. There are only three comprehensive studies known to me that examine social justice in the Eighth Century prophets; the first is that of Riocerezo Gutierrez. [24] Gutierrez begins his study by suggesting that Yahweh, as conceived by the Eighth Century Prophets, is a universal God, concerned with the totality and unity of the people. By way of an introductory section, he discusses the historical evolution of social justice, both in

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22 Ibid., p. 107.


24 Riocerezo C. Gutierrez, La justicia social en los Profetas del siglo VIII: Amos, Oseas, Isaías y Miqueas (Fribourg), 1970.
secular literature and in the Old Testament. Gutierrez then moves his investigation specifically into the area of the Eighth Century by examining the manner by which "justice" is developed by the prophets there. He suggests that in Amos, the prophet is primarily sociological; in Hosea, the prophet is theological; in Isaiah, the prophet is theo-political, and in Micah, the prophet is interested in moral justice. Gutierrez concludes his study with a discussion on what he sees as the three main areas of social justice in the Eighth Century, namely, the use of property, injustice to the individual (the poor, the slave, the stranger), and injustice through institutions.

There are several points which are immediately apparent after reading Gutierrez's work. First, it is a very brief study, and this in itself allows for only a superficial treatment of the subject. Second, there is a conspicuous absence of secondary sources in the body of the monograph, and this hints at an overly subjective orientation in the study. Third, Gutierrez overlooks key concepts, such as $\text{יִשָּׂר} [25]$ and $\text{עָשׂרִים}$, in his discussion.

The second study, in the form of a Ph.D. dissertation was presented by Claudemiro Mariottini. [26] Mariottini divides his study into four main sections. In the first section, he discusses "oppression" in the Ancient Near East, focusing in particular on Egypt and Assyria. He argues that the Oppressors

25 Gutierrez does mention $\text{יִשָּׂר}$, by way of a summary of an article on $\text{יִשָּׂר}$ by W. Mann in Encyclopédie de la Foi, volume 2. Edited by Heinrich Fries (CERF), 1965.

are the "Government" and the "Conqueror", while the Oppressed are the "governed" and the "poor and disenfranchised". This is followed by a section which discusses the factors that characterized Israel and Judah in the Eighth Century. In this regard, he isolates "prosperity", the "Assyrian threat", and the "Monarchy". The role of the monarchy is viewed with specific reference to social oppression. The third section focuses on the Eighth Century prophets' message against social oppression, while the final section seeks to discuss the Prophetic solution to the question of social oppression.

Certain observations regarding Mariottini's study come readily to mind. While Chapters 1 and 2 set the stage for the Prophetic critique in Chapter 3, Mariottini succeeds in only providing a general overview of the prophets' message. Specific texts are not discussed nor are elements distinctive to each prophet looked at. The brevity of Chapter 3 (35 pages) perhaps accounts for this. In this concluding section, Mariottini intimates that he will discuss the Prophetic solution, however this section centres instead on "Hezekiah's reform", the "Covenant Code" and the "Book of Deuteronomy".

The third study was produced by Devadasan Premnath. [27] Premath's investigation has to do primarily with historical and sociological questions which affected the economic state of Eighth Century Israel and Judah. The basis of the analysis that

Premnath undertakes is a "hypothetical reconstruction of the systemic social history of the Eighth Century Israelite and Judahite societies". [28] This study is divided into three main sections. In the first section, he provides a historical analysis of Israelite society, including a diachronic survey of the periods preceding the Eighth Century B.C.. The second section is a discussion of the passages in the Eighth Century prophets, which contain both implicit and explicit references to the process of Latifundialization. The concluding section explores the implications of the discussion for modern India. As the title of Premnath's dissertation suggests, it has to do with the question of Latifundia economy primarily, and thus does not incorporate factors such as "cult" and "Day of Yahweh" in the examination.

This brief overview of the studies which have been made in these three areas gives a clear indication of the variety of opinions and positions held. In this thesis, both 'pri and 'sōn will be examined, considering the different meanings associated with them, with a view to demonstrating the "relationship-oriented" nature of these concepts. While many studies have been written on these concepts, it can hardly be said that there is a consensus regarding their meanings. As Klaus Koch recently suggested, "Research into these two concepts ... is still in a state of flux". [29]

28 Premnath, Diss., p. ii.
αποθρασίας as "relationship" in this dissertation will aim to develop the thesis which was first proposed by Hermann Cremer, as opposed to "relationship" as understood by Pedersen. In Cremer's case, his interest was in providing background information for his study of δικαιοσύνη, thus his examination of αποθρασίας in the Old Testament is understandably brief. In order to provide a systematic investigation of αποθρασίας, all occurrences in the Old Testament will be examined. The use of a methodology such as this ensures that all contexts in which αποθρασίας occurs are considered, thus providing a more comprehensive conclusion. A similar methodology will be applied to the study of δικαιοσύνη. All occurrences of δικαιοσύνη will be examined with a view to showing also the "relationship-oriented" nature of this concept. In this regard, this study will depart from the commonly held understanding of δικαιοσύνη as a judicial concept.

Furthermore, the occurrences of αποθρασίας and δικαιοσύνη when used in the same context will be studied with a view to determining what possible relationship there might be between the two terms in the Old Testament. This in turn, will pave the way for the more specific investigation of a possible relationship between αποθρασίας and δικαιοσύνη when they occur together in the Eighth Century prophets. As Klaus Koch suggests in his dissertation, "Wer aber auf ein Gebirge zuwandert, sieht zuerst das Gebirge als ganzes, ehe er einzelne Gipfel unterscheiden kann". [30] In effect, this study will begin with a general examination of αποθρασίας and δικαιοσύνη in order to have a sound foundation for the discussion of αποθρασίας.

30 Koch, Diss., p. 8.
and ידוע as integral to the social critique of the Eighth Century prophets. That is to say, it will seek to demonstrate that ידוע and ידוע form the basis for the social critique of the prophets. All the areas of social injustice will be shown to be connected to ידוע and ידוע. Moreover, these different areas will be seen to be not only connected indelibly to ידוע and ידוע but integral to the whole existence of the people of Israel, both in their relationship with Yahweh and with each other.
CHAPTER I

I. BACKGROUND AND MEANING OF ־ת in the Ancient Near East

In the attempt to discuss the uses and meanings of ־ת in the Old Testament, we will look briefly at the background of this term, and while this is uncertain there are common theories in this regard. However, none has been able to claim the distinction of being foolproof or even going unquestioned. With the knowledge that unanimity may be impossible, we will nevertheless discuss three areas in Near Eastern Literature which will give us some idea of its background meaning. ־ת is widely found in the Semitic languages and the meanings which are derived from its use in these contexts show a distinct similarity to the use of ־ת in the Old Testament. [2]

A. Ugaritic/Akkadian

In the ancient Ugaritic epic of King Keret, there is an instance of the use of ־ת. [3] In this occurrence ־ת is used to mean "rightful" or legitimate", and clearly has a legalistic

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1 The term ־ת will be employed as the point of reference for both the root ־ת and its derivatives unless the discussion necessitates specific allusion to a particular derivative.

It is not surprising therefore that Ginsberg translates $\text{sgn}$ as "lawful". The root $\text{sgn}$ is used similarly in the Tel el-Amarna tablets. In no. 287 of these tablets, in which Abdu-Hiba pleads to the king, imploring him to believe that he is innocent, we find that the term $\text{sa-du-uk}$ is employed. Abdu-Hiba uses this term to aid him in the explanation to the king regarding his innocence. It is possible however that $\text{sa-du-uk}$ in this context could denote more than one idea.

Because there is no systematic punctuation in the original text, scholars and translators are faced with the task of punctuating their translations, using only the context as a guide. The original text reads: "...sa-du-uk a-na ia-a-si

3 King Keret has lost his entire family, including his progeny. In the introductory section of this epic, we are told that Keret has lost his "rightful wife"; "rightful" in this context is used for rendering $\text{sgn}$. See H.L. Ginsberg, trans. "The Legend of King Keret" ANET ed. James B. Pritchard. (New Jersey: Princeton University Press), 1969, p. 143. See also the following: Cyrus H. Gordon, Ugaritic Literature (Roma: Pontificum Institutum Biblicum), 1949, pp.66-83. David Hill, Greek Words and Hebrew Meanings SNTSMS (Cambridge University Press), 1967. Hill includes in his study a brief discussion of $\text{sgn}$ in the King Keret context, p. 82. Also, J. Swetnam, "Some Observations on the Background of $\text{sgn}$ in Jeremias 23.5a" Bibl 46 (1965), pp. 29-40. Swetnam observes that while the interpretation in the legend of Keret does not allow us to make apodictic statements, still the use of $\text{sgn}$ in this context points clearly to a meaning of "legitimate", p. 37.

4 ANET, p. 143.


6 Even though $\text{sa-du-uk}$ is in this Akkadian context, it does in fact have a western Semitic origin. See Ignace Gelb, et.al. eds. The Assyrian Dictionary, vol. 16 (Chicago: Oriental Institute), 1962, referred to hereafter as CAD.
as-sum am eluti ka-si-wi" [7], and as it stands it would be translated as "I am in the right with regard to the Kasi people." Albright translates no. 287, line 32 as an independent line and thus his rendering reads, "Behold, 0 King, my lord, I am right". [8] Because of the context, this must be understood as being "...I am in the right", which in effect casts a legalistic overtone upon it. Based on the story of Abdu-Hiba, sa-du-uk does have a forensic implication, for in fact Abdu-Hiba is pleading his innocence. [9] This forensic use, found in Semitic antiquity, is supported also by Knudtzon and Hill. [10] The CAD rendering of this section of the Tel el-Amarna letters is "...see my lord, I am right about the people..." [11] This is a version which in the opinion among scholars, neither does justice to the word nor fits the context in which it is found.

What is important in looking at the use of sa-du-uk in this context is that even though scholars such as Albright and Knudtzon punctuate the passage differently, [12] still the forensic use is kept intact. The connotations shift according to

7 Knudtzon, op.cit., p. 846, no.287, lines 32-33.
8 ANET, p. 488.
10 Knudtzon's translation, "Siehe, 0 König, mein Herr, Recht habe ich in Bezug auf die Kasi-Leute", suggests clearly a different punctuation from Albright, and points to a forensic meaning, op.cit., p.365. Hill is in agreement with Knudtzon on this point. Greek Words, p.82.
11 The CAD's rendering of this section gives an unacceptable connotation to sa-du-uk. It is transformed into something of a secular term, meaning "confirmed knowledge".
sentence structure, but the meaning of םד א as "right" is still derived.

B. Phoenician

A second example of the use of the פֶּה is found in Phoenician epigraphy.

The text is translated as follows. (1) The temple which Yehimelek, king of Byblus built - (2) it was he who restored the ruins of these temples (3) May Baal - Shemem and Baal(ath) - Yebal (4) and the assembly of the holy gods of Byblus (5) prolong the days of Yehimelek and his years (6) over Byblus as a rightful king and a true (7) king before the h[oly] gods of Byblus.

This inscription of Yehimelek [13] clearly contains this root. [14] This particular reference is dated in the Tenth

12 While Knudtzon focuses on the innocence of Abdu-Hiba regarding the Cushites, Albright uses "in the right" on behalf of Abdu-Hiba, in reference to disloyalty in the annexation of land.

Century B.C. by Albright [15] and if this use of הָלְקָי is deemed an authoritative reference, then it certainly would be a legitimate source for a study of its background. Because of a lack of context of the Yehimelek inscription, some scholars have argued that "the extrinsic value of authoritative interpretation is accordingly weakened." [16] However, even though there is no specific context in which the Yehimelek inscription can be placed, it is nevertheless of some use in determining the origin of sdq in the Ancient East. There is, in this inscription, indication that the verbal construction is not unique to this situation but in fact shows similarity to earlier texts. Albright notes that "it has not yet been observed that there is a striking verbal parallel between this passage, in which the abstract noun sdq and ysr are successively combined with mlk, 'king', and Keret I i:12f. :ʾatt sdq l-ypq mtrht ysrh ="Let him find his rightful wife, his true spouse." [17]

The strength of this reference as a source of confirmation for the background of הָלְקָי is further enhanced through the fact that here "there is the formalized language characteristic of western Semitic royal inscriptions." [18] Thus the parallel which is drawn between the Yehimelek and Keret references is strongly

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14 See Franz Rosenthal, "YEHIMILK of Byblos" ANET, p. 653. According to Rosenthal, this inscription records the dedication of a new building, possibly a temple.

15 As in Albright JAOS, pp. 156-157. Hill, Greek Words, p. 83, suggests a Twelfth Century date, but most scholars agree on a Tenth Century date.

16 Swetnam, art. cit., p. 32.

17 Albright, JAOS, p. 157, note 36.
supported by the Yehamelek inscription which comes some five hundred years after the Yehimelek inscription. In this inscription in lines 8-9 the words "ממלך צדק הוא וא" are found.

This text is translated as: "May the mistress of Gebal bless Yehamelek king of Gebal, and grant him life and prolong his days and his years over Gebal, for he is a righteous king." [19] Not only is this reference identical to the Yehimelek's ממלך צדק, but the terminology and constructions in other sections are also striking. In the Yehimelek inscription, there is a plea for the prolonging of the king's life in the words ... [20], a plea which resonates in the inscription regarding Yehamelek. ... [21]

This kind of stylised language however, is not unique to Byblos, for it is also found in Ancient Aramaic references, as we note in the text of Nerab, [22] which states:


20 Albright, JAOS, p.156.

21 Cooke, op.cit., p.18.

22 Rosenthal, ANET, p.661. This document was found in 1891 in Nerab, in the vicinity of Aleppo and dates back to about the Seventh Century B.C.
These lines are rendered in English as: (line 2) "because of my righteousness before him (3) he gave me a good name and prolonged my days." [23] What these examples serve to establish is not so much the precision with which the meaning on פְּזֵז is known, but rather to demonstrate certain traits which together give us reasonable assurance both of the use and meaning of פְּזֵז in the Ancient East. In all of this one factor distinguishes itself with some certainty, namely, that the uses of פְּזֵז in these Ugaritic, Phoenician and Aramaic references are within a forensic context. [24]

In this regard Hill makes an interesting observation. He notes that the use of פְּזֵז in the inscription of Yehimelek points to the quality of the rule of Yehimelek, rather than its legitimacy. He also believes that the Yehamelek inscription connotes the same meaning. [25] It is the idea that פְּזֵז in these references alludes to "quality" rather than "legitimacy" of rule that prompts Hill to examine the association of the root פְּזֵז with divine beings. [26] He notes that early references such as אֲבֶדֶן וְצָרִים (Genesis 14:18) and אֲבֶדֶן וְצָרִים (Joshua 10:1) bear

23 Translation from Rosenthal, *ANET*, p.611.

24 Rosenthal's translation of פְּזֵז in the Nerab text as "righteousness" does not fit this conclusion. This does not alter the forensic theory, for there is no clear reason why Rosenthal chooses "righteousness" as an appropriate translation for פְּזֵז within this context. For a brief discussion of Rosenthal's translation see also Swetnam, *art.cit.*, p.33, n.2.

an implication which is fulfilled in the use of the name. That is to say, the name expresses both the belief of the person who bears the name and also a confession of divine quality. [27] The principal interest for Hill in proceeding with this perspective is to show that in some way the early use of אד נא was associated with a deity. Regarding אד נא and אד נא he notes:

It is possible,...that the names should be construed like Jehozadak ('Yahu is righteous') to give the meaning 'My (The) Lord or King is righteous'. Likewise the Ugaritic nameSdk-il may mean 'Sdk is (my) God or El (EL) is righteous'. In either case, its use in personal names suggests the very early association of sdk with deity... [28].

The value of Hill's observations is twofold. First, it points to an early use of אד נא which can possibly be rendered "righteous". Second, אד נא, when it means "righteous" is used in the same context as God. It is clear that אד נא has a religious meaning, and other meanings as well, as will become apparent later in this chapter. It is true that in saying that אד נא in these references means "righteous" would be similar to saying as Rosenthal says, "sedaka means sedaka" [29]. Granted, there is no particularly concrete context from which to evaluate these references,

26 Hill arrives at an erroneous association at this point. There is no indication that Yehimelek's and Yehamelek's inscriptions refer to quality of rule. The preceding discussion points to a use of אד נא which is much more forensic than it is religious. In order for Hill to examine the relation of אד נא to divine being, it is not necessary to have a link to "quality of rule" in the Yehimelek and Yehamelek inscriptions, ibid., p. 83.

27 Hill, Greek Words, p.83.

28 Ibid., p.83.
yet כורס is used in association with אל וכרס and that in itself is of great significance.

C. Arabic

The third example of a possible background for כורס is found in pre-Islamic Arabic. Generally, the meaning which is derived from כורס in Arabic, has to do with "straightness" and that which is "right". [30] "The verb sadaka means to speak the truth; saddaka, to attribute truth to a speaker...; sidding is one who is habitually veracious, and sading, a true or sincere friend. All these embody the ethical idea of trustworthiness or genuineness." [31] The use of כורס in Arabic testifies to its use, particularly in the ethical sense, meaning "straightness". [32]

The discussion in the preceding three sections has allowed us to take notice of certain elements. In looking at the different views and theories regarding the background of כורס,


30 See Franz Rosenthal, who suggests that כורס meant "proper" in pre-Islamic Arabic and when used in a similar syntactic construction in Quranic Arabic, the meaning is the same. He says, "At least this meaning would make much better sense than "truthful" or the like, in the Quranic phrase mubawa'a sidkin, "a proper place" (Quran 10:93), HUCA, p.416. If in fact "proper" is rendered as the English equivalent of כורס in the Arabic, then the reference is clearly one which connotes subscription to an ethical norm. See also, Ibn Manzur, Muhammad ibn Mukarram al-Masri, Lisan al 'Arab, vols.11-12, Bulaq, 1303-7. In this Arabic encyclopedia we find the phrases "rajul sadq" meaning "righteous man".

31 Skinner, "Righteousness...", p.274.
it has become evident that unanimity is virtually impossible. What is evident, is that whatever information there is to be gleaned regarding יִשְׁלֹם, will come primarily from contextual observation. What then, can be said regarding the background of יִשְׁלֹם? First, it is clear that יִשְׁלֹם has had some association with deity. It is noted in the inscription of Yehimelek that he is a "מלך יִשְׁלֹם", and this legitimacy is obviously crucial in his bid to have his days prolonged. Twice in this inscription there is the use of יִשְׁלֹם, and clearly the association of יִשְׁלֹם with Yehimelek is vital in the sight of יִשְׁלֹם. Moreover the connection between deity and יִשְׁלֹם is seen in the names מלכי יִשְׁלֹם and יִשְׁלֹם-ינדס. Whatever might be missing from the precision of a firm context is certainly made up in number of occurrences.

Second, it can safely be said that the occurrences of סִדָּה in the Keret, Tel el-Amarna, Yehimelek and Yehamelek texts all point to a forensic use. In this regard, it is certain that סִדָּה in its oldest occurrence, is in a forensic sense; with all the differences and lack of contextual support, still the one common element in these texts is that סִדָּה is employed in a forensic context. Moreover, in these instances, there is a sense that סִדָּה

32 In this regard, Skinner believes that "straightness" could only refer to a "norm" and hence does not fit the concept of relationship, which he holds to be crucial in reference to יִשְׁלֹם, "Righteousness...", p.274. This view however is challenged by Achtenheimer who sees "straightness" as responsibility within a relationship. See, E.R.Achtenheimer, "Righteousness in the Old Testament", UDB vol. IV, ed. George Buttrick (Nashville: Abingdon Press), 1962. See also K.J.Scaria "Social Justice in the Old Testament" BE 4 (1978), p.165. The question as to whether יִשְׁלֹם must be understood in the context of "norm" or "relationship" will be discussed later in this chapter.

33 See above, p.29.
is used within a framework of "relationship". This may be seen in the case of Keret who loses his "rightful" (šdn) wife; this use denotes the nature of the relationship between the wife and Keret. In the case of no. 287 of the Tel el-Amarna tablets, the use of šdn as a term of relationship is somewhat more pronounced. That Abdu-Hiba is "in the right" with the Kasi people suggests clearly a matter of relationship between the two parties. The use of ṣṣ in the Phoenician inscription of Yehimelek of Byblos is in a way similar to its use in the Keret text, namely the nature of Yehimelek's relationship with Byblos. Even though these occurrences are forensic, nevertheless they are all used within contexts of relationship.

Third, the use of "straightness" as a rendering of ṣṣ points to an ethical principle. That this has to be understood in the context of relationship intensifies the ethical responsibility of the individual within community.

Fourth, we are constantly reminded of the difficulty in tracing the background of Old Testament ṣṣ. It is not so much finding a similar root or meaning, for these are evident, but rather to see ṣṣ used in similar ways as in the Old Testament. That is to say, the occurrences of šdn in Ancient Near Eastern Texts bring to the fore certain external similarities and points of reference for determining influence on Old Testament usage. However, what is missing from these examples is precisely that which is unique to the Old Testament, concepts such as "covenant" and "election" and of course the subject of Yahweh's presence in and association with Israel. To the extent that these examples
have allowed us to see the variety in meanings and the way they might have been of influence on the Old Testament, then they are useful; no more than this ought to be expected, for it is only in taking the variables of Old Testament life, culture and religion that a just comparison of uses of מֵאָּד can be entertained. The significance of these Near Eastern examples will become evident later in this chapter when the use and meaning of מֵאָּד in the Old Testament is discussed. It will then become clear that the religious, forensic and ethical elements of מֵאָּד, which are aspects of the uses in the Ancient Near Eastern Texts, are all intricately tied up in the Old Testament understanding of מֵאָּד, even though terms such as "Yahweh", "covenant", "election" will add to the complexity.

II. מֵאָּד IN THE LXX

One factor which will be useful in this discussion is to study the rendering of מֵאָּד in the LXX. It is noteworthy that the LXX overwhelmingly employs δικαιοῦν and its cognates in rendering מֵאָּד; δικαιοῦן and its cognates are used in this respect some four hundred and sixty times, out of a possible four hundred and ninety-three occurrences. If in fact, δικαιοῦן were always used to render מֵאָּד, then the transition would be smooth and we would be assured that the translators of the LXX perceived מֵאָּד as being only δικαιοῦן. However, this is not
the case, and there are at least two points with which to support this. First, \( \delta \kappa \alpha \iota \omicron \omicron \omicron \nu \) is not a term which is reserved specially for rendering \( \pi \\xi \), for it is used for a variety of words in the Old Testament. As an example here, Isaiah 57:1 uses both \( \pi \\xi \) and \( \tau \omicron \omicron \) and these are rendered by \( \delta \kappa \alpha \iota \omicron \omicron \) and \( \delta \kappa \alpha \iota \omicron \omicron \) respectively, in the LXX. The following list [34] gives an example of the vast spread of the meaning and connotation of \( \delta \kappa \alpha \iota \omicron \omicron \nu \). [35]

\( \tau \omicron \omicron \) (Genesis 19:19; 20:13; 21:23; 32:11 [10];
Exodus 15:13; 34:7; Proverbs 20:28) = \( \delta \kappa \alpha \iota \omicron \omicron \omicron \nu \)

\( \tau \omicron \omicron \) (Genesis 24:49; Joshua 24:14; Isaiah 38:19;
39:8; Daniel 8:12; 9:13) = \( \delta \kappa \alpha \iota \omicron \omicron \omicron \nu \)

\( \pi \omicron \omicron \omicron \omicron \) (I Chronicles 29:17) = \( \delta \kappa \alpha \iota \omicron \omicron \omicron \nu \)

\( \pi \omicron \omicron \omicron \omicron \) (Psalm 38:21 [LXX 37:21]) = \( \delta \kappa \alpha \iota \omicron \omicron \omicron \nu \)

\( \pi \omicron \omicron \omicron \omicron \) (Proverbs 17:14) = \( \delta \kappa \alpha \iota \omicron \omicron \omicron \nu \)

\( \pi \omicron \omicron \omicron \omicron \) (Genesis 20:5) = \( \delta \kappa \alpha \iota \omicron \omicron \omicron \nu \)

\( \pi \omicron \omicron \omicron \omicron \) (Proverbs 1:22) = \( \delta \kappa \alpha \iota \omicron \omicron \omicron \nu \)

34 For more examples and a longer discussion in this regard, see Gottfried Quell and Gottlob Schrenk Righteousness translated from Gerhard Kittel's Theologisches Wörterbuch Zum Neuen Testament (London: Adam and Charles Black), 1951, pp.2-3.

35 See C.H. Dodd, The Bible and the Greeks (London: Hodder and Stoughton), 1935. Dodd notes that \( \tau \omicron \omicron \) "lies outside the scope of what \( \delta \kappa \alpha \iota \omicron \omicron \omicron \nu \) meant to the Greek", p.43.
Based on the above references and their connotations, it is clear that the LXX, in rendering certain concepts (words) from the Old Testament, focuses on particular elements of these concepts. It is this disposition which evidently prompts the translators to use δικαίος not only for ἴματι, but also to translate all of the above terms. There is some element within each of these terms which can be used synonymously with ἴματι in particular contexts. It is evident from the variety of terms listed above, that there is no automatic matching of pairs of words, but rather, the connotation, Sitz im Leben are all taken into serious consideration. Having said this, however, it would
be difficult for us to deliver a reasonable explanation for δικαίος\u0391\u039a being used to render צד in Proverbs 1:22. What this all points to, is a problem that is built into any piece of material which undergoes translation. This is clearly a concern which we face in our attempt to find an appropriate meaning for צד. The fact is that צד has not only been translated into different languages, but in doing so it has also been interpreted, and as such, the rendering of צד is not only a translation but also an interpretation. For example, the Vulgate translates צד as justitia while the German word Gerechtigkeit is employed to translate צד. There is no doubt that in themselves these translations reflect elements of צד, however they fail to capture its versatility. [36]

Second, it has been noted that in the LXX, the word which is used overwhelmingly for צד is δικαίος and cognates, yet the richness of the concept of צד has prompted various other terms to be used to convey the appropriate contextual meaning. Once again we are reminded by the following examples that there is no precise, all-encompassing Greek parallel for צד. In the references which follow we see the variety of words employed, both the Greek and English equivalent. This is not an exhaustive outline, but a selective one.

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What seems to be evident as we study this list of references is the fact that ἐλλείψις within certain contexts connotes meanings which cannot be sustained by δικαιοσύνη and cognates; "Where... δικαιοσύνη differs from ἐλλείψις it is not a matter of difference in the meaning of the terms, but of different conceptions of the content of "righteousness". [37] Having observed this however, there are still instances where contexts in which ἐλλείψις is used appear to be left unconsidered when δικαιοσύνη is used as the appropriate term. An obvious occurrence in this regard is seen in Deutero-Isaiah, where ἐλλείψις is commonly rendered "deliverance", "vindication", "salvation", by the RSV precisely because of contextual considerations, such as the political, social and religious atmosphere. In Isaiah 46:13a, ἐλλείψις is used in the following context: ...κατά τοῦ ποδιός ἡμῶν [38] and these words are rendered in the LXX as: ἡγγαίοι ἡμᾶς δικαιοσύνην μου... The political

37 Dodd, op. cit., p.44.
context of Israel at the time of Deutero-Isaiah is certain to shape ἡμι in this text to mean "deliverance" or "vindication", for Israel is in bondage and Babylon its captor is about to fall. The Greek-reading person who reads this text in the LXX would certainly assume δικαιοσύνη to mean "righteousness" and not "deliverance", for the latter is not a concept which is associated with δικαιοσύνη. [39]

In addition to the variety of Greek terms employed to render ἡμι in the LXX, there is still another which is used in a somewhat more specialized manner. In several instances, ἐλεημοσύνη (pity) is used to render ἡμι, which in itself is not entirely strange, particularly in view of the other Greek terms which are also employed. However, with one exception [40], ἐλεημοσύνη [41] is used only in contexts where there is a reference to the ἡμι of Yahweh. [42] In some ways, the attempt here by the LXX to give precise meanings based on contexts occasions a critical problem. What the LXX has done is to create

38 Schrey, et al. translates ἡμι in this context as "righteousness". Clearly the context suggests that an English rendering of "vindication" or "deliverance" be used. See Heinz-Horst Schrey, et al., The Biblical Doctrine of Justice and Law (London: SCM Press, Ltd), 1955, p. 53. For a different view to Schrey, see Dodd, op. cit., p. 54.

39 δικαίοςύνη is also used similarly in Isaiah 46:12.

40 ἐλεημοσύνη is also used in Daniel 4:24 [LXX 4:27], where it does not refer to the ἡμι of Yahweh. Furthermore this is an Aramaic reference (נunlink).

41 It is interesting to note that ἡμι, in many of the apocryphal works of the Old Testament, is rendered by ἐλεημοσύνη. See for example, Tobit 4:10; 7:9; Ben Sira 3:30; 7:10; 29:12. For more discussion on this, see von Rad, Theol. I, p. 383n.
a dichotomy between the two natures of God. On the one hand Yahweh is perceived as a merciful, charitable, kind God, when ἐλεημοσύνη is associated with him, while on the other hand Yahweh is seen as a God of judgement and justice, as δίκαιος ἡμῶν is apt to imply. Dodd suggests that "...the two aspects of Ἰτούν are polarized into δίκαιος ἡμῶν and ἐλεημοσύνη. In place of the comprehensive virtue of Ἰτούν, we have justice on one hand, mercy on the other." [43]

The one unmistakeable point which has emerged from this is the fact that even though there is a great degree of consistency regarding the Greek rendering of Ἰτούν nevertheless the LXX has been unable to capture the richness and versatility of Ἰτούν.

42 See Deuteronomy 6:25; 24:13; Isaiah 1:27; 59:16; Psalms 24:8; 33:5; 103:6; Daniel 9:16. All these instances use the feminine Ἰτούν, with Isaiah 59:16 and Psalm 103:6 using the plural form. There is no evidence to support a theory that Ἰτούν and Ἰτούν are used differently in the Old Testament; in fact it is almost certain that they are used interchangeably. However, there may be patterns, and Rosenthal notes one, namely, that the translator's "purpose might have been to distinguish in his translation Ἰατρόν from Ἰατρόν and he occasionally translates Ἰατρόν through ἐλεημοσύνη which is a more abstract term and denotes more of an exclusively moral quality than δίκαιος ἡμῶν". Rosenthal, HUCA, p.428. See also, Alfred Jepsen, "Ἰτούν und Ἰτούν im Alten Testament" in Gottes Wort und Gottes Land (Göttingen: Vandenhoeck and Ruprecht), 1965. Jepsen suggests that Ἰτούν and Ἰτούν must be distinguished. Accordingly, he notes that Ἰτούν refers to "right order" while Ἰτούν refers to "right relation", which in turn leads to right order, p. 80. Agreeing with Jepsen on this point is Hans Heinrich Schmid, Gerechtigkeit, p. 67. There is really no support for Schmid's and Jepsen's theory either. See also, A.E. McGrath, "Justice and Justification: Semantic and Juristic Aspects of the Christian Doctrine of Justification" SLT 35 (1982), pp. 403-418. McGrath also sees a distinction between Ἰτούν and Ἰτούν. He notes that Ἰτούν is used in contexts which refer to weights and measures, while Ἰτούν does not. p. 408.

43 See Dodd, op.cit., p.56.
Before the translators of the LXX employed δικαιούν for ἡμι, the meanings and connotations were firmly fixed on the minds of the people, and for them, there was a particular connotation attached to δικαιούν. Hence ἡμι of the Old Testament is shaped to fit δικαιούν, rather than vice versa. One of the grave imbalances which necessarily results from this, is the picture of Yahweh as being principally a God of judgement. Whether this was in the mind of the translators when they employed selectively ἔλεημοσύνη, remains a mystery, but in so doing they simply created a sharp dichotomy in the nature of God. It is imperative that we are cognizant of the LXX rendering of ἡμι, for it will certainly be of importance as the general meaning of ἡμι in the Old Testament is discussed.

III. MEANING AND USE OF ἡμι IN THE OLD TESTAMENT

The meaning of ἡμι in the Old Testament varies considerably, depending on context, subject, time and circumstances. In order to understand the uses, a general overview of the occurrences of ἡμι in the Old Testament is necessary. In this manner we shall be able to recognise the way in which ἡμι is dispersed, the preponderance or lack of references within a certain framework (Prophetic, Wisdom) and the meanings associated with them.
The following distribution of \( \text{P'73} \) within the books of the Old Testament is designed to serve two particular functions. First, it will introduce to us, in a brief manner, the diversity of contexts \[44\], and meanings within each book and in so doing enable us to have in perspective, a contextual and functional distribution of \( \text{P'73} \). This is crucial as a foundation; later there will be an attempt to draw conclusions based on occurrences, use, context. Second, this is a necessary framework, out of which certain patterns of usage of \( \text{P'73} \) will be developed and analysed. That is to say, we will observe whether the contemporary understanding of \( \text{P'73} \) in the Old Testament is predicated on the notion of \( \text{P'73} \) developed by "J" and "E" or that used by the Prophets. Moreover, it will enable us to mark whatever distinctions there may be between usages, while noting the similarities.

\[44\] As a point of interest, when we look at the way the RSV renders \( \text{P'73} \), it can be seen that there are over a dozen different words that are used. The following will serve as an indication of this: honesty (Genesis 30:33), saving deeds (I Samuel 12:7), equity (II Samuel 8:15), triumph (Judges 5:11), right (Isaiah 5:23), victory (Isaiah 41:2), deliverance (Isaiah 46:12), uprightness (Jeremiah 4:2), vindication (Jeremiah 51:10), saving help (Psalm 40:10), truth (Psalm 52:3), righteous help (Psalm 71:24), salvation (Job 33:26), prosperity (Proverbs 8:18). What these terms demonstrate more than anything else, is the complexity and rich nature of \( \text{P'73} \). For further Old Testament references on these English translations, see E.R. Achtemeier, art. cit., p.80.
A. Occurrences of קדש in the Old Testament

GENESIS

There are fourteen occurrences of קדש and of this number, six (18:23, 24 [2x], 25, 26, 28) are used in the context of the Sodom and Gomorrah story. Whenever קדש is used in this story, it is employed in antithesis to פנים. Four other occurrences (6:9; 7:1; 15:6; 18:19) refer to the righteousness of Abraham; 6:9 and 7:1 simply note that Abraham is a righteous man. However in 15:6, Abraham is reckoned by Yahweh as righteous and in 18:19, it is used to describe Abraham doing קדש. Of the remaining four instances, one (20:4) is used in the context of Abimelech's plea to Yahweh for sparing those who are "innocent". The occurrence in 30:33 refers to the "honesty" (irut) of Jacob in his dealings with Laban. The occurrence in 38:26 involves the accusation of Tamar of being a harlot, yet perceived as being "more righteous" than Judah. In some ways, the occurrence of קדש in this context introduces us to the complexity of the Old Testament concept of קדש. [45] The final occurrence is in 44:16 and it is used in the hithpael (קדוש) in reference to the clearing of ourselves of guilt.

EXODUS

There are four occurrences with at least three different meanings and connotations. The first (9:27) involves Pharaoh's admission that Yahweh is "in the right" while he is "in the
wrong", clearly a use which appears to be forensic in nature, rather than religious. However, even though this use may be forensic in overtone, it is primarily concerned about the relationship which is in the process of being healed. That is, the relationship between Yahweh and Israel. When Pharaoh confesses that Yahweh is in the right, it is not so much a matter of judicial rightness as it is in reference to Yahweh's acts on Israel's behalf. The other three occurrences are in 23:7,8; two of which are in verse 7, both with distinctive meanings. The first use in 23:7 ties several ideas together; it follows verse 6 which condemns the perversion of justice to the poor and then in verse 7 itself יִדּוּ is used alongside יִדּוּ. In a sense then, יִדּוּ, יִדּוּ and יִדּוּ are used in the same context, not as synonyms but certainly related. The second use in verse 7 is employed in a legal sense meaning "to acquit" and finally in 23:8 the reference regards those who are "in the right"; once again a forensic use.

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45 Hill suggests that this occurrence in its particular context has nothing to do with ethical uprightness, but rather refers to the strength of Tamar's case in terms of the levirate marriage law. Hill, Greek Words, p.84. While the first half of Hill's observation may find consensus among scholars, the second part is seriously challenged. To say that the יִדּוּ of Tamar has to do with levirate marriage law is to cast a forensic connotation over יִדּוּ. In contrast to this, others have supposed that this reference is clearly in regard to Tamar's obligations to her familial relations. For agreement with Hill's view, see also Lester J. Kuyper "Righteousness and Salvation", SIT 30 (1977), p. 234. Also, J.P. Justeson "On the meaning of SADAQ", AUSS 2 (1964), pp. 53-61. Regarding this text, Justeson says, "because of the levirate marriage laws, Tamar in her deception, was more free from guilt or sin than Judah in his lust". p. 58. For a different perspective, see von Rad, Theol. I, p.374.
LEVITICUS

All of the five occurrences are found within the "Holiness Code", and four of them are in 19:36. In the commands of chapter 19, is included one (19:15) which involves judging; instead of administering judgement doing יְטָב , do it rather with יְטָב . This occurrence of יְטָב lends credence to the concept of "righteous judgement". The remaining four instances of יְטָב are all clustered in 19:36, all being used in the context of ethics with respect to weights and measures. The use of יְטָב in this context creates some degree of difficulty in interpretation. [46] It is certainly not suggestive of a religious connotation, yet this element cannot be overlooked, for once again we are reminded that even mundane items such as מִנְיָמִים , מַכָּא , וְרָאָה are associated with יְטָב , and it is precisely in these areas of life that יְטָב is needed to protect the victims.

NUMBERS

No occurrences.

DEUTERONOMY

There are sixteen occurrences with a diverse set of meanings. In 16:18-20, יְטָב is found in four instances, all of

46 It is interesting to note that the LXX renders the occurrences of יְטָב in this context with cognates of δικαιοσύνη. This is a suitable translation, particularly for the Greek-speaking world at the time; it corresponds with their understanding of δικαιοσύνη and demonstrates the meaning of יְטָב in this context. Equally interesting is the fact that the RSV translates these occurrences with "just", intimating a clearly forensic overtone.
which are used in the context of "doing justice" to the poor and not perverting justice and taking bribes. In 9:4-6, there are three occurrences which are used in a somewhat negative sense in order to emphasize to Israel that it is not on account of her P73 that she will possess the land, but only through the P73 of Yahweh, the sole decision-maker. [47] Also, P73 is used twice in 25:1, once to mean "innocent" and a second time to mean "acquit". Both of the occurrences are clearly within a forensic framework (cf. Exodus 23:7). On two occasions, P73 is used as an attribute, once in 32:4 in connection with Yahweh and in 33:21 in association with Gad; in both of these instances it is used together with נביד. P73 as "righteous" describing the ordinances of Yahweh is in 1:16, while in 4:8, it is used in the context of a rhetorical question, pointing to the greatness of Yahweh's righteous ordinances. The ethical aspects of P73 come into consideration in 24:13 where it is used regarding the "restoration of pledges" to the neighbour, and in 25:15 where it is employed in association with "weights and measures". [48] Finally, in 33:19, it is used in the contexts of sacrifices; what are desirable and expected are not sacrifices which are simply mechanical, but ones which are intricately connected with P73.

[47] Even though this allusion to the P73 of Yahweh does not make explicit reference to the dynamic nature of Yahweh's P73, nevertheless it is implied in the fact that Yahweh does something on Israel's behalf, through his P73. The P73 of Yahweh becomes explicit later at it begins to be understood in the context of "deliverance", "vindication", and "salvation".
JOSHUA

No occurrences.

JUDGES

There are two occurrences, both in 5:11; two of the oldest uses of יִשְׂרָאֵל in the Old Testament. They are a part of the Song of Deborah which sings of the "triumphs" ( נַפְיִים ) of Yahweh and the "triumphs" ( נַפְיִים ) of his peasantry in Israel. [49]

I SAMUEL

Each of the three occurrences here has a specific context in which it is used. In 12:7, Samuel reminds Israel of the "saving deeds" ( נַפְיִים ) of Yahweh on their behalf and in 24:18 [17] it is used in the context of David sparing Saul's life, even though the latter is undeserving of this act; this prompts Saul to remark מְדִינָתיוּ תָּמִיד. [50] Finally in 26:23, it is used as an attribute of an individual, one which is rewarded by Yahweh.

48 יִשְׂרָאֵל used in the context of "weights" and "measures" is fairly common as we note in Deuteronomy 25:15, Leviticus 19:36, cf. also when יִשְׂרָאֵל is used with weights and balances, Proverbs 16:11. See also, Ezekiel 45:10 which has the theme of "just weights and balances" but which uses only יִשְׂרָאֵל.

49 It is interesting that יִשְׂרָאֵל in this context speaks clearly of the יִשְׂרָאֵל of Yahweh in a manner which suggests action. In making Israel triumph over her enemies, Yahweh demonstrates two basic elements of יִשְׂרָאֵל: I) Yahweh acts on behalf of his chosen people and brings them victory and II) יִשְׂרָאֵל is much more than an abstract concept; for Yahweh and Israel, it is most clearly understood in tangible deeds. See note 47 above.
II SAMUEL

Of the seven occurrences, in three instances (8:15; 15:4; 23:3) הָדֶשׁ suggests something which can be administered (e.g. equity, justice) by an individual. In 8:15, it is used within the context of the king administering "justice" and "equity" (נְהָדֶשׁ) to the people. This reference is singularly important as it points to an element in Israel's society which is often missing in its later history, namely הָדֶשׁ and הָיָם on the part of the king. In 23:3, the significance of "just rule" is underlined by the idea that it is like the beauty of nature. In 15:4, Absalom [51] is portrayed as one who longs to bring הָדֶשׁ to anyone who has a cause. [52] Of the remaining four occurrences, twice (22:21; 22:25) it is used in reference to individual

50 Hill suggests that הָדֶשׁ is employed in this context, "with reference to the duty of preserving the life of the Lord's anointed." Greek Words, p. 85. Hill's observation gives the allusion that there is an objective standard which is established for the protection of kings and with this in mind David is "more righteous". However, it is more probable that David understands the relationship of king to community as that of Yahweh to Israel and hence acts the way he does.

51 On this particular reference, Pedersen points out that Absalom is rather reckless in his ambition to bring הָדֶשׁ to all who are needing הָיָם. It is not so much that the ideal is wrong or unethical, but rather it is a question of the way הָדֶשׁ is understood by Absalom. His action suggests that anyone who comes to him will be proved right - whether justly or not. Israel I-II, p. 346. See also, Justeson, art. cit., who says that Absalom's words must be understood in a forensic sense. p. 55.

52 RSV renders הָדֶשׁ "justice" while הָיָם is "cause" in this context. In the MT, the suggestion from this context is that those who lack הָיָם seek הָדֶשׁ, which is what Absalom hopes to offer. This kind of relationship between הָדֶשׁ and הָיָם is uncommon in the Old Testament and thus it is not surprising that the complexity is diluted in the RSV by the respective use of "justice" and "cause".
righteousness and once (4:11) it is in antithesis to יֵזֵר. Finally in 19:29 [28] it is used in the sense of a "right". Mephibosheth's plea to David is one based on his inherent "right" as Saul's son, even though in this instance, he is unsure as to whether this "right" is sufficient.

I KINGS

Three of the six occurrences are found within Solomon's dedication prayer, specifically in 8:32. In this section Solomon prays to Yahweh that he would vindicate (-peeretz) the righteous (pira') and reward him according to his righteousness (nezeret). These three occurrences point to a God who executes judgement, for not only will the "righteous" be vindicated, but the guilty will be condemned. In this context, פָּרֶץ is used in a forensic manner. In 2:32, there is the term "more righteous" being used again (cf. Genesis 38:26 and I Samuel 24:18). In this instance Solomon describes Abner and Amasa as being "more righteous" than Joab. This comparative description of Joab is clearly not be to understood in a religious framework, but rather Abner and Amasa were "more righteous" in terms of their execution of their commitments to the community, namely, commanders of the armies of Israel and Judah. In essence then, Abner and Amasa were "more righteous" because they played a special role within their community. As leaders, they were responsible for the welfare of the people; their success meant that this special relationship within the community continued. In 3:6, it is used in reference to the character of David and in 10:9 it is found within the
context of the Queen of Sheba's words regarding Solomon as a king who Yahweh elected so he might execute מַטָּה and מַשְׂכָּב.

II KINGS

The one instance occurs in 10:9, where Jehu tells the people that they are "innocent" regarding the killing of Ahab's sons. Even though the English term for מִטָּה is "innocent" which carries a forensic overtone, nevertheless the sense of the context, suggests an ethical one. Having said so, this is only in reference to the immediate context. The larger context which is seen in chapter 10 suggests clearly that Jehu's involvement in the killing is precisely for one reason, namely the cleansing of Israel of those who would disobey Yahweh. The disobedience of Yahweh and the worship of Baal are both expressions of brokenness and in the killing of those who opposed Yahweh is meant to repair this broken relationship.

ISAIAH 1-39

There are twenty-seven occurrences and of this number, four (10:22; 11:4; 26:9, 33:5) are in reference to Yahweh. The occurrences are used in contexts which point to an active sense of מַטָּה, in so far as it is connected with Yahweh. Three of these four (10:22; 11:4; 26:9) demonstrate the dynamic sense of מַטָּה in the contexts of "judgement" and "destruction". Of these four, 33:5 may be post-exilic. [53] In four other instances, מַטָּה is used in a forensic manner. Three of these instances are
in 5:23, while the fourth is in 29:21. The English equivalents of the three uses of בָּשָׁר in 5:23 are "acquit", "innocent", and "right" respectively; this particular verse is part of a long series of "woe" oracles. In 29:21, the other instance in which בָּשָׁר occurs, it is associated with forensic language such as "offender", "gate" (here referring to a place of executing judgement) and "plea". There are four occurrences when בָּשָׁר is used in the context of "ruling"; once (11:15), it refers to the Messianic figure who will rule with בָּשָׁר, and on three occasions (9:6; 16:5; 32:1), it refers to the future rulers and Kings of Judah. In four other instances (3:10; 26:7 [2x], 33:15) it simply refers to "the righteous".

In the remaining eight occurrences, בָּשָׁר is used in 1:21 in comparison to סָדוֹת , where the latter is seen to have replaced בָּשָׁר . In similar fashion in 5:7, בָּשָׁר is replaced by בַּשָּׁר . In 1:26, when the city of Jerusalem is restored, it will be called בָּשָׁר וְזֵרֵי while in 1:27, בָּשָׁר is tied to the act of repentance. In 26:2, it is used to describe Judah; it is a song of victory, for Judah will become a "righteous" nation. In 26:10, it is used in antithesis to בָּשָׁר and in 28:17, it is coupled with בָּשָׁר as the standards with which Judah will be judged. Finally, in 32:17, בָּשָׁר brings "peace" and "serenity".

53 This section of Isaiah chapter 33 contains admonitions and post-exilic oracles. It has been called a "prophetic liturgy". This prophecy points to the destruction of a certain world power. Certain elements in the prophecy make it clear that the conditions which are being described are contemporary and not apocalyptic. Perhaps the most obvious point which suggests a later authorship has to do with the message of the chapter, namely, the rising fortunes for Jerusalem and the destruction of the enemy. See Otto Eissfeldt, The Old Testament trans. Peter Ackroyd (Oxford: Basil Blackwell), 1965, p.327.
ISAIAH 40-66

There are fifty occurrences here and of this number, seventeen (41:2,10; 45:8,19,25; 46:12,13; 50:8; 51:5,6,8; 54:14,17; 61:11; 62:1,2; 63:1) are in respect to Yahweh as a God who does וְדִי. In these contexts, וְדִי is used to connote "deliverance", "vindication", "declaring וְדִי", "establishing וְדִי". It is in these instances that there is the greatest indication of וְדִי as a dynamic concept, particularly with regard to Yahweh. In eight other instances (48:18; 51:7; 57:1 [2x],12; 58:8; 59:16; 60:21), וְדִי is used in the least technical manner, simply to refer to "the righteous". There are also seven occurrences (42:6,21; 45:13,21,23,24; 58:2) in which וְדִי is used as an attribute of Yahweh. In four instances (48:1; 58:2; 64:4 [5], 5 [6]) וְדִי is used in an active sense; used in these contexts, it can be rendered "deed" in English. Four other instances find וְדִי being used as a part of a metaphor: in 59:17 it is "וְדִי as a breastplate"; in 60:17, it is more in the figure of a personification, when וְדִי is seen as a taskmaster; in 61:3 there are "oaks of וְדִי " and in 61:10 there is "robe of וְדִי ". On three occasions (43:9,26; 59:4) it is used in contexts which suggest a forensic use. In two other instances (41:26; 58:2) וְדִי is used to refer to Yahweh in contexts where the connotations are ethical and judicial respectively. The use of וְדִי in 51:1 and 56:1 is related. In 51:1, it is used in the context of Yahweh speaking to those who "pursue deliverance", while in 56:1, it is within a context which finds the prophet calling for וְדִי and וַדִּי to be done. In
59:9,14 פִּין is seen as something crucial, which is absent from society. With the absence of פִּין and דָּךְ (which is used in both contexts), the community now has "darkness" instead of "light" and "gloom" instead of "brightness". Finally, in 53:11, there are two occurrences, one which describes the suffering servant and the second noting the new state of those for whom he will suffer.

JEREMIAH

Of the eighteen occurrences, four are used in reference to Yahweh. In 12:1, it is mentioned as an attribute, and in 9:23 [23], 11:20 and 51:10 it is used in an active sense; in the first context, it is noted that Yahweh practises פִּין while in the second instance, Yahweh judges with פִּין . In the third occurrence, Israel is vindicated (פִּין) by Yahweh, a vindication which is seen in part through the punishment of Babylon. There are three occurrences in 23:5,6 all of which are in reference to the "righteous branch". This king will execute both פִּין and דָּךְ, and in fact Israel and Judah will become secure. This king will be the embodiment of righteousness and hence his name will be יְתוֹם. The words and message of 23:5,6 are repeated verbatim in 33:15,16. On two other occasions פִּין is used in connecting themes; in 31:23 it is used within the description regarding the restoration of Israel; Yahweh says that Israel will be known as the "habitation of righteousness".

54 "Israel" is here referring to the "people of Yahweh" and not to the Northern Kingdom. In 31:23 and 50:7, Israel and Judah are both mentioned - in the first place, sinning against Yahweh and then being restored.
In 50:7 Yahweh is described as Israel's "true habitation" (דָּוֵד) and it is against Yahweh that Israel [54] has sinned. Of the remaining four occurrences, twice it is used in the context of Israel's estrangement from Yahweh. In 3:11, "faithless" Israel is seen to be less guilty than Judah, and in returning (3:12), 4:2 looks for a confession of the פָּרָשָׁה of Yahweh. In some ways, these two occurrences are most fundamentally the ones which reflect the relationship between Yahweh and his people. That is to say, faith on the part of Israel keeps her in communion with Yahweh and when faith dwindles then only repentance (נָתַן) can restore it [55]. The final two occurrences are used in 20:12, a context which notes that Yahweh puts to the test the righteous, and in 22:3, where there is the call to do פָּרָשָׁה and סָדַּב. This is a particularly important occurrence for two reasons. First, Yahweh's message is to the king, who is the person with the greatest responsibility for the executing of פָּרָשָׁה. Not only is he the ruler but in that position, he is also Yahweh's deputy. Second, there is a certain class of people who is specified, the ones who are apt to be oppressed, the orphan, the widow, the alien. The importance of justice for these people is seen not only in their inherent right for this, but perhaps even more important, is that oppression of these individuals would lead to brokenness in the society which creates a rift in the covenant relationship. Thus Yahweh's message to the King, must be seen in the light of Yahweh's

55 The words which are in 3:11 (נָתַן) and in 4:1 (נָתַן) are both derivatives of נָתָן, the term which is most often employed to refer to "repentance". It is interesting to note that נָתַן in 3:11 is in reference to Israel's "turning away".
Of the forty-one occurrences in this book, twenty-four are used within contexts which dwell on the elements that result in "life" or "death". [56] Seventeen of these instances (3:20 [3x]; 3:21; 18:24 [3x], 26; 33:12 [4x]; 33:13 [3x]; 33:18 [2x]), are used in contexts which call attention to the fact that turning away from righteousness leads to "death". In effect, righteousness is not a policy of assurance which guarantees that righteousness at one period in an individual's life is enough to ensure a continuation of life. Rather, righteousness is regarded (implicitly here) as something which is dynamic, it is a life long process. The parallel view is seen in nine instances (18:5 [2x] [57], 9, 21, 22, 27; 33:14, 16, 19). In these instances, it is expressed many times that "life" comes from righteousness, even if the person in question was once "wicked". Righteousness in these instances is portrayed as being able to overcome and erase wickedness. Five other occurrences (14:14, 20; 18:19, 20 [2x]) are used in respect of the possibility of righteousness being

56 Von Rad, observes that "the nature of righteousness and who the righteous man is, is determined by Jahweh alone, and a man lives as he acknowledges this", Theol., I, p. 379.

57 This is one of the rare instances in the Old Testament where there is an explicit listing of the elements which constitute תַּנּוּרִים. In 18:5-9, we have items such as "lack of oppression", "restoration of dues to debtor", "no robbery", "feeding the hungry", "clothing the naked", "lending without interest", "executing justice" and "keeping the ordinances". While there is no indication that this list is exhaustive, it clearly includes many of the salient elements which are scattered throughout the Old Testament.
hereditary or transferable. In these contexts, it becomes clear that the "sins" of the parents are not inherited by the children and conversely the righteousness of some will be of no use to those who are "wicked". Four other occurrences are found in 45:9,10 [3x], all of which are used in the context of doing יִישָׁו. In 45:9, the doing of יִישָׁו and עַשָּׁה is seen as desirable acts, as opposed to doing עָזַה and כָּלָה. The three appearances of יִישָׁו in 45:10 underline a use which has already been discussed. [58] In this instance, יִישָׁו has practical implications, and has clear ethical overtones. On three occasions (21:8,9 [3,4]; 23:45), יִישָׁו is used to refer to those who are "righteous". In 23:45, "the righteous" is used in somewhat of an ethical sense, connoting in this particular context, those who are not adulterous. In 21:8,9 [3,4] "righteous" is seen in antithesis to "wicked", even though in these particular references, the fate of the יִישָׁו and כָּלָה are the same. The three remaining occurrences of יִישָׁו are in 16:51,52, where the situation in Jerusalem is compared with such nations as Samaria and Sodom. In 16:51, it is noted that Samaria has not committed half the sins of Jerusalem, a situation which makes Samaria "appear righteous" [59] in comparison; this phrase is also repeated in 16:52. The first of the two occurrences in 16:52 may be used in the sense of being "in the right". [60] Finally in 13:22, יִישָׁו is in fact viewed in antithesis to כָּלָה.

58 For similar occurrences of "balances" and "measures" see above, note 48.
There are four occurrences and of this number, two are in 10:12. In this context, there is much farming imagery. Israel is living in "fallow ground" which suggests readiness for farming but absence of seeds. The prophet suggests that Israel sow פָּרָה and she will reap יַעֲמֹד and in so doing, Yahweh will "rain" פָּרָה upon her. In 2:21 [19] פָּרָה is used as a part of the marriage imagery, between Yahweh and Israel. One of the qualities which Yahweh will bring into the relationship between Israel and himself, is פָּרָה. Finally in 14:10 [9] it is used in the

59 The Piel ( הָפּרָה ) form of פָּרָה , because of the context is best translated "appear righteous". Dodd suggests that this form of the verb can never carry any connotation having to do with the "declaration of righteousness" or "making righteous". He argues that "appearing righteous" is subsequently an erroneous rendering of הָפּרָה , rather it should be translated "in the right", op.cit., p.47. It is arguable here, that Dodd's theory demonstrates weakness on two counts. First, "in the right" as Dodd suggests implies a forensic sense, which in turn presupposes that Israel is in a legal harangue with Sodom and Samaria. This is clearly untenable, as chapter 16 focuses on the apostasy and "harlotry" of Israel; that Sodom and Samaria among other neighbouring nations are mentioned, is not to detract from the underlying theme, namely, the breakdown of the relationship between Israel and Yahweh. The significance of the contiguous nations in this regard is clearly tangential. Second, as we noted earlier, the major point in this chapter has to do with the relationship between Israel and Yahweh. With this in mind, it is not possible that Sodom and Samaria are "in the right" with Yahweh, over against Israel. Israel and Yahweh are in a covenant relationship, they are Yahweh's chosen people; they alone can be "in the wrong" or "in the right" in that relationship. Sodom and Samaria are used as props in a drama which involves directly only Israel and Yahweh. As such, none of the contiguous nations mentioned in chapter 16 is in a position to vie with Israel, regarding the relationship with Yahweh; only Israel can be "in the right" in this respect.

60 Hill notes that, "Samaria and Sodom" are more "in the right" at "judgement than Jerusalem, because the extent of their sinning is less great", Greek Words, p. 85.
context of a request to Israel to return to Yahweh, whose ways are "right" (יוהו); Yahweh's ways are "right" presumably over against those of idols.

JOEL

The one occurrence, which is in 2:23, is used in a context which points to the vindication of Israel by Yahweh. Israel is vindicated on several counts in this chapter - the remission of the plague, verse 20; the restoration of the covenant, verses 26-27 and specifically, in the context with which this study is concerned, the return of fertility. This is an important occurrence particularly because there is a clear association between the vindication of Israel and the restoration of the covenant. What is at stake here is the relationship between Yahweh and Israel.

AMOS

Of the five occurrences, three (2:6, 5:7,12) point to the way יהוה has been crushed. In 2:6, it is in the form of a judgement oracle. Here, there is judgement against Israel for selling and oppressing the "righteous", and in this instance a formula identical to the ones used against Judah and Moab is incorporated in the judgement oracle against Israel. In 5:7, יהוה is trampled into the ground by Israel, while in 5:12, it is in reference to those who are being afflicted, "the righteous". In 6:12, יהוה has become poisonous; this occurrence forms a part of an answer to two rhetorical questions which in their
respective forms indicate that certain things in life are impossible, implying simultaneously that destroying פּוֹחִי is one such thing, but yet Israel is able to turn פּוֹחִי, into wormwood. Rather than this, what is needed is for פּוֹחִי to tumble down like water (5:24), an idea which displays movement, action, dynamism.

OBADIAH

No occurrences.

JONAH

No occurrences.

MICAH

Both of the occurrences in this book are in reference to Yahweh, in an active sense. In 6:5, the prophet recounts for Israel, the saving acts (פּוֹחִי) of Yahweh on their behalf, and proceeds to outline for Israel the many expressions of their sins against Yahweh. In 7:9, פּוֹחִי is used in the context of Israel's deliverance, by Yahweh. [61]

NAHUM

No occurrences.

61 Some have argued that chapter 7:8-20 is a late addition to Micah and hence cannot be viewed as a legitimate expression of his preaching. For a discussion of this view, see Eissfeldt, op.cit., pp.411-12.
HABAKKUK

There are three occurrences and two of these (1:13, 2:4) are used in contexts which place נ rsa in antithesis to some other concept. In 1:13 it is in opposition to "wicked" while in 2:4, it is against "those who are puffed up". The third occurrence is in 1:4 and in this instance נ rsa is employed in its most complex use of the three occurrences. The clearly recognizable use is as an antithesis to "wicked", but in this context, the "wicked" are those who pervert the law, something which directly affects the righteous. נ rsa here is used alongside שְׁמֹאֹל, which is used twice in this verse.

ZEPHANIAH

Of the two occurrences, the one in 2:3 finds the prophet imploring the people to "seek righteousness", an act which may ultimately save them from the wrath of Yahweh. The occurrence in 3:5 is used in the context of describing Yahweh; this however is not a mere attribute, but one which is reflected in the acts of Yahweh, such as showing justice.

HAGGAI

No occurrences.
ZECHARIAH

Of the two occurrences, the one in 8:8 is found within the context of the description of the restoration of Israel. In this instance, when Israel is restored, there will be a reciprocal relationship "they shall be my people and I will be their God", and this relationship will exist in "faithfulness" and "righteousness". The second occurrence is in 9:9 and here it describes the "Prince of Peace" entering Jerusalem. [62]

MALACHI

There are three occurrences and each is used in a different manner. In 3:3 it is in reference to the kind of offerings which are acceptable, namely, ones which are given in προσφυγία. In 3:18, it is used in antithesis to "wicked"; the "righteous" serve Yahweh while the "wicked" do not. Finally in 3:20 [4:2] it is part of a metaphor which is associated with Yahweh.

PSALMS

There are one hundred and thirty-five occurrences here and most of these can be classified in two main categories. Fifty occurrences (1:5,6; 5:13 [12]; 7:9,10; 11:3; 14:5; 17:1,15; 18:21 [20], 25 [24]; 32:11; 31:19 [18]; 33:1; 34:16 [15], 20 [19], 22 [21]; 37:12,16,17,25,28,29,30,32,39; 45:5 [4]; 52:8 [6]; 55:23 [22]; 58:11 [10], 12 [11]; 64:11 [10]; 68:4 [3];

62 This particular reference is used by the Gospel writers to describe Jesus as he triumphantly enters Jerusalem. See Matthew 21:5, John 12:14-15.
69:29 [28]; 92:13 [12]; 94:15,21; 97:11,12; 112:6; 118:15,20; 119:121; 125:3 [2x]; 132:9; 140:14 [13]; 141:5; 142:8 [7]; 146:8) are in reference to those who are righteous and many of these are used in antithesis to terms such as פֶּה רַע. Even though 132:9 is included in this category, it is not simply an attribute which is associated with the priests, but more of a requirement and expectation, cf. Job 29:14. The second category has פֶּה in association with Yahweh. In this regard, there are three main sections. First, there are thirty-five occurrences (4:2 [1]; 5:9 [8]; 7:18 [17]; 11:7 [2x]; 19:10 [9]; 35:28; 36:7 [6], 11 [10]; 50:6; 71:16,19; 72:1,2; 85:12 [11], 14 [13]; 89:17 [16]; 103:17; 106:3,31; 111:3; 112:3,4,9; 116:5, 119:40,138,142 [2x],144; 129:4; 143:1,2,11; 145:7) which simply refer to the righteousness of Yahweh without any particular contextual overtone. Second, there are twenty instances (22:32 [31]; 24:5; 31:2 [1]; 35:24,27; 37:6; 40:10 [9], 11 [10]; 48:11 [10]; 51:16 [14]; 65:6 [5]; 71:2,15,24; 82:3, 88:13 [12]; 98:2; 103:6; 119:123; 145:17) in which פֶּה is used within the context of Yahweh's dynamic righteousness. That is, in these occurrences, there are references to Yahweh's "vindication", "salvation", "deliverance", "saving help" and "ways". Third, there are ten occurrences (7:12 [11]; 9:5 [4], 9 [8]; 15:2; 51:6 [4]; 96:13; 98:9; 99:4; 119:75,137) which use פֶּה in the context of "righteous judgements of Yahweh". Clearly in these contexts פֶּה is not meant to be seen as an attribute of Yahweh, but rather to be seen in a judicial sense.
There are also six occurrences, all in Psalm 119 (7, 62, 106, 160, 164, 172), which refer to the ordinances of Yahweh and in three other instances (72:3, 7; 85:11 [10]), צָלֶל is viewed as the source out of which peace and serenity come. In 33:5; 45:8 [7]; and 106:3, it is viewed as an aspect of life which is pleasing to Yahweh. In 4:6 [5] and 51:21 [19], it is used in reference to sacrifices; the only sacrifices which are acceptable are "right" (צָלֶל) sacrifices. צָלֶל in this context does not refer to a type or kind of sacrifice, but rather, to the attitude of the presenter. The external characteristics of the sacrifice will not change, whether "right" or not, but if it is to be "right", then the one who is making the sacrifice must be צָלֶל. [63] In 58:2 [1] and 69:28 [27], it is used in a judicial sense; while in 89:15 [14] and 97:2, it is used in the description of the throne of Yahweh - one which has its foundation in צָלֶל and נְשָׁב. Finally, in 23:3, it is used in the context of Yahweh leading in the "path of righteousness", while in 118:19, it is found in still another metaphor, in the phrase "gate of righteousness".

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63 See, Randall T. Ruble, "A study of the root סדק in the Psalter". (Ph.D. dissertation, University of Edinburgh), 1964. Regarding Psalm 51:21, Ruble observes that, "the sacrifice which is acceptable to God is in the final analysis a broken spirit and a contrite heart (v. 19) and this is precisely what is demanded by Yahweh in his relation with his covenant people. A sacrifice of סדוק is thus a sacrifice which is offered not simply in accordance with a prescribed cultic format but one which expresses the life of a man who has been obedient to Yahweh by fulfilling the demands of his covenant." p. 280.
There are thirty-four occurrences, ten of which (10:15; 17:9; 22:19; 27:6; 32:1; 34:17; 35:7,8; 36:3,7) are used in the context of an individual attribute. In nine occurrences (9:15,20; 12:4; 27:5,17; 32:2; 33:12; 34:5; 35:2), פִּתְחָת is used in reference to Job's "innocence". When used in this context, it portrays Job as a party in a trial, Yahweh being the other party. In two of these instances (27:17 and 32:2) Job pointedly declares that he is the one who is innocent and not Yahweh. As used in this context פִּתְחָת is clearly meant to be forensic. In six other occurrences (4:7; 9:2; 11:2; 15:14; 22:3; 25:4), פִּתְחָת is found within the context of rhetorical questions all aiming to underline the futility of boasting of personal פִּתְחָת before Yahweh. On three occasions (8:3; 37:23; 40:8) פִּתְחָת is used in reference to Yahweh, pointing to the fact that he is a God of פִּתְחָת and will not pervert it. In 6:29 and 13:18, Job pleads for his "vindication" (ָנִיטֵר). Both of the occurrences in 31:6 and 33:32 point to a forensic use; the former finds Job pleading with God to have a "just" (פִּתְחָת) balance while the latter occurs in Elihu's reproval of Job. Finally in 29:14 it is a part of the description of Job's character while in 33:26 it is in the context of describing Yahweh's salvation (נְזָרַע) which he gives to the people.
There are eighty-four occurrences and forty-five of these (10: 3, 6, 7, 11, 16, 20, 24, 25, 28, 32; 11: 5, 8, 18; 12: 3, 5, 7, 10, 12, 21, 26; 13: 5, 9, 25; 14: 19, 32; 15: 6, 9, 28, 29; 17: 15; 18: 5; 21: 12, 18, 26; 24: 15, 16, 24; 25: 26; 28: 1, 12, 28; 29: 2, 7, 16, 27) are used in some form as antithetical references to יְהֹוָה. In this way, these occurrences outline the many benefits which come to "the righteous" and the setbacks and punishments which befall "the wicked". Used in similar fashion, are eleven other occurrences (10: 21, 31; 11: 6, 9, 19, 30; 12: 13; 13: 6; 14: 34; 21: 15; 29: 6). These occurrences are all used antithetically, but in these instances יְהֹוָה is pitted against such concepts as "evil", "godless", "treacherous", "fool", "sin", and "perversity". In six instances, (9: 9; 16: 31; 17: 26; 18: 10; 20: 7; 23: 24) it refers to those who are "righteous". On five occasions, it is used in contexts which outline what are some of the fruits of righteousness, blessings (3: 33), prosperity (8: 18; 13: 21) and life (12: 28; 21: 21). On another five occasions (8: 15, 16; 16: 12, 13; 25: 5), it is used in the context of identifying kingdoms and reigns with יְהֹוָה; kings and rulers are expected to execute יְהֹוָה since their thrones have been established in יְהֹוָה. Three other instances are found in what is often regarded to be the late editorial section of the book. These instances (1: 3; 2: 9; 8: 20) not only point to the intent of the book, but more importantly, to the necessity for there to be יְהֹוָה; in each of these occurrences, יְהֹוָה is used together with פִּתְעָם. In some ways, the occurrence of יְהֹוָה in 21: 3 is
similar in use to the preceding three instances. In this specific case, there is the call to do תוי and תאה, particularly since this is more acceptable to Yahweh than sacrifices. On three other occasions in which תוי is used, it is employed in contrast to "wealth" and "treasures". In these instances (10:2; 13:22; 16:8) תוי is seen as the more rewarding of the two options. [64] Twice (2:20; 4:18) it is used as a part of a metaphor, "paths of righteousness", and twice (12:17; 18:17) it is used in a forensic sense. Finally, in 8:8, it is used to describe the words of Yahweh.

RUTH

No occurrences.

SONG OF SONGS

No occurrences.

ECCLESIASTES

It is not surprising that most of the ten occurrences are found bearing somewhat negative overtones. In seven instances (3:16, 7:15 [2x],16,20; 8:14; 9:2) תוי is used in contexts which underline the futility of righteousness and the generic end which comes to the "righteous" and "wicked" alike. However,

64 That fifty-six of the eighty-four occurrences of תוי in Proverbs are used in contexts where תוי is a part of an antithesis, underlines the basic intent behind much of Proverbs, namely, instruction. When תוי is placed in opposition to תאה, then it is evident as to what is of value and what is not.
there are two occasions (3:17, 9:1) when Qoheleth suggests that both the "wicked" and the "righteous" will be judged; there is a time for this also. Finally in 5:8 [7], pis is viewed as a "right" which is often usurped from the poor; as in 3:7 and 9:1, there will also be a time for the offender to be judged.

LAMENTATIONS

There are two occurrences of pis here. In 1:18, it is used in the form of pis, describing Yahweh as "in the right" with regard to the prophet's rebellion. In 4:13, it is used to mean "righteous" in the sense of not being guilty of any wrong-doing.

ESTHER

No occurrences.

DANIEL

Five of the seven occurrences in this book are found in chapter nine. Three of these (9:7, 14, 16) are in reference to Yahweh, the last two being with specific reference to the acts of Yahweh on behalf of his people. In 9:18, pis is used in a context which points to the fact that when there is forgiveness for a people (in this case Israel), it is not because of their righteousness that they receive it, but rather through the mercy of Yahweh. In 9:24, pis will replace "transgression", "sin", "iniquity"; this is part of the angel Gabriel's message to
Daniel. Another occurrence is in 12:3, which is part of Daniel's apocalyptic vision. In this context, it is told that those who bring others to righteousness will themselves be like stars for eternity. [65] Finally in 8:14, ἐν ἐν ἐν is used in the context of the restoration of the temple to its "rightful" state. [66]

Ezra

The one occurrence in 9:15 is used in the context of a confession of the ἐν ἐν ἐν of Yahweh.

Nehemiah

Of the three occurrences, the one in 2:20 is in reference to an individual's "right". In this particular instance it involves those who would question Nehemiah's vision and his faith in God; they have no inherent "right", precisely because they are not of Jerusalem. The other two occurrences are in 9:8 and 9:33, both of which employ ἐν ἐν ἐν in reference to Yahweh, specifically in the light of his acts.

I Chronicles

Used once in 18:14 in the context of describing David as a

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65 This occurrence introduces an element which not only presupposes "living in and doing righteousness" but also extending righteousness to others.

66 On first appearance, this may seem to be an unimportant reference, but as Pedersen notes, "...to justify and make right is to restore to normal condition. The temple is restored - cleansed of impurity and once more turned into a sanctuary." Pedersen, Israel I-II, p. 346.
king who administers פֶּרֶץ and אָמָה to his people.

II CHRONICLES

There are five occurrences and of these, three are found in 6:23. The meanings and connotations here are identical to those of I Kings 8:32 (see the above discussion on I Kings 8:32). In 12:6, it is in the context of Rehoboam and Judah's confession of Yahweh's righteousness, [67] while in 9:8, it is used in identical fashion to the occurrence in I Kings 10:9 (see the above discussion).

There are several points which arise out of an analysis such as this. In a very simplified form, it places in context and perspective the various uses and meanings which can be derived from פֶּרֶץ. As we study these occurrences, it will allow us to perceive what is the motivational force behind the uses, that is to say, for what particular purpose פֶּרֶץ is employed in a given context, and whether the aim is focused on an individual situation or whether it forms part of a larger unit. In this respect, we will discuss the possibility of פֶּרֶץ referring either to a "norm" and to a "relationship", when it is viewed in its entire spectrum. It is apparent after a cursory view that many of the uses of פֶּרֶץ have distinctive meanings, and, when

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67 It is interesting to note that with the prospect of being abandoned at the hands of the Egyptians, the confession is פֶּרֶץ אָמָה. Implicit in this confession is the fact that there could be deliverance, an element which becomes a principal aspect of Deutero-Isaiah.
isolated, they appear to have little association with any greater idea. However as parity is discussed, we will endeavour to illustrate through the use of a variety of examples, the fact that there is a pattern which emerges.

In addition to this, this distribution will enable us on the basis of the contexts, to determine the uses of parity. That is, there will be some indication whether a particular occurrence is "ethical" or "religious" or "forensic" in overtone and whether there is a notable pattern which can be deciphered. Moreover, this distribution will certainly point to the subjects and objects of parity and we will then be in a position to determine if there is a preponderance of use in any particular area.

B. Parity and the Functional Locus

1. Norm

Several scholars have proposed that in order to understand the fundamental meaning behind parity in the Old Testament, it must be viewed within the context of "norm". When there is the call to do parity, it means primarily the wholehearted subscription to a norm which governs a particular situation or circumstance. Living in parity, means essentially the same thing, namely, to orient one's actions in accordance with a norm. Parity as the norm of relations within a community means that power is shared by all members and there is equity and equality. In effect, it
means that it brings together the ideals of the individual with those of the community and arranges them in such an order that they become mutually acceptable and beneficial. Fahlgren illustrates this point regarding ḫ as norm through the idea that the norm concurs with the acceptable status quo. [68]

It is with ḫ as norm, that Yahweh is continuously acting along with the community and as such this becomes the self evident regulator of life; everything which transpires is measured by this norm. As long as this kind of foundation exists, then the norm which is set up will function, and doing ḫ will automatically follow. In other words, there are certain variables, such as God, community, king, and the norm which is established purportedly combines and involves the expectations of all parties. However, if the community forfeits its position in the framework, then the norm malfunctions. Or, if a despotic ruler usurps the position of Yahweh and imposes a foreign "norm" and this is an opportunistic act only for the ruler, then it is no longer a norm but an alien law. Under ideal conditions, the community responds to the norm autonomously, but the imposition of a norm creates coercion and infringes on the concept of norm. Accordingly, when a standard is unilaterally inflicted, it cannot be a norm. What Fahlgren is attempting to do here is to underline the premise that ḫ as norm can be a legitimate theory, but it is imperative that all of its variables are present and participating as a unit. [69]

It must be pointed out here that נור as conforming to a norm is not merely a theory, which has arisen in recent scholarship. Some scholars [70] have directed our attention to its use in Arabic, a use which they claim signifies conformity to a norm. This particular citation is meant to demonstrate the historical background for the use of the concept of norm, and by implication a concept which must find legitimacy in Old Testament usage. It is this belief which prompts Jacob to conclude, "righteousness is therefore conformity to a norm; in origin it is neither punitive, nor distributive, nor justificatory, but in a general way fidelity to a state or to a way of acting or thinking". [71]

This norm however, is not an absolute generic norm under whose umbrella every circumstance fits, but rather "the norm is furnished by the objective standard of the thing itself: and in cases where the term is applied to persons, the rightness or righteousness of conduct depends on the fulfilling of obligations arising from a particular situation or set of circumstances." [72] As such, there is a norm for each situation and when the standards are met for each situation, then there is evidence of נור . Selective examples will at this point be helpful. There

69 Fahlgren, Ṣedākā, p.83.

70 See, e.g. Edmond Jacob, Theology of the Old Testament trans. Arthur W. Heathcote and Philip J. Allcock (New York: Harper and Brothers, Publishers), 1958. Jacob notes that, "when in Arabic, a date is called ṭasdī that can neither refer to its form nor to its taste but can simply mean that it conforms to what it should normally be". p.94.

71 Ibid., p.94.
are at least three instances [73] in which we find ἄρμ used in the same context as "weights", "balances", "measures", and the argument which is proposed here adverts the need for conformity to proper standards. This example is rather apposite in that "balances", "measures" and "weights" do in fact conform to some kind of standard, and so this becomes an obvious choice which is used to sanction ἄρμ as conforming to a norm. Hence it is not surprising that proponents of this view all discuss the significance of this example. [74]

Moreover, conformity to a norm is not only subjected to

72 Hill, Greek Words, pp.84-85. See also Th. Vriezen An Outline of Old Testament Theology (Oxford: Basil Blackwell), 1966. Vriezen notes, Ἰσρά 'is somebody or something that is as he or it should be; the meaning of the word is 'real', 'pure', 'true', that which agrees with the end to which it has been created, that inwardly, fundamentally corresponds to its external appearance, and therefore actually fulfils the function for which (he) it exists". p.327. See also, Norman Snaith The Distinctive Ideas of the Old Testament (London: The Epworth Press),1944. Snaith notes that "Tsedeq, with its kindred words, signifies that standard which God maintains in this world. It is the norm by which all must be judged", p.77.

73 See note 48.

74 Fahlgren observes that Leviticus 19:36, says nothing which indicates explicitly what the "righteousness" of measuring entails, but the context leaves no doubt. He notes that ἄρμ in 19:35 is a Hebrew expression which points to injustice. ὁμοιοί in this context should not be viewed as referring to jurisdiction in the courts, but rather to daily communication in trade and life. With this as a backdrop for verse 36, the meaning which is elicited refers to the fact that what is needed is the conforming to the norm which is laid down, which in turn will extend communication in trade and life, Sdēkā, pp.85-86., Also, Jacob, Theol., points out that, "objects which conform to a type are called tādā : just balances, just weights, just measures are objects in conformity with what they ought to be," p.95, and Hill notes that this example "clearly connotes conformity to proper standards. The balances, etc., are to be 'as they should be', 'correct', or 'right'". Greek Words, p. 84.
external objective, measurable items, but it is also applicable to the inward dispositions of people and the manner in which they conduct themselves. [75] In this regard, the description in Ezekiel 16:52 is cited as a source of verification for this point. In this episode, appearance of righteousness is granted to Samaria and Sodom when they are compared with Israel, and this is based upon the comparative number of sins which have been committed by the countries. In effect, what this view illustrates is a point which suggests that Ἰοῦς is an objective norm and the declaration of righteousness is given to the party which comes closest to the standard of the norm. [76] In addition to this, the incident between Judah and Tamar is cited as another example which underlines Ἰοῦς as conforming to a norm. This story in Genesis 38:1-26 is viewed as a situation which is corrupted by Judah, specifically in respect to the fact that there is an obligatory marital standard which is violated. [77]

One further example will suffice at this point. In Joel 2:23, Ἰοῦς is used in the context of "rain" and "fertility of crops", and in some ways it is an awkward occurrence of Ἰοῦς to

75 Jacob, Theol., p.95.
76 Ibid., p.95.
77 Hill suggests that the accepted standard which is abused by Judah is the levirate marriage laws, which are respected by Tamar even though she is accused of harlotry, Greek Words, p.84. Also regarding this incident, Jacob, Theol., concludes that Tamar is "more righteous" precisely because she understands the circumstances and is obeying the rules of prostitution, while Judah is not; hence she is "more righteous", p.95. Snaith notes that "Tamar, in spite of having played the harlot and thereby coming to be with child, has conformed more closely to the accepted standards than Judah himself", op.cit., p.73.
explain. However, when perceived as conforming to a norm, Fahlgren finds an explanation not so difficult. He notes that it is possible that "right time", as is the case in the Swedish Bible. This would mean that it corresponds with the norm of the community that in the expected time of harvest the rain will come, that is to say, the rain will come at the right time. [78] The implication in all of this is that the rain will arrive at the right time and in the right amount and in the right manner so that the people may be rescued from famine and death.

The discussion thus far regarding conformity to a norm suggests that the basis for the determination of "right time" is principally the subscribing to a norm. However, even though Jacob has said, "righteousness is therefore conformity to a norm", [79] he has also said that, "righteousness is always a concept of relationship, fashioned upon the everyday dealings between two people." [80] How do we reconcile these two statements? The proponents of the view, (as norm) suggest that Yahweh has set a variety of standards depending on the situations, and these must be met in order for there to be the "right time". In other words, righteousness is attributed to a person because of his or her actions: "a person is righteous because he acts justly; he does not act justly because he is righteous". [81]

The ultimate norm to which an individual must subscribe is seen

78 See Fahlgren, Sedaka, pp.88-89.
79 Jacob, Theol., p.94.
80 Ibid., p.95.
in the Being of Yahweh. In essence then, what is suggested is that subscription to norms is only significant when seen in the light of family units and the covenantal relationship. Hill underlines this well when he says:

While custom and duty may thus provide the norm by which the "righteousness" of an action is judged, these were related to a much wider and more basic criterion of behaviour. The Israelite, like the member of other tribal societies, possessed a deep consciousness of the family, tribal and later national unit and regarded himself as under obligation to fulfil the demands and laws which made for the well-being and good-ordering of that unit. ... But in Israelite thinking, one relationship is supremely important, the covenant relation between Yahweh and his people, and this has great significance for the understanding of personal and community righteousness in Israel and of the righteousness of Yahweh. [82]

A few observations are essential at this point. [83] We cannot simply transpose certain meanings which have been used in ancient times into biblical concepts and argue for agreement in concepts. That is to say, we cannot agree with Jacob that πραaxis means conformity to a norm, on the basis of a similar view in Arabic; in fact there is no indication that such a view in Arabic is even verifiable. Furthermore, to create norms for

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81 Ibid., p.95.

82 Hill, Greek Words, pp.85-86. See also Kuyper, art.cit., who suggests that "...norm, however, is not to be construed as some universal ideal which serves as a yardstick to determine the righteousness of a person or thing. ...The norm, therefore, is determined by what the relationship demands". pp. 233-234.

83 The observations and critique given here are general. At the beginning of the discussion on "πραaxis as relationship", certain specific critiques will be provided. In other words, the development of the "relationship" concept will by necessity entail a pointed critique of "norm".
everything which exists, and ultimately to use the Being of Yahweh as a norm is to miss the uniqueness of Yahweh as God and the relationship which he has with Israel. Yahweh is not a static God who has certain objective standards which have to be met, with no interference on his part. But rather, with Yahweh there are always expectations and demands and the opportunity to repent. As long as this final element is involved in a situation, it, by its nature, eschews conforming to a norm.

If Yahweh were to establish rigid, static norms by which the world would function, then in effect Yahweh could easily be transformed into a deus ex machina, but it is well known that the God of Israel is one who is involved in the affairs of his people. For Yahweh, there is clearly no norm which is prescribed. As early as in the Song of Deborah (Judges 5:11) we hear of הָרְשָׁעָה. The righteousness of Yahweh is not expressed in the fulfilling of a norm but in his acts of salvation and deliverance. Yahweh cares for his people in a manner which is expressed in mercy and kindness even when this is undeserving. Another example of this is seen in Abraham's request of Yahweh to save the city of Sodom if only there were fifty, forty, thirty, etc., righteous persons, and Yahweh is willing. "God's שְׁדָאָה or ἱσδη is his keeping of the law in accordance with the terms of the covenant. But once this point has been made, it is necessary to go on at once to warn the reader against thinking simply of a kind of justitia distributiva... . In Hebrew thinking there is no such thing as an abstract formal concept which might be classified according to an
objective standard, thus presupposing a universal idea of righteousness." [84] Clearly subscribing to a norm erases any opportunity for repentance.

One of the reasons why the idea of norm has become so prevalent has to do with contemporary translations, words which in themselves have certain connotations; one such term is Gerechtigkeit which, as von Rad notes, [85] distorts the true meaning of פְּרָט . He observes that, "ancient Israel did not in fact measure a line of conduct or an act by an ideal norm, but by the specific relationship in which the partner had at the time to prove himself true." [86] Once a person finds himself or herself as a part of a unit, familial, communal or covenantal, it takes more than merely conforming to a norm to fulfil the demands and expectations of that unit. In situations such as these, elements of kindness, faithfulness, mercy, always become engaged, depending on circumstances. [87] These brief observations indicate that in order to have a firm grasp of the biblical view of פְּרָט , "conformity to a norm" must be rejected as a viable option. This sets the stage for a discussion of a more suitable alternative.


85 See above, note 36.


87 Ibid., p.371.
2. Relationship

The concept of righteousness has its most profound meaning when it is seen within the context of relationship. There are inherent elements such as expectation, responsibility, demand, characteristics which are expressed in the relationship amongst individuals and, more important, in the relationship between Yahweh and his people. Von Rad, who believes righteousness should be understood in the context of communal relationship, remarks:

This communal relationship may be a civil or social one but more often in the Old Testament refers to that relationship with Israel, which Yahweh has enshrined in his covenant. When Yahweh is said to be "righteous" it means that he is faithful to this covenant relationship which he has condescended to establish. Israel is "righteous" in so far as the nation assents to this covenant relationship and submits to its cultic and legal ordinances. [88]

In other words, in order for an individual to be righteous, it means that of necessity he or she must exist and live in a manner which allows him or her to respond correctly to the values of the relationship; this may mean strict adherence to the customs, laws, moral code, of the community. "As long as he remains

88 Gerhard von Rad, "'Righteousness' and 'Life' in the cultic language of the Psalms" in The Problem of the Hexateuch and Other Essays (Edinburgh: Oliver and Boyd), 1966, p. 249. Von Rad's view here while largely acceptable, does limit the responsibilities and expectations of the people by his category of "cultic and legal ordinances". Surely there are social and economic demands also.
within the fellowship of covenant and cult, and has done nothing
to exclude himself from this fellowship, he is qaddîq and belongs
to the qaddîqîm." [89] As such when we see פֶּתַח used in
antithesis to פֶּתַח, it is not that the latter has broken an
existing objective ethical code of conduct, but rather,
the פֶּתַח is the one who has failed in the corresponding
responsibilities and demands of the covenant. Achtemeier notes
that "the פֶּתַח is he who exercises force and falsehood, who
ignores the duties which kinship and covenant lay upon him, who
tramples the rights of others under foot. His sin is not murder,
thief, falsehood, evil in itself, but evil which is committed
against one with whom he stands in relationship." [90]

Moreover, in discussing פֶּתַח within the context of
relationship, one particular point must be noted. Each
individual is established in a variety of relationships, and each
has its unique demands and responsibilities. An individual may
be simultaneously a spouse, worker, parent, friend, [91] and in
each of these capacities his relation to the other party may
entail a particular set of rules to which he or she must
subscribe. For example, the uniqueness of relationship may be
illustrated in the following association: "king with people,
judge with complainants, priests with worshippers, common man
with family, tribesman with community, community with resident
alien and poor, all with God." [92] In essence then, פֶּתַח is not

89 Sigmund Mowinckel, *The Psalms in Israel's Worship* trans.

90 E.R.Achtemeier, art.cit., p.81.

simply an objective norm which is present within the society, and which must be kept, but rather it is a concept which derives its meaning from the relationship in which it finds itself. So we are able to say that "right judging, right governing, right worshipping and gracious activity are all covenantal and righteous, despite their diversity." [93]

This then would be ideally the nature of a relationship: the realization of the significance of the other individual and his or her importance in the covenant - between God and others. The evidence of רד is present and seen when there is the mutual caring for each other. This care is best manifested not only in rituals but in action on the other person's behalf. [94] This however does not always happen and one of the primary parties who is often responsible for its collapse is the king. The king is a natural link between Yahweh and his people and vice versa. As the elect of Yahweh, the king is crucial in his responsibility to establish and execute דת and מָלֻק in his community. The nation, as a single and unified force finds its focus in the king. The nation and, indirectly, the local communities depend on the king for their "right-ordering and well being, for it is his concern to see that the life of the total society and all relations within it are 'as they should be', that is, are such as to maintain and promote national unity and prosperity. This

92 E.R. Achtemeier, art. cit., p.80.


94 See Pedersen, Israel I-II, who allows for this idea, but sees it entirely within the framework of the maintenance of souls, p. 345.
state of affairs constitutes the ἀριθμός of the society: in bringing it about, the king is himself ὁ πατὴρ, both in the manner of his performing his functions, as well as in his personal character." [95] It is principally the sustaining of this understanding of the role of king that allows for the presence of ὁ πατὴρ in the society. When the king, through weakness, corruption or poor guidance does not practise ὁ πατὴρ in the society, then invariably the society is divided into two sections: those who are powerful and wield their power and those who are oppressed, the poor, the widow, the orphan. When this chasm in society occurs, inevitably it is the latter group which finds itself with little redress. [96]

The problem of the corruption and occasional absence of ὁ πατὴρ in Israelite society is a problem which, because of its nature, is regularly overlooked by the people of Israel. Israel is obviously aware of the covenant relationship with Yahweh, a covenant which has as one of its main pillars, an element which involves Yahweh's protection of Israel, in the event that her existence is threatened or endangered. However, it is precisely this matter of protection that allows Israel to overlook the gravity of her internal problems, particularly the presence of injustice and the absence of righteousness. It is now a question of whether Yahweh will continue with a relationship which has

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95 Hill, Greek Words, p. 87. See also Pedersen, Israel I-II, p. 344.

96 When we read Psalm 72, a kingship psalm, the idea of the importance of ὁ πατὴρ for the king becomes apparent. The plea in this psalm implies that the king is to reflect the ὁ πατὴρ of Yahweh and hence defend the poor and needy.
gone against the main grain of the covenant. But, it is exactly this point which brings to the fore the unmistakable distinctiveness of the covenant.

It must be understood that one of the most important aspects of the covenant is the fact that the relationship does not hinge for its existence on the righteousness of Israel. Righteousness, it is to be remembered "is neither a virtue nor a sum of virtues, it is activity which befits the covenant. ... Everything (including inward disposition) which fits the requirements of the covenant in a given situation is then ... 'righteous'". [97] As long as Israel is within this understanding then the relationship is valid. When Israel apostasises and drifts into wickedness, she is in effect breaking the expectations and being irresponsible. However, it must be noted that with all of this, Israel is not making the covenant null and void; that is, the covenant relationship cannot be dissolved by Israel, even though she could damage it by her apostasy and choice to be unrighteous. If in fact the covenant were to come to an end, then it would be Yahweh who would do so. What Israel does in terms of keeping the laws and ordinances is important but not conditional for the validity of the covenant. For before there were the laws and ordinances, there was the covenant.

He [Yahweh] was Lord of the Covenant, its initiator, its defender, its preserver. He and he alone upheld it. Only he could break it. Israel could reject her God and thereby bring his wrath upon her, but she could not escape her relationship with God. The relationship might be one of wrath, which led to Israel's destruction,

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but nevertheless it was a relationship. God initiated the covenant. He alone could nullify it. [98]

The "righteousness of Yahweh" remains constant and this is reflected in his role in the covenant. The statements "Yahweh is righteous" [99] and the "righteousness of Yahweh" are found throughout the Old Testament and in fact there is no reference to the lack of righteousness on the part of Yahweh. Certainly if there were a situation which might have warranted and justified such a statement, it would have been in the mouth of the suffering Job, but even there it is absent. The expression of the righteousness of Yahweh within the context of the covenant is not contingent on the assumption or even knowledge that Israel would live up to expectations. The righteousness of Yahweh has to fit neither norm nor condition outside of himself. "Yahweh's righteousness is in his fulfillment of the demands of the relationship which exists between him and his people Israel, his

98 E.R. Achtemeier, art. cit., p.82. By way of substantiating this view, the author cites Psalm 89:28-37. Achtemeier's view in this regard is one which is surely correct, but it is one which is in contrast to Hill's position. Hill says, "If Yahweh was to be faithful to this relationship and declare Israel 'in the right' (with all that that meant to her in terms of success and well being) then Israel must be 'in the right', she must have a 'righteous' cause, she must possess 'righteousness' that would reflect the character of Yahweh's righteousness", Greek Words, p. 93. The difference in the views of Achtemeier and Hill is best seen in the fact that Hill suggests that the covenant relationship is conditional in Israel being "in the right". Achtemeier says that regardless of Israel's position, the covenant is not nullified, precisely because it is not Israel who is the main architect.

99 Later in this chapter, in section III D, we shall examine in detail מonda with specific reference to Yahweh.
fulfillment of the covenant which he has made with his chosen nation." [100]

Finally, at this point, let us examine the examples which have been cited in the preceding section and demonstrate that ἐρμ in all instances must be seen and understood in the context of "relationship". Some scholars have suggested that ἐρμ in "weights", "balances" and "measures" must be understood as conforming to a norm. However, to hold such a view is to miss the point that ἐρμ in that context is not an objective standard to which each citizen must subscribe. The expectation is different. That there must be ἐρμ in this aspect of life simply underlines an element of ἐρμ which is integral and indispensable in the relationships amongst individuals. In this context, what is at stake is the survival and sustenance of the individual. To say that ἐρμ with regard to mundane items such as weights is a detached objective norm, is to detract from a most crucial factor, namely the individuals who suffer as a result of injustice in these areas. It is clearly not merely the credibility of a norm which is lost, but the life of an individual. When an individual is cheated out of the everyday amenities of life, not only does the individual suffer, but it gnaws away at the fibre of the covenant. As such, it is more than not simply subscribing to a norm, it is as Pedersen perceives, the abolishing of "the natural equilibrium between himself and his neighbour, and thus he loses his righteousness, which is the very maintenance of the will of the covenant.

100 E.R. Achtemeier, art.cit., p.82.
Justice demands that equilibrium shall be re-established between the wronged and him who committed the breach, for thereby the covenant is healed. To re-establish this relation is to justify a man. To justify a man means to obtain for him the place due to him within the covenant." [101]

In addition to this example, there is the one which is cited from Ezekiel 16:51-52. In this instance, אִירֵנ cannot be viewed as conforming to a norm, particularly if we were to base our arguments on the context out of which it comes. The primary consideration in Ezekiel 16 is in reference to the fractured relationship between Yahweh and Israel. When Sodom and Samaria "appear righteous" it is not an objective standard which is being used for measuring, but rather "appearance of righteousness" is entirely contingent on the relationship between Yahweh and Israel. [102]

Another occurrence which would be helpful in this discussion, is found in Genesis 30:33. אִירֵנ in this context has traditionally been rendered "honesty". [103] The אִירֵנ of Jacob in Genesis 30:33 is in fact one of the major elements in this narrative. [104] The crucial factor which must be considered here, is the motivation for Jacob's אִירֵנ. On a superficial and secondary level, it is true that it is Jacob's honesty which is

101 Pedersen, Israel I-II, p.345.
102 See a detailed discussion of this point above in note 59.
103 See, e.g., the RSV, where אִירֵנ is rendered "honesty". In doing so, the RSV points to a specific characteristic of Jacob, rather than involve the entire gamut of characteristics which אִירֵנ gives.
in question, in addition to the fact that the agreement must be maintained. However, even more fundamental than these factors, is the question of Jacob's relationship with Laban. Jacob is asked by Laban to remain with him, and afterwards Jacob convinces Laban that he should have as his wages, all of the speckled and spotted sheep and goats from the flock. Jacob remarks that his פַּלְפַל will indicate to Laban that he has sustained the agreement. This, however, is not merely an objective, detached, agreement but rather, Jacob's remark is meant to verify his relationship with Laban. That is to say, Jacob's פַּלְפַל is to suggest that he is planning to keep intact his relationship with Laban.

After Jacob decides to cheat Laban in return, it is certainly not merely an agreement which is broken; it then becomes clear that the fundamental issue is not Jacob's honesty, but rather, the larger issue of his relationship with Laban. Several elements underline this view. The rift in the relationship between Jacob and Laban and his family, is evident in the words of Laban's sons, namely, that Jacob has cheated their father. Moreover, Jacob's own perception indicates the brokenness in the relationship; he notices that Laban does not look upon him with favour as before. The finality in this relationship is seen in Jacob's departure and the ensuing quarrel with Laban.

Still another instance which exemplifies the use of פַּלְפַל in

104 Ruble is correct in his observation that it is not Jacob's honesty which is at stake. However, his conclusion that פַּלְפַל in verse 33, simply means that Jacob will live up to his agreement with Laban, sorely misses the crucial point in the text. See, Ruble, Diss., p. 43.
the context of relationship is the occurrence in Jeremiah 51:10. Contextually, "vindication", is perhaps the most suitable rendering of הָגִית in this verse, however "vindication" cannot be overlooked without posing the question as to the motivation for vindication. There is no suggestion, and thus no reason to believe, that punishment is the primary motivation. Clearly, as one studies Jeremiah, Chapter 51, it becomes evident that the evil of Babylon, alone, warrants this kind of judgement from Yahweh. However, this cannot be taken to be the primary reason for the destruction of Babylon; it has to be placed in perspective and understood in the light of the relationship between Israel and Yahweh. Yahweh has always been the protector and redeemer of Israel. Thus, when Israel is in bondage and is oppressed, then the relationship between Israel and Yahweh is strained. The fact that Yahweh brings forth Israel's vindication, not so much reflects the merits of Israel, as it points to Yahweh's desire to sustain and restore the covenantal relationship.

A further example of הָגִית as "relationship" which may not be immediately apparent is in Daniel 8:14. This is a part of the vision of Daniel in which he is told of the restoration of the sanctuary to "its rightful (יִרְשָׁה) place". [105] The restoration of the sanctuary as spoken of here, refers to a re-establishing of it to its intended function. The sanctuary serves as an essential constituent for the communion between Yahweh and his people and the corruption of this under Belshazzar, removed the sanctuary from "its rightful place". Clearly, it is not merely a
matter of re-opening the sanctuary for its original function, but more so, the relationship between Yahweh and Israel, of which the sanctuary is an integral part, is also renewed.

Finally, in some ways, the illustration of the story of Tamar and Judah (Genesis 38:26) gives the most profound argument for the understanding of פֶּרֶס in terms of relationship. Because of this, it is important that we describe the incident once again. Tamar dresses as a נַחְלָה and seduces her father-in-law, and this results in her pregnancy. When Judah hears of Tamar’s "harlotry", he immediately sentences her to death, only to discover that he is the father of the unborn child. With this scenario, it would be possible for us to raise a multitude of ethical questions, including the fact that Judah commits adultery and then has the audacity to sentence the harlot to death and of course the fact that Tamar knowingly seduces her father-in-law. However, for our purposes here we will focus primarily on Tamar’s reasons for her action rather than the act itself. It is in this aspect of the narrative that the importance of Tamar’s פֶּרֶס is seen. When Judah remarks that

105 There seems to be some uncertainty among scholars regarding the use of פֶּרֶס in this context. See, e.g., Louis F. Hartman and Alexander A. Di Lella, The Book of Daniel ANCHOR BIBLE (New York: Doubleday and Co.), 1978. Hartman questions the legitimacy of פֶּרֶס in this text and suggests instead that פֶּרֶס is a corruption of the Aramaic -ך ת, and thus he emends the text to read "...the sanctuary will be purified", p. 227. However, for the retention of פֶּרֶס as a proper part of the text, see, Maurice Delcor, Le livre de Daniel (Paris: Libraire Lecoffre), 1971. Delcor suggests, "La fin du verset précise qu’à la fin de cette période la sanctuaire sera rétabli dans son droit ( פֶּרֶס ). Le TM est à préférer à la LXX, à Theodotion et à la Vulgate qui traduisent 'sera purifié'," p. 177. See also, James A. Montgomery, The Book of Daniel ICC (Edinburgh: T and T Clark), 1927, who says that this is a "perfectly proper use of פֶּרֶס", p. 343.
Tamar is "more righteous" than he is, he is certainly not referring to her legal rights nor is he referring to her conforming to a particular ethical code. Tamar seduces Judah with the sole intention of having an offspring. Since her husband was killed, and Onan his brother fared likewise, Tamar sees the seduction of Judah as an opportunity to sustain her loyalty to the family, by having a child. As such, Judah's words regarding the צִיּוֹת of Tamar must be viewed in reference to her relationship with her family. Ironic as it may appear, it is only in seducing Judah that Tamar is faithful to her familial relationship.

It can be said, based on the above discussion that the Old Testament concept of צִיּוֹת is best understood when seen in the context of relationship. In this way, it is not stifled into being a detached objective norm, but rather, we are able to appreciate and understand its distinctive features. Furthermore it places in focus the reasons behind the salvific acts of Yahweh on behalf of Israel. In no way would "norm" encompass and define the inexplicable acts of Yahweh for a people who are invariably undeserving; only a special relationship would begin to explain and account for such acts.
C. Meanings in Contexts

In arriving at this point, we have seen the complexity in nature of פִּיק and have observed that it is best understood when seen from the point of view of relationship. It is possible that the use of פִּיק can be classified in three categories: (1) religious, (2) forensic, (3) ethical. One observation which emerges instantly is the realization that there is certain to be overlapping with such a categorization. This notwithstanding, it will nevertheless allow us to see the development and presence of פִּיק in certain situations which are not identical.

1. Religious

This is the area about which more has been said than about any of the other two categories. Often, when the idea of righteousness as a religious term is proposed, it is done so at the expense of the ethical and forensic aspects. [106] There is no doubt that the פִּיק of Yahweh was first of all understood as a religious term. [107] When this aspect of Yahweh is expressed, it is generally in response to the covenantal demands, on behalf of Israel or the individual. An example of a purely religious

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106 Eichrodt suggests, "the righteousness of God remains an essentially religious conception, which resists any attempt to water it down into ethical ideas", Theol. I, p.250. This view of Eichrodt is too narrow in its summation and detracts from the richness which the concept of פִּיק does have. It is important to note that not every use of פִּיק has a religious basis. Achtemeier observes that "an act on the social plane is not righteous, because it at the same time satisfies a demand of the law, though this of course often happened. It is righteous because it fulfils the demands of a social relationship. The relationship is always the determinative factor", art.cit., p.82.
use occurs in Genesis 15:6, where because of his faithfulness, Abraham is reckoned as righteous. The concept of holiness is still another area in which אֱלֹהִים as a religious principle is found. In contemporary religious vocabulary, holiness is often viewed as an abstract quality or attribute of Yahweh. There is however, nothing abstract about the holiness of Yahweh. In this respect, the transcendence of Yahweh must not be confused with abstraction. Rather, the holiness of Yahweh is concretely manifested both in his actions within history and the subsequent expectations. This finds its support in references such as the one in Isaiah 5:16. Yahweh, and Yahweh alone, is seen in holiness, and hence the preaching and preservation of monotheism became avenues in which this might be expressed. Some scholars in fact argue that the focus of the preaching of the pre-exilic prophets is to re-establish the monotheistic principle in Israel. Snaith notes that, "with the establishment of a true monotheism among the Hebrews, it came to stand pre-eminently for the nature of Jehovah." [108] The fact is, אֱלֹהִים as a religious principle can be found or perceived in many areas, but with few exceptions, it

107 In fact, with reference to אֱלֹהִים in the pre-exilic prophets, Snaith supposes that the root of their teaching is religious. "Primarily they were religious prophets; only secondarily were they ethical teachers," op.cit., p.59. See also Martin Buber The Prophetic Faith (New York:Harper and Row, Publishers), 1949. Buber notes that what Yahweh demands is "the combination of righteousness and justice, right judgement and right action, this basic concept is not ethical nor social, but religious". p.101. For a view which is the opposite of Snaith's (in respect to the pre-exilic prophets) see Skinner, "Righteousness...", p.274.

108 Snaith, op.cit., p.51. That perhaps the element of monotheism evolves as a factor in this period is clearly an arguable point, but this is not the place for such an argument. Suffice it to say however, that אֱלֹהִים in respect to monotheism is a religious principle.
cannot be neatly divorced from the ethical and forensic aspects. In fact, the principal area in which the religious principle of פֶּתַח is witnessed at work is in the concrete acts of Yahweh, acts such as deliverance, vindication, saving acts. This area will become clearer as we develop later פֶּתַח with reference to Yahweh and Israel.

2. Forensic

When we look at the distribution of פֶּתַח in the Old Testament and examine its usage it becomes quickly evident that פֶּתַח does not occur in any large numbers in the earliest sources of the Pentateuch, "J" and "E". [109] In and of itself this observation may not be important, but it is significant to note that the most prominent use of פֶּתַח in these occurrences is a forensic one. Skinner explains this phenomenon when he says, "What is meant is that questions of right and wrong were habitually regarded from a legal point of view as matters to be settled by a judge." [110] The description of Yahweh as judge does give a superficial indication of a forensic role. In fact, some scholars hold the view that the פֶּתַח of Yahweh cannot be separated from the figure of God the judge. [111] However, it will be pointed out in the following discussion, that the forensic aspect of פֶּתַח goes beyond use in the context of the

109 In fact, of the some four hundred and sixty occurrences of פֶּתַח only thirty-five are found in the Pentateuch and most of these are used in a forensic sense.


111 Jacob, Theol., pp.96-97.
"judge". In fact there are those who believe that the forensic aspect of פד is the basic Old Testament usage. [112] While such a generalization might be untenable, nevertheless the widespread use of פד in a forensic sense will be shown.

There are primarily two aspects of פד where the sense is a forensic one. First, פד in many instances refers to a person or party being "in the right", in a particular situation. When a case is brought to the court for the judges to decide, the one who is found to be innocent is deemed to be פד while the guilty one is the שור. One passage which illustrates this point and includes many of the above mentioned elements is Deuteronomy 25:1.

In this example, the two parties come to the court in order to settle their dispute. Not only is the "court" understood as the place where lawsuits are heard, but the use of ספוגה in this context suggests more than a mere hearing; it indicates that the two parties have come with the expectation that justice will be executed. It is clear that, after the innocent party is declared פד and the guilty one שור, that in fact פד in this context is used to designate innocence in a legal sense, while

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112 See C.H.Dodd, op.cit., pp.46-47. Dodd argues that the verb פד has as its primary meaning "to be in the right" rather than "to be righteous". He proposes that when the hiphil(הרי) is used, the causative element of this form of the verb means "to put someone in the right". What in fact Dodd is saying is that פד in any form cannot mean "to declare righteous" or "to make righteous". This is too general a view and others (e.g. von Rad) have suggested that declaration of righteousness is in fact possible. See von Rad, Theol. I, p. 380.
However, in order to be "in the right", a case need not be taken to a court. For example, if an individual is falsely accused of a crime he or she is regarded as פורא, regardless of whether or not there is a court hearing, as is the situation in II Kings 10:9. And in another instance, in Exodus 9:27, there is a description of Pharaoh confessing that he and his people are "in the wrong" (םיקניה) while Yahweh is "in the right" (justice). Clearly in these instances, no judge is needed to determine the innocence and guilt of the parties, nor is this determination contingent on the presence of a judge. Skinner notes that "in these cases righteousness is an inherent quality, not depending on the decision of the judge, but at the most demanding recognition by him." [114] From the preceding discussion on the forensic use, it becomes apparent that the most common and certainly the most obvious way of showing the forensic aspect is to focus on the use of judges and tribunals. However while this may be the area most often referred to, it is clearly not the only one.

Second, פורא is expected of those who are placed in a position to execute justice. In the example of Deuteronomy 25:1, discussed earlier, the innocent is "in the right" while the one "in the wrong" is deemed guilty. In some ways this result is the most important part of the judicial procedure, for it brings to

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113 For examples of this, see Exodus 23:7,8; Isaiah 5:23; 29:21; Proverbs 18:5-7.

the fore "the end" of the case. However, we must not overlook the quality of the instrument which is used as the "means"; that is to say, the judge. It is important in this regard that in order to have "innocence" and "guilt" pronounced on the appropriate parties, the one executing such a judgement must be righteous. One of the most important parties in the sphere of executing justice, is of course the judge. The righteousness of the judge is crucial and, in a very pointed way, the righteousness of the judge is most clearly manifested when he vindicates the powerless: the orphan, the widow, the poor, the oppressed and the sojourner. We note that Isaiah pronounces "woe" on those who corrupt the area of justice by taking bribes and thus distorting "innocence" and "guilt". [115] One of the major obstacles in the path of executing judgement in righteousness is the occurrence of bribery. The judge is expected to rise above such corruption and execute judgement with "impeccable impartiality", but this, unfortunately does not preponderate in the daily judgements. Perhaps though, the most important person in the community who has the power to execute judgement is the king; this importance is underlined throughout the Old Testament.

It is expected that all kings and rulers will have נ�� as a guideline in their administration of justice. In this sense the king or ruler is not playing the role of one who is keeping the "law", but rather they are doing that which is an inherent aspect

115 For a specific example, see Isaiah 5:23. The importance for judges to have נﬁ can be seen in references such as Leviticus 19:15; Deuteronomy 16:18; Isaiah 11:4-5.
of their position. Vriezen suggests:

The word-stems denoting justice, both שרי and סד, though they are both used most frequently in juridical and political life do not have a theoretical or exclusively forensic, juridical meaning, starting from a given law, but denote the task of the king and the judge who have to restore justice. ...[T]hey cause justice to prevail; thus each man gets the share to which he has a right..." [116]

The prophet Isaiah notes that the Messiah will judge with בִּים and in fact it will be his constant companion. In an ideal way, the Messiah will incorporate those characteristics which are integral to a covenantal relationship, but בִּים and its practice in communal relations, particularly in the matter of executing justice, is not reserved for the ideal king; every ruler is expected to have it. [117] In the event that the king or ruler is unrighteous or unjust, then he becomes an abomination, (cf. Proverbs 16:12).

One final point with respect to the forensic use of בִּים needs to be noted here. As long as the difficulties which Israel faces are external, specifically from contiguous nations, then the distinction between the people of Yahweh and those of other religious persuasions is clear. However, when problems of apostasy, oppression, perversion of justice, bribery begin to be recognised as elements common of Israelite society, then the בִּים

116 Vriezen, op.cit., p.327.
117 Cf. e.g. II Samuel 15:4; I Kings 10:9; II Chronicles 9:8.
of Yahweh is directed within Israel, delivering judgements on behalf of one particular group. Yahweh intervenes on behalf of the oppressed and declares them to be "righteous". This however does not mean that the quality of righteousness is bestowed on whoever is oppressed, but rather the declaration of righteousness has a forensic overtone. That is to say, the person who is oppressed is ipso facto "in the right" against those who are the oppressors. [118]

3. Ethical

As was noted earlier, the primary concern of the covenant between Yahweh and his people is to maintain a relationship between them which has רֵעַ as its foundation. With this in mind, one of the principal expectations is an ethical and moral conduct which is a direct correlate of רֵעַ. Thus, when there are specific expectations of a relationship, and elements such as bribery, corruption, and oppression, begin to dominate society, then what is necessary to counteract these elements is a hitherto unused aspect of רֵעַ. In order to restore Israel "in the right" before Yahweh, what is necessary is "quite clearly ethical and moral reform of such a kind as would produce the principles of right community order (justice, equality, sincerity, etc.), and to ensure the maintenance of the covenant." [119] This is obviously an important area of the covenant and any approach

118 A lengthier discussion of רֵעַ in parallelism to concepts such as יָד and יִרְיקָה will be discussed in section III. E. of this chapter.
which seeks to dilute it, results in the shaping of θελ as a limited and narrow concept. [120]

It is perhaps in the pre-exilic prophets in general and the Eighth Century prophets in particular that the use of θελ develops this ethical overtone. [121] While there is some indication that the forensic aspect of θελ has religious overtones, the use of θελ in Eighth Century prophecy leaves no doubt as to its connection with Yahweh. What is true is that "social righteousness is the necessary and inexorable demand of J's [Yahweh's] moral character" [122] and this is the primary element behind the preaching of the Prophets. They are preaching to a people who are party to a covenant with Yahweh and the doing

119 Hill, Greek Words, p.94.

120 In this regard, see Eichrodt, Theol. I, who, in his quest to make θελ a "purely religious" concept, arrives at an inadequate conclusion. He says "the essence of the original biblical concept of God's righteousness lies neither in the ethical postulate of a moral world-order nor in an ideal of impartial retribution imposed by some inner necessity nor in the personification of the ethical in God", p. 249.

121 Having said this, there are clear instances with ethical implications which are found in several areas of the Old Testament. For example the concern over injustice in "weights and measures" is seen in Amos 8:5 but is also found in Leviticus (19:36), in Deuteronomy (25:15) and in the exilic book of Ezekiel (45:10). It can be said that the ethical expectation is not limited to one period, but while this may be true, it is apparent that its greatest development is in Eighth Century prophecy.

122 Skinner, "Righteousness...", p.274. See also James Muilenburg The Way of Israel (London: Routledge and Kegan Paul), 1961. Muilenburg suggests, "the ethical foundations of the prophetic proclamation may be stated in another way. One God and only one God is Lord over history and wills to make himself known in history. This one God manifests his holiness in justice and righteousness, but is also compassionate and faithful". p.75.
of "justice and righteousness" is an integral part of that covenant. There are clearly ethical expectations, and the fact that their message has an ethical inclination reflects the nature of the problem in Israel, that there is a breakdown in the ethical fibre of the covenant. However, it would not be entirely accurate to suggest that the prophets are ethicists, [123] for once the Sitz im Leben of the prophets' message is established, then it would be evident the ethical undergirding is necessary for the restoration of the covenantal relationship. That is to say, the ethical aspect is used in order to restore the religious orientation of the covenant. Having indicated the importance of the need for a sense of morality in human behaviour, it should be noted that this moral sense and ethical behaviour are reflective of the character of Yahweh, which is consumately expressed in his covenant with Israel.

What then, are some of the areas in which there is necessity for use in an ethical sense? It would appear that the administration of justice by those who are placed in a position to do so, is the sphere of life in which the well-being of the people most depends. There is a need for "justice in the gate", "justice in weights and measures", "justice in the rulers", "justice in daily transactions". This may appear at first glance a description of the use of פִּי in a forensic sense, but in fact it goes beyond that in the prophetic application. For example,

123 That is to say, the prophets do not preach a generic message, based on their experience as ethicists. "They speak to the time to which God has sent them and their words are directed to the conditions of that time." Mullenburg, op.cit., p. 77. The role of the prophets will be discussed later, in Chapter 5.
in Amos ברי is used synonymously with ל and עליון, and in this context the poor are regarded as being "in the right". In fact this is not a forensic reference, but rather a description of one who continues to be in good relations with Yahweh; this individual is a ברי. In view of this, the powerful and affluent who, according to the prophets, have deprived the poor and powerless to arrive at their own wealth and power, have become "the unrighteous". [124] But still in a fundamental way, ברי is more than the mere outward expression of "justice", it is something which is absent from the being of the person. Skinner is correct when he perceives that what the prophets are pointing to in their message is "the instinctive perception of what is due to others, the recognition of the inherent rights of human personality. The idea is far broader than what we usually mean by right and justice; it includes a large hearted construction of the claims of humanity; it is, as has been said, the humanitarian virtue par excellence". [125]

One area which is often elaborated on is the need for the judges to execute justice and hence decide in favour of the "poor" and "innocent". With this in mind, most scholars [126] have argued that more than mere impartial justice is needed;

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125 Skinner, "Righteousness...", p.274. See also Robert Davidson, The Old Testament (London: Hodder and Stoughton), 1964. Davidson notes, "The demand for 'justice' and 'righteousness' within the community is a call for a single-hearted loyalty to Yahweh which will express itself in a society whose life is ordered in the light of Yahweh's law." p.79.
rather the judge is obligated to decide on the side of the poor. At a glance, this may appear to be an attractive proposition, but in fact there are some serious problems with this position. It is supposed that impartiality is not an issue about which a judge needs to worry, but rather satisfying the claims of one party within the relationship. It is true that the person who is executing justice has to be aware of the relationship and act accordingly, however for the judge not to be impartial would be to defeat the purpose of the judicial procedure. If in fact a particular party is "in the right" then impartiality will indeed ensure that this party is vindicated. Not to have impartial judgement would in effect be creating an evil in order to erase an evil. Having said this, it is important to note that even though the one who executes justice is called upon to do so impartially, he or she is nevertheless not doing so in a vacuum, oblivious of the parties involved. But rather, ingrained within this person is the importance of the concept of relationship and of judging impartially, always conscious of this framework.

Moreover, the idea of showing partiality to the poor is biblically untenable. [127] It is clear that the prophets are calling for the protection of the poor, the defending (יְבָשֹׁם) of the orphan, but they are also calling for the judges to be


127 See Leviticus 19:15. Muilenburg suggests, "God shows no partiality, so Israel must not 'recognise faces', but must act impartially, without regard to rich or poor, patrician or peasant, great or small", op.cit., p. 71. See also Snaith, op.cit., p.69.
impartial in their execution of justice. As long as the judge is impartial, "justice and righteousness" will be administered, precisely because the poor will be judged to be "in the right". To show partiality to the poor is to commit a crime on the side of the poor. It is clear that impartial execution of justice is proposed not so much to give the oppressed and oppressor equal opportunity of "victory" in court, but rather to eliminate perversion and corruption. In theory then, if perversion and corruption are eliminated, the judge will be righteous and justice will be executed. To be of help to the poor is not to overlook their faults and sins, but rather to ensure their well-being.

Finally, a word about categorization is necessary in order to place the forensic, ethical and religious aspects of ה arsch in perspective. From the preceding discussion, it is apparent that the three categories overlap, for while there is distinctiveness about each, there are also common elements. The most noteworthy element in this regard is the relation to Yahweh, even in areas where the ethical and forensic aspects are predominant, they nevertheless have religious overtones. This appears to be the singularly most significant factor which unites all the different aspects. However, there does seem to be a chronological pattern which has developed. The pre-exilic prophets form a bridge between the use of ה arsch in Ancient Israel and the later view of Deutero-Isaiah. In Ancient Israel, it appears that ה arsch as it relates to Yahweh is a concept which is expressed principally in terms of defending Israel from foreign nations. This must be the
fundamental understanding of פיג"ב during this period, for the shout of יהוה means that Yahweh has acted on Israel's behalf, an action which results in victory and vindication for Israel. It is therefore no surprise that the use of פיג"ב in Ancient Israel then is predominantly forensic, namely, judging Israel "in the right" and vindicating her. This situation alters later during the pre-exilic period, for now there are elements both outside and inside Israel which threaten her relationship with Yahweh and with her citizens. The use of פיג"ב does not have a forensic overtone but rather alludes to ethical principles. While, in Ancient Israel, it is the nation which is the focus of פיג"ב, in pre-exilic Israel, the focus is now on both the nation and the individual. In this period, the ethical fibre of the covenant becomes loose and hence the expectations and preaching are shaped in this direction. The period of the exile brings to life the idea of "deliverance" and "salvation", concepts which may be termed religious, in part because they are specifically in reference to the acts of Yahweh. As we now direct our attention to the next section, we will focus on subjects which were mentioned in passing in the earlier sections of this chapter.
D. יִדְיָי and Its References

In order that our discussion on יִדְיָי might be complete we will, in the next few pages, observe the use of יִדְיָי in relation to its three main subjects in the Old Testament, namely Yahweh, Israel and the individual. Each section will allow us to grasp the function of יִדְיָי with a particular focus and also enable us to examine the contexts in which it predominates.

1. יִדְיָי and Yahweh

The use of יִדְיָי as an attribute of Yahweh is a well established notion in the life and religion of Israel. From the time of Moses onwards Yahweh has always been regarded as righteous, and even in the Eighth Century prophets [128] where the concept of righteousness in respect to Yahweh is not explicit, it is nevertheless the underlying factor in the

128 With regard to a possible reason for the absence of יִדְיָי with respect to Yahweh in the Eighth Century prophets, see J. Lindblom, Prophecy in Ancient Israel (Oxford: Basil Blackwell), 1963. Lindblom suggests, "The idea of 'righteousness' גֵּדָקָה, is in these prophets not often used as an attribute of Yahweh. The reason for this is that, as we have seen, they avoid the idea of בֵּית", p. 338. This view of Lindblom's perhaps explains the absence of יִדְיָי in relation to Yahweh, but it is clearly only an explanation which is deduced from common external factors; it misses the deeper theological sense of continuity. Even though הַיָּדוֹ is not found in pre-exilic prophecy prior to Jeremiah in reference to Yahweh's covenant (with the exception of Hosea 6:7 and 8:1) nevertheless the preaching of יִדְיָי and יִדְיָי by the Eighth Century prophets must be understood in the light of the covenant. In this regard we are reminded of two elements. First, the Eighth Century prophets knew of the Mosaic age (e.g. Amos 5:25) and hence of the covenant and second, the fact that the prophets' message is focused in an ethical direction must not be viewed as being estranged from covenantal ties. See also, Ruble, Diss., who notes that יִדְיָי is found in the Psalms only twenty times and in twelve of these, it is associated with יִדְיָי. p. 76.
preaching of the prophets. The interest of the prophets is not in establishing the righteousness of Yahweh, but rather using it as a basis for their pronouncements. While it is true that "righteousness of Yahweh" is often found in the context of judgement [129], a fact which has prompted scholars to conclude that יְרֵשׁ in respect to Yahweh is most often used in the forensic sense, nevertheless, it is in fact contexts which find Yahweh acting on behalf of Israel, which are predominant.

"Yahweh's righteous judgements [130] are saving judgements (Psalm 36:6) and Deutero-Isaiah can therefore speak of Yahweh as a 'righteous God and a Savior'." [131] The implicit references of the Eighth Century prophets become very explicit at the hands of the writer of Deutero-Isaiah. In Isaiah 45:19-21, Yahweh is described as "the one who declares what is right"; "the only God


130 Having a forensic overtone does not exclude the fact that even in these contexts Yahweh is acting on behalf of Israel. Judgement is not synonymous with punishment and if there is a semblance of the latter, it must be understood in the context of the covenant. In essence, there is never punishment which is wantonly distributed simply for its own sake. As von Rad notes, this kind of "punitive aspect of יְרֵשׁ would be a 'contradictio in adiecto'", Theol. I,p.377. The occasions in which there is evidence of punitive action (such as the woe oracle in I Isaiah and in the numerical formula of Amos Chapters 1-2) are in fact directed against neighbouring nations. Once again though, these nations are not arbitrarily punished, but instead punishment is meted out as a means of preserving Israel. See Hendrik van Oyen, Ethik des Alten Testaments (Gesamtherstellung: Claussen and Bosse, Leck), 1967. Van Oyen argues that von Rad's theory of Yahweh's punitive actions is unfounded, particularly when seen in the light of Psalm 7:12 [11]. However, it is van Oyen's argument which is invalid, as he regards "righteous judgement" as punitive, an idea which in fact is introducing a foreign element into "righteous judgement..." See pp.51-52.

131 E.R. Achtemeier, art.cit., p.83.
and there is no other God beside him"; "a righteous God and a Savior". Yahweh is God of all, and in essence that means that all redemption, deliverance and salvation must be secured through him. [132] Deutero-Isaiah is in reality the principal source in which יְהֹוָה is regarded as synonymous with "deliverance" and "salvation". In some ways, Deutero-Isaiah establishes a concept of יְהֹוָה with respect to Yahweh which declares the magnitude of the latter's acts for Israel. In describing the use of יְהוָה in Deutero-Isaiah, Jacob observes that, "righteousness is not only for him the deliverance of the oppressed and the restoration of their normal state, but the gift of a new reality superior to what previously existed." [133] In addition to Deutero-Isaiah, there are in fact other sources which exemplify Yahweh's righteousness in his preservation of Israel. The exile is certainly a classic example of a period when Israel needed deliverance, but there are many such times throughout the life of Israel. When, for example, trouble (Psalm 31:1), wickedness (Psalm 71:2-4), enemies (Psalm 143:11), appear, Yahweh's righteousness is demonstrated as he intervenes on Israel's behalf. The righteousness of Yahweh is not a static characteristic or attribute, but rather it is alive and dynamic and exists precisely because of its action on behalf of Israel.

In addition to the "salvation" and "deliverance" contexts, there are also other uses for which the יְהוָה of Yahweh is employed. Occasionally, Yahweh is seen as one of two parties

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132 See references such as Isaiah 41:10; 42:6; 45:13.
133 Jacob, Theol., p.101.
involved in a lawsuit (Isaiah 43:26), a situation which inevitably places Yahweh "in the right". Also, it is used in the context of describing the Ṣh of Yahweh in reference to nature [134], as in Psalm 72:3 or also often in a manner which may be termed as "material use", [135] such as Psalm 89:15 [14]; Isaiah 11:5; Hosea 10:12. But even more frequent than these is the context in which Yahweh is presented to us as the ideal judge, the one who executes justice for all of his creation (Jeremiah 11:20). Clearly when Ṣh is used in this context, it has a judicial overtone, but in describing Yahweh as the ideal judge it implies that he is the epitome of one who bears such a title and in fact "steadfast love", "impartiality", "faithfulness", all belong to the character of Yahweh. These preceding points enable us to see the vastness of Ṣh when used in reference to Yahweh, for it is certainly all encompassing in its orientation, whether in a religious, forensic, or ethical sense.

2. Ṣh and Israel

The area of the "righteousness of Israel" provides us with

134 Von Rad regards this usage as having "spatial" overtone, Theol. I, p.376. This designation by von Rad bears a rather static connotation, which does not correspond with our discussion regarding the dynamic nature of Ṣh. We are led to agree with van Oyen in this regard; he says that even in instances where nature is used together with Ṣh, we must not lose sight of the personal and ontological framework which is heavily used in the definition of most Old Testament categories, Ethik, p.51.

135 Von Rad, Theol. I, p.376. Von Rad allows for a metaphorical interpretation of such references, but does not dismiss the possibility that they may be literal.
an inherent problem, namely that Israel is not chosen by Yahweh because of her righteousness, nor does the validity of the covenant depend on the righteousness of Israel. As we study the writings of the Eighth Century prophets, it becomes apparent that the concept of Israel's righteousness does not find a place here, but the focus is on the lack of righteousness on the part of Israel. One incident which clarifies this point involves the attack by the prophet Amos on Israel's expectations from the "Day of Yahweh", and in this section of Amos it is evident that Israel has neither righteousness nor the right to expect that which comes with the "Day of Yahweh". [136] The nature of the situation in Israel during the Eighth Century does not warrant the preaching of Israel's righteousness, for it is the social and political atmosphere which influenced the themes on which the prophets spoke. If in fact, there is any time when one can point to righteousness in particular relationship to Israel, it would be in the exilic period. [137] Two hundred years after the Eighth Century prophets preached, Israel is in exile; the pronouncements of the prophets are verified and Israel finds herself in captivity in Babylon. It is this situation in particular which prompts the exilic prophets to employ righteousness in the sense of "deliverance" and

136 See Amos 5:18ff. A more detailed examination of the "Day of Yahweh" with regard to the social critique of the Eighth Century prophets is developed in Chapter VI, Section III G, of this dissertation.

137 It can be argued that the influence on the exilic prophets might have been derived from the Deuteronomic reformation which contains an element that hints at the righteousness of Israel (Deuteronomy 6:25). There are also scattered references in pre-exilic prophets, such as Habakkuk, who incorporates this Deuteronomic concept in his preaching. (See Habakkuk 1:4,13).
"salvation".

In this regard, it is once again Deutero-Isaiah who is the chief proponent. The writer of Isaiah 40-55 includes in his writings several crucial elements which aid us in our study of the righteousness of Israel. It is not so much the outstanding righteous nature of Israel in exile which prompts the writer to speak of Yahweh's salvation, but rather that Israel has endured enough punishment. But by no means does the exile perfect Israel. The "deliverance" of Israel is certainly not contingent on her perfection or absolute righteousness. There is no doubt that despite the favour which Yahweh has shown to Israel she will continue to be "in the wrong" against him. There is an immensely powerful section in Isaiah 49 which places this tension in perspective. Beginning from verse 8, the writer points to the many ways in which Yahweh helps the people of Israel; he keeps the covenant with them and gives them the land; he quenches their thirst; he comforts and has compassion on the afflicted, and yet Israel replies that Yahweh has forgotten and forsaken her. The writer describes the love of Yahweh for Israel as a mother's love for her child; how could Yahweh forget Israel when there is such a love. Even if a mother would forget her son, still Yahweh would never forsake Israel; such is his love. Yet with all of Israel's unbelief and rejection of Yahweh, Yahweh has still forgiven her sins, "...her iniquity is pardoned". (Isaiah 40:2). Yahweh brings salvation to Israel [138], not because of what she has done but despite it and wholly through the pray of

138 See, e.g. Isaiah 46:13; 51:5; 52:10.
With this knowledge, how is it that Israel can be seen as righteous by the writer of Deutero-Isaiah? There are two points which are germane here. First, there is an inherent right within Israel which is the element that dominates her cause before Yahweh. It is a righteousness which comes to Israel exclusively because she is in covenant with Yahweh [139], a covenant which is initiated by Yahweh and whose validity is sustained by Yahweh. This covenant, because it is fundamentally a relationship between Yahweh and Israel, bequeaths to Israel an inherent right. On a more specific level, the incident between David and Mephibosheth, the son of Saul, is illustrative of this "inherent right". Mephibosheth's plea to David is one based on his inherent right as Saul's son, even though in this particular instance he is unsure as to whether that right is sufficient. [140] That David overlooks the wrong of Mephibosheth is based solely on relationship and the "right" inherent in it and not on the latter's righteousness. It is important in this regard to note that inasmuch as Israel has apostasised against Yahweh, nevertheless she remains Yahweh's elect [141]. In fact, while in exile, Israel becomes the witness of the true God as opposed to the god of Babylon (Isaiah 43:10), and this is precisely why Israel has such a "right".

139 See above note 98.

140 See II Samuel 19:29 [28] and above p.47.

141 Israel must have been aware of this when she boasts of Yahweh's vindication and deliverance. See Isaiah 49:4; 50:8.
Second, it is the one who is "in the right" that is justified. In this sense, "justification" is used synonymously with "deliverance" and "salvation"; thus when Israel is delivered from exile in Babylon, this is an act by Yahweh which signifies that Israel is justified. Yahweh's divine intervention on Israel's behalf not only underlines the covenantal relationship but also the fact that Israel is "in the right" precisely because of her captivity in Babylon. What this discussion advertises then is the conclusion that all the "righteousness of Israel" is dependent on the righteousness of Yahweh.

3. יֵשָׁנָה and the Individual

The idea of individual righteousness as a concept is not entirely unknown in Ancient Israel, even though it cannot be regarded as being a predominant force. There are references such as I Samuel 26:23 which point to individual righteousness, but it is perhaps in Proverbs and to some extent in Psalms that a pattern of individual righteousness develops. More than half of the ninety-four occurrences of יֵשָׁנָה in Proverbs are in relation to the individual, and this is explained in part by the system of instruction which was in vogue during this period. The instruction in both clans and royal courts is to individuals, teaching them how to live. One of the most common antithetical statements in Proverbs pits "righteous" against "wicked", the implications of being in either category are well understood, and
with the presence of this kind of distinction, the doctrine of retribution is also established. In this context, there is no particular eschatological reference, for both "the righteous" and "the wicked" will face the fruit of their actions on earth.

In the case of Psalms, it is somewhat more difficult to decipher whether some of the occurrences of הָרֹגה are used in the context of the individual or of Israel. Like Proverbs, there are a large number of antithetical references, most of which involve הָרֹגה and יִרְשָׁד, but, unlike Proverbs, whether these are in reference to the individual or to Israel is much more difficult to ascertain. There are of course the instances in which the individual is clearly the one on whom the focus is directed, as in Psalms 1 and 73. The "righteous" in the Psalms are those who trust in Yahweh (16:1; 22:9; 26:1) and believe that Yahweh's presence is on the earth (58:11) and, with this knowledge, act in accordance with the demands and claims of the relationship. [142]

However, the uncertainty which is found in the Psalms is absent from the other later sources in which individual righteousness establishes its dominance. This dominance as a major force in Israelite thought does not come until the time of Ezekiel. Even though there is a clear indication in Jeremiah of the advancement of the concept of individual righteousness, it is

142 In this regard, Lindblom observes that, "Yahweh's claim on His people was first that they should remain faithful to their God and secondly that they should obey Yahweh's moral commands as expressed in law and tradition", op.cit., pp. 312-313. See also von Rad, Theol. I, p.381 and van Oyen, Ethik, p.54.
not firmly established. In Jeremiah, there are several elements, including individual laments to Yahweh and questions regarding the state of the individual in relationship to Yahweh. Jeremiah 12:1ff is a classic example of the prophet's torment, and, as righteousness becomes personalized, there is no longer the community righteousness behind which the individual may hide. Individual righteousness, however, does not erase or exclude community righteousness. Even with these examples of individual righteousness in Jeremiah, there are still hints of community righteousness, and one way in which this is seen is the transfer of sin from one generation to the next, from one person to the next. In effect, the actions of the individual are still inexorably tied to the community. The fact that "the fathers have eaten sour grapes, but it is the children's teeth which are set on edge" (Jeremiah 31:29) [143] indicates that precise individualism with respect to righteousness is not yet in vogue.

The Deuteronomistic theology underlines this view in the description of Yahweh's determination to punish Judah because of the sins of Manasseh. [144]

This focus on the transfer of sin shifts in Ezekiel, where the precision of individual righteousness becomes the norm. Before we look at this dominance in Ezekiel, it is necessary to discuss the reasons which might have been responsible for the movement from the righteousness of the community to that of the

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143 While this might have reflected the situation in Jeremiah's time, the context is one in which the prophet prophesies that this would no longer be the case when Israel is restored.

144 See II Kings 21:10ff.
individual. In this regard, Skinner [145] suggests that two elements are of importance in the quest to identify the conditions which might have prompted the birth of this concept, namely, the dissolution of the nation of Israel and the introduction of the written code of law.

First, because of the Babylonian captivity, the nation of Israel is in effect dissolved and with it the suspension of the concept of collective retribution with regard to Israel. This is certainly not a suggestion that Yahweh is unconcerned about the affairs of Israel as a nation, for there is every indication that he is concerned, and Israel's deliverance from Babylon attests to this. However, now for the first time while in captivity, there is evidence which suggests that each individual is accountable to Yahweh, on a personal basis. The description in Ezekiel 18:20 verifies this thesis. In this instance the prophet says "The son shall not suffer for the iniquity of the father, nor the father suffer for the iniquity of the son; the righteousness of the righteous shall be upon himself." [146]

The second element which is instrumental in establishing the concept of individual righteousness is the introduction of written law as the basis of the practice of religion. The primary aim of the Deuteronomistic code is to transform Israel into a divinely oriented nation, through the subscription to a Divine Code. This appeal however, in the first instance is to the individual, and it is this aspect which is incorporated and

146 On this theme, see also Ezekiel 14:14,20 and 18:19.
developed in the preaching of Ezekiel in particular. Of the thirty-nine occurrences of pīš in Ezekiel, only on seven occasions (16:51,52; 23:45; 45:9,10 [3x]) is it used with reference to anything other than the individual. In every other instance it is employed in reference to the individual, whether in respect to the religious condition (as in 3:20ff; 13:22) or in respect to good deeds which may be integral to the makeup of a righteous person (see 18:24). The overtone of individual righteousness is predominantly legal and ethical, primarily because it entails obedience to a code which, at its roots, has ethical implications. One of the far-reaching effects of the concept of righteousness is the theory of individual retribution; the righteous will live and the wicked will die. It is particularly this theory which is put to the test in the story of Job. To conclude the discussion on individual righteousness, we now turn to the book of Job.

As long as the theory of retribution is in reference to judgement by Yahweh (as Ezekiel intends it), then the difficulties and practical implications are limited. However once this focus is shifted from the eschatological to the present, then there evolves a new set of issues, and it is in Job that these are most profoundly present. The retribution theory was very well known by the time of Job, and consequently, when his suffering commences, there is little doubt in the minds of Eliphaz, Bildad and Zophar that Job must have done something sinful, for it was known that the righteous would live and the wicked would die and Job in this view clearly falls in the latter
category. The dramatic irony of the story of Job allows the reader to know the truth behind Job's suffering, but Job, who does not enjoy such a vantage point, must face the reality of being in opposition to Yahweh. Job's charge to Yahweh as the ideal judge is that the latter is "in the wrong" while Job is "in the right". In essence, Job is challenging the belief that Yahweh's judgement is both impeccable and unimpeachable. But for the three counsellors, who are obviously knowledgeable about the theory of retribution, such an idea as Job's is inconceivable. [147] Ultimately it is Job who has to face the reality of being pronounced guilty, even though he has continued to plead his innocence (P11). [148] The element which finally destroys Job, ironically, is not his physical decay, but the belief that Yahweh has become inaccessible. That Job insists on his own righteousness sounds offensive and it is not surprising that this view of Job's has led to many misunderstandings. But in the arguments which are produced by Job, neither sanctimony nor "justification by works" are basic presuppositions. [149]

As we reflect on the suffering of Job and the concept of individual righteousness, many questions arise, most of which we have to bypass here. However, we must point to what is perhaps the most crucial question which involves individual righteousness, namely, can a person be righteous before God, and if so what are the elements which would constitute such a

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147 See Job 8:3; 34:17; 36:3; 37:23; 40:8.
149 Van Oyen, Ethik, pp. 55-56.
righteousness? With all of their faults, the counsellors nevertheless direct our attention to elements such as: piety, worship, faithfulness to Yahweh and the covenantal expectations, morality, uprightness and integrity. The greatest irony is the fact that Job is the epitome of a righteous person, but yet is "in the wrong" before Yahweh, a situation which prompts us to conclude that it is perhaps not the suffering of Job with which we may ultimately have to concern ourselves, but rather the question of integrity with regard to the covenant relationship.

In conclusion, several observations may be detected in our discussion of $\pi$ in the Old Testament. Even with the description of the use of the root $\pi$ in the Ancient Near East, still the meanings derived and the contexts of these early uses, do not reflect the vastness and versatility of $\pi$ in the Old Testament. What in fact this brief etymological study does is to demonstrate the resemblance in the Near Eastern and Old Testament uses; what it does not do is suggest or verify a wholesale transition of $\pi$ from Near Eastern to Hebrew thought. It is therefore not surprising that the translation of the Old Testament into Greek involves the use of some ten different Greek terms in order to render with close proximity the meaning and connotation of $\pi$, and this in turn enables us to observe once again the wide-ranging reference of $\pi$. 
The distribution of בְּרָע in the Old Testament facilitates the categorization of its different uses and in so doing aids us in our discussion regarding the basic concept out of which בְּרָע must be understood, namely relationship. This basic foundation is reflected in all aspects of life, "spiritual" as well as "secular", and between different parties. This is a crucial point, particularly since בְּרָע is often labelled a "religious" term and regarded therefore as applying only to spiritual matters. Not only is בְּרָע found in reference to "piety", "faithfulness", but also in temporal matters such as "weights and measures" and "harlotry", as in the situation between Tamar and Judah. In some ways, the relationship motif finds its greatest strength and support in the temporal situations, where the claims of relationship are not as apparent as a situation which involves Yahweh's deliverance of Israel. Furthermore, there are no norms (in reference to בְּרָע ) to which an individual must subscribe, but rather it is the claims and responsibilities of the relationship, the validity of which must be sustained. The fulfilling of the expectations of בְּרָע are intricately connected with the particular relationship in which individuals and Yahweh are involved. That is to say, the practice of בְּרָע cannot be understood outside relationship, and as a result, it involves each individual within his or her station in life. Thus, the king has his obligations to his subjects and vice versa, and the subjects each in their particular area have responsibilities to each other and therefore responsibilities cannot be executed by a "deputy".
Moreover, in our discussion it has become evident that even though פִּדְיוֹנָה is ultimately associated with Yahweh, and its greatest manifestation is in the form of a covenant, nevertheless its use is not entirely religious. All uses though, whether ethical or forensic, or whether in reference to Israel, Yahweh or the individual, finally have a religious foundation, precisely because the originator and sustainer of the covenant is Yahweh.

E. פִּדְיוֹנָה IN THE OLD TESTAMENT

The importance of פִּדְיוֹנָה is seen in the fact that it is the form of the root פִּדְיָה which is accountable for half of its occurrences in the Old Testament. פִּדְיוֹנָה occurs two hundred times, and the majority of them (115 times) occur in the Psalms and Proverbs. The remaining occurrences are scattered throughout the Old Testament. There are three subjects which are principally associated with פִּדְיוֹנָה namely, Yahweh, Israel and the individual. These three subjects are found primarily in three categories namely, religious, forensic and economic. While these categories accommodate most of the occurrences, there are nevertheless isolated occurrences which do not fit into any of these. [150]

150 See, e.g., Genesis 20:4 and I Samuel 24:18 [17] where פִּדְיוֹנָה is used in a context of morality.
1. פירא as a Religious Term

In the Psalms, whenever there is an indication of the reason why an individual or Israel is called פירא , it is generally seen to be in reference to Yahweh. [151] The title פירא is not granted through self-righteousness, but through obedience to Yahweh. This foundation in Yahweh may be seen for example in Psalm 14:5; 34:16 [15]; 55:23 [22], for the פירא is in turn protected by Yahweh. Obedience to Yahweh and the subsequent title of פירא transpire primarily through religious observances that is to say, participation in the cult and the keeping of the commandments (e.g. Psalm 26:1-7). These are the areas in which Israel is involved and which in turn bring her into the fold of the דָּרְיָה. [152] In addition to this use, פירא is also used as an attribute of Yahweh (e.g. Psalm 11:7) and in describing the actions of Yahweh (e.g. Psalm 7:12 [11]). [153] These are the main ways in which פירא is used in the Psalms. [154]

151 See, Sigmund H Bowman, Psalms. Bowman suggests that certain Psalms such as Psalms 1, 37 and 73 may be regarded as Psalms which set in opposition the individual פירא and the individual פירא. However, he sees the majority of the occurrences of פירא and פירא as Israel and the enemies of Israel respectively. Using Psalm 58 as an example, he concludes that, "There can be no doubt whatsoever that 'the righteous' in this case indicate Israel as a nation -- דַּרְיָה in the Psalms does not signify any single group of men, but all those who act as the enemies of the worshipper," p. 208.

152 See, von Rad, Theol. I, who suggests that the people "had been taught by the cult that Jahweh alone could bestow this title, and that he assigned it to those who clung to him. It is not in the least surprising, therefore, that the men designate themselves as דָּרְיָה, since anyone who participated vocally in the cult in any kind of way was פירא ...." p. 381.

In Proverbs, fifty-three of the sixty-five occurrences of יד are in antithesis to terms such as נון, מִדְּמָה and דַּעַת. The positive nature of the יד in these occurrences can be traced to its source in Yahweh. Even though the instruction in Proverbs may be regarded as secular in its tone, there are several references in which Yahweh and יד are closely connected. In these instances, the יד is seen to be in close relationship with Yahweh, while the various antagonists are not. This relationship with Yahweh appears to be religious in its primary orientation. With the exception of 10:3, which says, "...The LORD does not let the יד go hungry...", all the other occurrences suggest nothing but a religious orientation in the relationship. This view of יד is also dominant in Qoheleth, who perceives that the fate of the יד is the same as that of the בוע and, Yahweh is the one who determines both. Two other examples will suffice here. First, in Genesis 18:23ff, where Abraham intercedes on Sodom's behalf, יד is used as a religious concept. In this instance, it is clear that the יד are meant to be those who live in accord with the expectations of Yahweh. The fact that no יד can be found indicates that the people of Sodom have departed from the ways of Yahweh. Second, thirteen of the

154 Against this view, see Arvid S. Kapelrud, "New Ideas in Amos" SVT 15 (1966), pp. 193-206. Kapelrud suggests that both the psalms of lamentation and psalms of thanksgiving focus on the economic suffering of the יד and these psalms seek to restore the יד to a more successful state, p. 202. There is no indication however, of such a development in the Psalms.


156 See, e.g., 7:14; 8:14 [2x]; 9:1,2.
fifteen occurrences of בִּזְרֵז in Ezekiel are used with regard to the individual's relationship to Yahweh, and appear often in antithesis to בִּזְרֵז.

These various examples give some indication of the predominance of בִּזְרֵז as a religious term.

2. בִּזְרֵז as a Forensic Term

בִּזְרֵז as a forensic term occurs several times in the Old Testament, particularly within a judicial context. In these instances, the בִּזְרֵז is considered as the one who is not guilty in a particular situation. In this regard it is important that בִּזְרֵז be distinguished from בִּזְרֵז. Exodus 23:7 is one instance in which both בִּזְרֵז and בִּזְרֵז are used together, [157] and 23:8 suggests that they are used together within a judicial framework. However, in this instance, it would seem that these terms are not meant to be understood as synonyms. It is evident that a monetary transaction is involved when בִּזְרֵז is used with either בִּזְרֵז or בִּזְרֵז, but the circumstances of these two cases are entirely different. When בִּזְרֵז occurs with בִּזְרֵז, the בִּזְרֵז is an individual who is not associated in any way with a lawsuit or trial or with any form of judicial procedure. Thus, when Deuteronomy 27:25 and Psalm 15:5 refer to an "innocent" person, they are in fact referring to an individual who has not committed a crime and is not guilty of any offense. Hence, when someone is "paid" to kill such a person (Deuteronomy 27:25), or to perform

157 For two other occurrences of בִּזְרֵז and בִּזְרֵז together, see, Job 22:19; 27:17. In these instances, however, בִּזְרֵז is not used in a forensic context.
some action which is to his disadvantage (Psalm 15:5), there is  
every reason to believe that such an action has no connection  
with legal proceedings.

On the other hand, when יתן is used together with רצוי,  
it is a legal proceeding which forms the background for the  
words. The רצוי is seen not as an "innocent" person in the  
sense in which יתן is used, but the situation refers rather to  
the legal status of the individual. Exodus 23:8 states, "...you  
shall take no יתן for a רצוי blinds the officials and  
subverts the cause of those who are רצויים." Here the context  
is clearly a forensic one. Both יתן and רצוי have the sense  
of "innocent", but the contexts in which יתן occurs alongside  
יתן are non-forensic, while רצוי with יתן occurs in a  
forensic context. [158] Also, in Isaiah 5:23, where the root  
ץ is used three times, יתן is also used, and here the  
context is also clearly forensic, and the "innocent" are the  
יתן in the legal sense. A final example will suffice here.  
In Deuteronomy 25:1, רצוי is used in antithesis to יתן, and  
in an instance such as this, if there is a dispute to be settled  
in court, the רצוי will be acquitted (declared to be in the  
right) while the יתן will be condemned. [159]

3. רצוי as an Economic Term

ץ as an economic term appears only twice in the Old

158 For an almost identical use of יתן and רצוי together,  
see Deuteronomy 16:19.

159 For other occurrences of רצוי as a judicial term, see, I  
Kings 8:32; Isaiah 29:21.
Testament, and both occurrences are in Amos (2:6; 5:12). In Amos' time, the פָּרָדִים were those who saw themselves as firmly within Yahweh's design for his people. The פָּרָדִים considered himself blessed and understood his successful state as a reflection of his relationship with Yahweh. According to Kapelrud, "the condition of the suffering was not a normal one, he had to be brought back to a more successful state if he should be considered as a real פָּרָדִים. This view was commonly accepted, yea, more than that, it was part and parcel of daily life in ancient Israel. Poverty and suffering were indications that a man was, in one way or another, outside the ranks of the פָּרָדִים in ancient Israel." [160] This is a particularly important observation, for it testifies to the belief that success and well-being were elements which were representative of the פָּרָדִים. This belief implies that the poor and powerless were lacking that which was necessary to attain the state of the פָּרָדִים. In this way, the concept of פָּרָדִים was linked to the socio-economic status of the people. This position, moreover, became a shield with which these פָּרָדִים might protect themselves and simultaneously disregard and neglect those who were not also פָּרָדִים. This was the situation which Amos faced. The so-called פָּרָדִים were now oppressing the poor and powerless in order to build and preserve their own positions in society. The consequence was that the poor and powerless were unable to achieve the state of the פָּרָדִים as the term was normally understood.

Amos takes this situation as he did that of the "Day of Yahweh" and reversed the expectations. In 2:6, Amos uses רֵעַ as a parallel to יְהִיָּה. The יְהִיָּה has become the רֵעַ, and this parallelism is repeated in 5:12. Both occurrences point to the socio-economic ills of the יְהִיָּה; in 2:6 the רֵעַ is sold into slavery because of debts, [161] while the יְהִיָּה in 5:12 suffers injustice at the local judiciary. While 2:6 and 5:12 are the only two instances in which רֵעַ is used in an economic sense, there is one other instance in Amos which is relevant here. In 8:6, the message is strikingly similar to that of 2:6b, except that in 8:6, רֵעַ is absent. However, in 8:6 תָּנַה replaces רֵעַ, in parallelism to יָדַע. The economic overtone in 8:6 is self-evident. [162]

This brief discussion of רֵעַ in the Old Testament indicates clearly that the use of רֵעַ is a varied one. It is safe to say that the two categories which predominate are the "religious" and the "forensic". However, Amos' use of רֵעַ as

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[162] See, Botterweck "יְהִיָּה", p. 32 and Fabry, "לע", p. 223, both of whom agree that in 8:6, מִנַּה replaces רֵעַ.
an economic term is an important element in his overall message.
CHAPTER II

I. BACKGROUND AND MEANING OF דוד IN THE ANCIENT NEAR EAST

In order to determine the different uses and shades of meaning of דוד in the Old Testament, it is necessary that the root דוד be examined both in biblical and extra-biblical material. In this examination an attempt will be made to trace the meanings of דוד in the Bible and ascertain whether there is an evolution of meanings or whether the original meaning(s) are maintained. This brief study is essential for the larger investigation of דוד in the Eighth Century prophets.

It has become fairly acceptable in recent years that the societies of the Ancient Near Eastern countries have been influential on Israel. It is true that there are certain elements which are unique to Israel (e.g. covenant relation with Yahweh) but there are also many instances in which aspects of Israelite life have been influenced, if not shaped, by its neighbours. In the following study it is the aim to determine the way in which דוד is used in the Ancient Near East and then to consider whether these uses could have, and did influence the use and meaning of דוד in the Old Testament.
A. Mari

The oldest Western Semitic texts which use the root Āpt were found at Mari, and these have provided a particular pattern of usage of Āpt. There are in fact enough references for there to be a consistent traceable meaning. Moreover, the presence of various derivatives will allow us in this study to form a conclusion, based not only on one particular derivative but on all those which are found. The following terms are found in the Mari texts: Āiptum (noun), Āapātum (verb), Āāpitum (participle), Āāpitūtum (noun). The different contexts in which these terms occur will be examined, and then a conclusion based on this examination will be formed.

The term Āiptum occurs in several different contexts and involves a variety of characters. The first instance is found in I 6:6-19 [1], where Āiptum describes a royal order to draft soldiers for a military expedition. This Āiptum is given by King Samsi-Adad to his son Jasmah-Adad. In this section of the letter, it is noticed that Și-pī-it-ka-a-ma and Și-ip-tä-am are used, and both, in this context, mean "order" [2]. Another occurrence of Āiptum is found in I 13:24-30 [3] and once again it is used twice. Și-ip-tä-am [4] is found in lines 24 and 30, and as in the first example, they are used to mean "order", once more coming from the king to his son, to be relayed to the leaders. Not every occurrence of Āiptum involves the king; even though

1 Georges Dossin, Archives Royales de Mari I (Paris: Imprimerie Nationale), 1950. All references to the volumes of these Mari texts will henceforth be referred to as ARM.
the concept of "authority" and "rule" is most readily manifested in the king, ḫiptum is also employed in the context of other authoritative figures. In another situation [5], Samadahum (a high-ranking official) sends a ḫiptum to other members of the military, one which constitutes the admonition to refrain from securing unlawful shares of the booty. This particular instance of the use of ḫiptum is significant precisely because of its subject. That is to say, this occurrence of ḫiptum underlines the thesis that in fact a ḫiptum is something which comes from an authoritative source. It is true that most of the examples of the use of ḫiptum are associated with the king, but the occurrence in II 13:25-30 confirms the belief that ḫiptum is associated with authority in general. [6]

2 Dossin translates both these words as "décision", thereby casting a particular connotation on the words. This translation of Dossin does not include the idea of "order" in the sense in which it is used in the text. The text suggests that Samsi-Adad faces a military matter and sends out an "order". To use décision as the translation for ḫi-di-it-ka-a-ma indicates that Jasam-Adad is in charge and it is his decision which he is himself relaying. Dossin's translation is clearly untenable in view of the circumstances on which the text focuses. See ARM I, p. 33.

3 Dossin, ARM I, p. 47.

4 Once again, Dossin translates this term as "décision". However, in this instance, the context suggests that the king made a decision regarding a complaint and is now in the process of relaying that decision via his son. As a royal directive, it has the nature of an order and so conceivably can be either "order" or "decision". However, if in the event "décision" were employed to mean "a precise decision", it would clearly not have any judicial overtone, even though décision in French could have a judicial overtone. In this case however, the king's decisión is not based on a lawsuit, but is simply a reflection of his wisdom, his authority. See ARM I, p. 47.

While ḫiptum is the noun which means "order", ḫapāṭum is the act of giving a ḫiptum. Marzal suggests that ḫapāṭum means "to give an order which carries all the implications that we have seen in the term ḫiptum" [7]. In II 92:5-7 and 23-24 [8] Kibri-Dagan is engaged in situations which involve the receiving and giving of a ḫiptum. The ḫiptum which Kibri-Dagan sends out, is one which he receives from the king and then he delivers it to the tribal leaders. It is in announcing this royal order that Kibri-Dagan uses as-pu-ut [9] and the context suggests clearly that it is the act of giving an order or command [10]. Once again this verbal form of ḫpt is associated with authority and and is tied to the object ḫiptum.

A third use of the ḫpt in the Mari texts is the term ḫāpīṭum. In many ways this is the most important use of ḫpt in the Mari texts, as far as this study is concerned. This is

6 For other instances in which ḫiptum is used with a similar meaning, see ARM I 83:27; II 13:24, 33; II 92:16; III 12:22; III 30:25; IV 16:12; VI 64:7.


8 Jean, ARM II, p. 166.

9 This term (as-pu-ut) is in fact used on three different occasions: II 92: 13, 20, and 24.

10 Jean's translation of as-pu-ut as "réprimande(s)" on every occasion points to a manner of rebuking which is negative and moreover, does not fit the context. He also translates ḫiptum as "la réprimande" and in so doing implies that the message is not a cautionary one but one of rebuke. Perhaps this strong language is meant to underline the serious nature of the ḫiptum (coming from both governor and king), and the consequences of disobedience (death). Even if this were the case, still réprimande connotes punishment after a particular action, and this text clearly points to a warning.
perhaps the term which comes closest to being a parallel to the Hebrew  יְבֵן. Some scholars have argued that the parallel which is drawn between the  יְבֵן and the אֱֹֹבִית is one which is based entirely on the functional similarities. Two of the principal proponents of this view are Marzal and Malamat, both of whom conclude that the אֱֹֹבִית is a provincial governor and argue by implication that the  יְבֵן [11] are similar in their functions, though the political framework is different. [12]

There are in fact, several occurrences of אֱֹֹבִית in the Mari texts and there is a noticeable pattern in the meanings. We will look briefly at the occurrences in the earlier volumes of the Archives Royales de Mari. In one occurrence [13], Tarim-Sakim together with Jamah-Adad recommend the person to be the new אֱֹֹבִית [14] in Tuttul. The position is clearly one of leadership and authority and the אֱֹֹבִית is meant to be the ruler.

11 The role of the יְבֵן will be examined later in this chapter.

12 See A. Malamat, "Aspects of Tribal Societies in Mari and Israel," RAL, 15 (1966), pp. 129-138. See specifically p. 133. Also A. Marzal, "The Provincial Governor...", p. 197. For other sources with this view, see A. Malamat "The Period of the Judges", The World History of the Jewish People volume III, ed. Benjamin Mazar (London: W.H. Allen), 1971, pp. 129-163. See particularly p. 131. See also, Georges Dossin, "L'inscription de Fondation de Iahdun-Lim Roi de Mari" Syria 32 (1955), p. 25. Dossin suggests that "dans la titulature administrative de Mari, le terme אֱֹֹבִית 'juge' désigne le préfet qui peut gouverner soit un palais, comme Baq di-Lim, soit une province...", p. 25. Dossin, in this instance attempts to coalesce the meanings of "juge" and "gouverneur" and perhaps is successful to some extent. However his continued use of "juge" for אֱֹֹבִית as we shall see, casts a particular connotation on אֱֹֹבִית.

of Tuttul. While this context indicates that the šápitum is primarily a ruler, still it must be noted that "governing" is not the only function; in fact being a šápitum involves much more. One of these functions is developed quite succinctly in VIII 84. [15] This particular piece is under the section entitled "Procédure et Documents Judiciaires", and to some extent this is indicative of the nature of VIII 84. Sumu-hadu is the šápitum and he conducts a trial between two individuals (Dada and Naramtum) who have a dispute regarding their goods. This reference is particularly interesting precisely because it is something of an exception and also because it is used alongside da-ia-nu-um. In VIII 83:4 and VIII 87:1 da-ia-nu-um [16] is the term which is used to describe the official who litigates in disputes and judicial matters. In VIII 83:4 the da-ia-nu-um decides in a dispute over an ox while in VIII 87:1, the decision is regarding a property. In essence, what has transpired is a situation which indicates that in this particular case, both the šápitum and the da-ia-nu-um perform similar functions. [17] It is evident through these references that the office of judge, (a judicial functionary) was conventional at the time. As such, both the da-ia-nu-um and the šápitum function simultaneously.

Marzal notes that, "while in VIII 83 and 87 we have 'judges'
14 The context clearly suggests that the role of the new šápitum is to rule. However Dossin translates šápitum as "juge" and in so doing imparts a judicial connotation, which is certainly not the principal meaning here. ARM I 73:52, p. 139. See note 12 above on Dossin's use of "gouverneur".


16 In VIII 87:1, the plural form is used (da-ia-nu).
(professional or functional) who in this capacity pronounced a verdict, in VIII 84, we have a high administrative official of the king, a šapitum, who can act as judge and administer justice in his own territory." [18]

In addition to these occurrences of šapitum perhaps it is in the most recent volume of the Mari Texts, which details the letters of Yaqqim-Addu, that the meaning of šapitum is confirmed. [19] The letters of Yaqqim-Addu bring us to a point where it becomes certain that šap in the Mari texts does in fact mean "rule", "govern". There are two instances of šap in XIV 81, which exemplify and verify this view. In this letter Yaqqim-Addu has expropriated land for himself and in the process has aroused the anger of the queen. Realizing that the queen is angry, Yaqqim-Addu pleads his cause, noting that his predecessors enjoyed sixty acres of land and that he is thus entitled to the same. Yaqqim-Addu describes his predecessors in direct relationship to their positions, namely, they both held the principal office in the šapitum, or "governorship". While Yaqqim-Addu does not describe himself directly as a šapitum, he nevertheless does so by implication, when he refers to his predecessor as a šapitum. [20] It is fairly certain that

17 It is regrettable that in each instance Boyer uses "juge(s)" as the French translation. It is evident that in the case of da-ia-nu-um, this would be an appropriate rendering, but clearly the juxtaposition of da-ia-nu-um and šapitum should have indicated to Boyer that the latter cannot be a "juge", even though of course, in this particular instance he functions as one.

18 Marzal, "The Provincial Governor...", p. 205.

Yaqqim-Addu holds an important leadership position, perhaps in what would be a local precinct or county. The importance of the position is underlined by the fact that Yaqqim-Addu enters into direct correspondence with the queen, an act which suggests that it is not the gravity of the situation which forces him into communicating with the queen, but rather that he is directly accountable to the queen, precisely because of the position he holds. Unlike earlier translations by Dossin and Jean [21], who render ʾānītum as "judge", it is now evident that the judicial overtone is removed, for Birot renders ṣa-ni-ti-um as "gouvernemcmt" and ṣa-ni-ti-um as "gouverneur". [22] Safren notes that "ARM XIV 81 now provides us with conclusive evidence that the term ṣānītum refers to a provincial governor or administrator and that ṣānītūtim describes the office of governorship." [23] It is clear that the occurrences of the various derivatives of ṣānt in the Mari texts [24] point to a meaning which is not judicial in its basic connotation. As Ishida concludes, ṣānt is to be translated as "to give orders, to rule, to govern, to administer, or the like". [25]

20 Birot, ARM volume XIV 81:40.

21 Dossin, ARM I and Jean, ARM II.

22 Birot, ARM XIV 81.

23 Jonathan D. Safren, "New Evidence for the Title of the Provincial Governor at Mari" HUCA 50 (1979), p. 5. Safren also provides an English translation of the text of XIV 81.

24 In addition to the examples examined, other occurrences of ṣānītum are found in ARM II 32:16; II 98:12, 13; VII 214:6; VIII 6:17; X 160:16 and XIV 98:11; 112:5ff.

B. Ugaritic

In many ways, the presence of ṭpt in Ugaritic literature is the closest parallel, both conceptually and functionally, to ṣōq in Hebrew. Literature from this era is dated about the 14th Century B.C. [26] and since it thus precedes all of the Hebrew Bible and because of Ugarit's proximity to Israel, the prospects of similarity in language and meaning are considerable. There are several occurrences of ṭpt in Ugaritic, particularly in the text of Aqhat and in the epic of King Keret. A representative sampling of these texts will be examined. In 2 Aqhat V:6-8 [27], there are two occurrences of ṭpt:

ytšu.ytt.bap tgr.tḥt
adrm.dbgrn. ydn.
dn.almnt.ytpt. ṭpt.ytm

This portion of the Aqhat tale focuses on the role of Dan'el as one who administers justice. Lines 6-8 refer to Dan'el and say of him that he "is upright, sitting before the gate, beneath a mighty tree on the threshing floor, judging the cause of the widow, adjudicating the cause of the fatherless". [28] It is clear that Dan'el's role here involves the care and protection of the underprivileged, in this case widows and orphans.

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26 See H.L. Ginsberg, in ANET, p. 149.


28 This translation is Ginsberg's in ANET, p. 151. For a similar rendering of this text, see John Gibson, Canaanite Myths and Legends (Edinburgh: T and T Clark), 1977, pp. 107 ff.
There are two points regarding this text which must be noted here. First, šép in Ugaritic means "gate", and in this context, it clearly refers to the place where justice is executed. In the Hebrew text, the word which is generally employed to mean gate is יָדָּה . This term may refer simply to "gate" as an entrance to a city or court (e.g. Genesis 23:10; 34:20; Exodus 35:17; 40:8) or may also be used to mean a place where the elders or city leaders meet to execute justice. [29] In this sense it is the equivalent of the Ugaritic šép [30]. Based on the context, this meaning of šép is appropriate when identified with the action of Dan'el. Dan'el, as a king who is particularly interested in justice, would in his own interest, wish to sit at the gate, the principal location for the administration of justice. Second, the idea of the "threshing floor" is also commonly associated with the execution of justice. In I Kings 22:10, Ahab, King of Israel, and Jehoshaphat, King of Judah, are together with a host of prophets sitting at the threshing floor by the יָדָּה . As is noted above, the Ugaritic word corresponding to יָדָּה is šép while the Ugaritic and Hebrew words for "threshing-floor" are identical. [31] יָדָּה [32] in the Ancient Near East and the Old Testament is generally regarded as a place where important

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29 See, e.g., Amos 5:10,12,14; Proverbs 22:22; Ruth 4:11.

30 Unfortunately Gordon translates יָדָּה as "door", which simply does not correspond to or suit the context in question. While in contemporary society "door" and "gate" may have common functional elements, they are conceptually different in these Near Eastern and Biblical texts. See Gordon, Ugaritic Literature, p. 88.

31 In the present context, ḏbgrn is used in Ugaritic, while in I Kings 22:10, bgm is used.
rituals, such as funerals and weddings are staged. [33] The fact that Ahab and Jehoshaphat are seeking a decision underlines the role of the ḫ[r] and the ʼl. Even though this context does not suggest a court scene, nevertheless it is a judicial action which is the focus. The important point to note in this text is the fact that ṭpt is associated with rulers, and in this particular instance, it is the king. There is no reason to suppose that ṭpt is exclusively associated with rulers and that there are not professional members of the judiciary connected with ṭpt. However, for our purposes, it is noteworthy that an element of the king's rule is to administer justice. [34]

A second example of the use of ṭpt in Ugaritic literature which is relevant for this study is in the context of 2 Keret

32 The commonly held view regarding ʼl is challenged by John Gray in his article "The Goren at the City Gate: Justice and the Royal office in the Ugaritic Text 'Aqht" PEQ, 1953. Gray believes that the primary meaning of ʼl is not "threshing-floor" but rather it is a derivation from the arabic "to rub", though he concedes that a secondary meaning is "threshing-floor". See p. 121. For a different view see Gibson, Canaanite Myths and Legends, p. 107, note 5 and C.H. Gordon, "The Poetic Literature of Ugarit", Orientalia 12, (1943), p. 65, note 1.

33 See e.g., II Samuel 6:6.

34 See S. Smith, "On the Meaning of GOREN", PEQ (1952-53), pp. 42-45. Smith argues that even though ṭpt is associated with Dan'el, it is not entirely true to presuppose that he was a king who dispensed justice. Rather, "he examined the case of the widow and judged the judgement for possibly, the orphan. ...As lengthy studies of the meaning of mishap in the Old Testament have shown, to judge judgement for the poor and helpless is to give them succour such as the case merits", p. 43. There are two points to note here. First, Smith's distinction between Dan'el being a king who dispenses justice and one who judges on behalf of the poor, is not clear. Second, if by suggesting through his use of "succour such as the case merits" a sense of partiality to the oppressed, then this is biblically untenable.
VI: 33ff.

ltdn. dn. 'almnt.
lttpt tpt. qsr npś [35]

In this context King Keret is being repudiated for not "judging the case of the widow" nor "adjudicating the cause of the importunate". [36] This accusation of Keret is extended in 2 Keret VI: 46-50:

dn.'almnt ltttpt
tpt qsr npś ltdy
țm. 'el. dl 1pnk
ltālhm. ytm bed
kalk.'almnt km

"You do not judge the cause of the widow, you do not try the case of the importunate. You do not banish the extortioners of the poor, you do not feed the orphan before your face (nor) the widow behind your back." [37] In these six lines, tpt occurs only twice, but it is the context and subject of discussion which is crucial. In this section and in 2 Keret VI: 33ff, it is evident that there is some degree of irresponsibility on the part of Keret regarding the execution of justice to those who are most in need. Twice in this last section is the "widow" mentioned,


36 Translation taken from Gibson, *Canaanite Myths and Legends*, p. 101. See also Gordon, *Ugaritic Literature*, p. 82.

37 Gibson, *Canaanite Myths and Legends*, p. 102.
together with the "poor", the "orphan" and the "importunate". It is noteworthy that when Keret's son Ysb points to his father's shortcomings and reminds him of his responsibility, the primary focus is the care of the oppressed. It is unclear as to whether Ysb's request for his father's abdication, is based on this deficiency, but it must be assumed from the context that Ysb knows of the responsibility of the king to the underprivileged, hence his request. [38] The use of ֶהָנָּה in this context once again points to a use which is associated with the king. In this instance it has become clear that it is an indispensable element in the king's rule. However, once again it is evident that when ֶהָנָּה is used, it is not meant to be understood in a judicial sense; certainly not in its primary sense. The stress in this section on the needs of the disenfranchised and the corresponding responsibility on the part of the king have led some scholars to conclude that it is more than simply an ad hoc aspect of a kingship. Hammershamib notes that these statements are as good as law, "either positively prescribing care to be taken of widows and fatherless or negatively prohibiting any infringement of their rights". [39]

However the use of ֶהָנָּה in Ugaritic is not exhausted with its reference to Keret and Aqhat. In the Keret and Aqhat texts, it is clear that an essential element in their reigns is the care of

38 The discussion here is not concerned with Ysb's motives for wanting Keret's abdication, but the factors which are noted by him are ones which also appear in other literature, specifically in the Old Testament. See Deuteronomy 10:18; Isaiah 1:17; 10:2; Psalm 82:2-4; Job 22:7-9; 29:12-13; 31:16-17. See also the "Code of Hammurabi", ANET, p. 178.
the oppressed. This might involve judicial acts, but not necessarily. In these instances, it is evident that тпт means more than simply "judge". However, there are other occurrences of тпт where the contexts leave no doubt as to the meaning and in the following discussion this will emerge. The idea that тпт is a concept which connotes more than simply "judge" is substantiated by the many instances in which тпт is used in the same context as mlk. Most of the references have Baal as king and judge in the same context:

... mlkn аliy[n] b’l
тптн wин d’lnh [40]

This confession that "Mighty Baal is our King, our judge and there is none who is over him" [41], indicates the relationship between judge and king. There is no reason to believe that the idea of king does not encompass judicial activity, and this would in fact signify that contextually this occurrence of тпт ought to be translated "ruler", bringing it into harmony with the accepted role of the king. This parallel between тпт and mlk occurs

39 E. Hammershaimb, "On the Ethics of the Old Testament Prophets", SYT 7 (1959), p. 80. Hammershaimb, in studying the texts of Aqhat and Keret has concluded that there is in fact a close concord between the Old Testament prophets and these texts. He observes that the Ugaritic ʼlmънt and yтm are identical with ʼlmъn and yтn in Hebrew, even though he makes an erroneous assertion when he notes that yтm is mentioned only in the Aqhat and not in the Keret text. In fact yтm is mentioned in 2 Keret VI:49. Nevertheless his point regarding the similarities is sound and helps to place these Canaanite texts in perspective.

40 See Gordon, Ugaritic Textbook, Text 51 IV 43-44, p. 171.

41 English translation taken from Gibson, Canaanite Myths and Legends from the section "The Palace of Baal" 4 IX, lines 43-44.
several times [42], a factor which leads us to surmise that ṭpt as "rule" is not an exception, but the prevailing convention.

This idea that ṭpt is associated with "kingship" and "rule" is further enhanced through the occurrences of ṭpt ṯmr in the same context as zbl(vm. In the text of "Baal and Yam", Judge Nahar and Prince Yam are consistently mentioned together. [43] In several of these occurrences, the contexts suggest that ṭpt is used more to connote "ruler" than "judge". Prince Yam supposedly dwells in a palace, while Judge Nahar dwells in a mansion; this is mentioned at least twice. [44] In addition to the many times ṭpt ṯmr is mentioned with zbl(vm [45], there are also instances in which there are descriptions which point clearly to elements associated with rulers. On four occasions, Judge Nahar is said to have an embassy, and in each instance it is in the same context as "the messengers of Prince Yam". [46] Also in two instances Yam and Nahar are spoken of in connection with their throne and dominion respectively [47], elements which clearly suggest positions of leadership and rule. Certainly in the case

42 See also in Gordon, Ugaritic Textbook 'nt V 40; text 49 VI p. 28ff.


44 Gibson, Canaanite Myths and Legends, "Baal and Yam", 2, iii, lines 8-9, 21, pp. 37-38.

45 See, for example, Gibson, ibid., 2 iiii line 16, 21, 23; 2 i line 17, 26, 28, 30, 33, 36, 46; 2 iv line 14, 22, 24, 27.

46 Ibid., 2 i lines 19, 26, 28, 30, 44, pp. 41-42.

47 Ibid., 2 iv lines 12-13, 20. See also Ginsberg, ANET, p. 131, for a similar English rendering.
of Nahar, dominion would not be associated with him in so close a manner if he were only a judicial functionary. In these two references Nahar and Yam are objects of displeasure, and they are being deposed from their positions.

This examination of the occurrences of tpt$ in parallelism with mlk and zbl zm lead to the conclusion that tpt$ should be understood as "rule(r)" rather than "judge". There is no evidence to support the meaning "decide" or "bring about justice", but rather it corresponds to the German Herrschaft, as Schmidt observes.[48] The conclusion here therefore concurs with Gray's; "the Ras Shamra data...clearly demonstrates that the word had a wider connotation 'ruler' of which 'judgement' was but one function. The order imposed or upheld by the tpt$ or ruler was mpt$...which is just as wide in its connotation." [49]

C. Phoenician

The examination of 𐤯𐤲𐤱 in Phoenician is particularly important for this study precisely because of the similarities which exist between Phoenician and Hebrew and the frequent connections between the corresponding nations in the monarchical period. The root 𐤯𐤲𐤱 occurs on several occasions in Phoenician in a variety of contexts; the important ones will be examined


briefly. Perhaps the most significant occurrence of וַדַּע in Phoenician is found in the Ahiram inscription.

וַאֲלָMAL בלַכְסֵנ רכָּע בֹּ (כּ)כס דַעְמה
מַהְגָּה עַל עַל רוֹדְלוֹאִר וְזֶה חֶסֶף
טֶפֶר שְׁמַעְוַה הָתִינָפָה כָּסָא דַעְמה
רַכָּת תְּבָרָה עָלְּ בֵּל דַעְמה

Gibson translates this inscription as follows: "Now if a king among kings or a governor among governors or a commander of an army should come up against Byblos and uncover this coffin, may the sceptre of his rule be torn away, may the throne of his kingdom be overturned, and may peace flee from Byblos!" [50] This is the oldest piece of material of this nature which uses וַדַּע, and the meaning which is deduced here, will enable us simultaneously to have a glimpse of the use of וַדַּע during that period, and also shed some light on its use in pre-monarchical Israel.

There are two sentences in this inscription, and it is the second one which is germane to this discussion. The context involves the son of Ahiram placing the coffin of his father in a sepulchre and threatens destruction to anyone who would tamper with it. The son specifies governors, kings or commanders as being possible or even likely perpetrators, and it is in this setting that the following words are found: וַאֲלָMAL שְׁמַעְוַה. There are generally two translations which are proposed as being

50 John Gibson, Textbook of Syrian Semitic Inscriptions volume III (Oxford: Clarendon Press), 1982, p. 14. This inscription which was discovered in 1923 is dated in the vicinity of the Twelfth Century B.C.
logical and plausible interpretations of both the words and context. Rosenthal translates it as "judicial staff", which empowers the subjects to pronounce sentences in judgement. In effect, the kings, governors and commanders, in addition to their primary vocation will also have a judicial function. [51] The second translation which is associated withETIME 시간 is "sceptre of his rule" [52]. "Judicial staff" is the rendering which has traditionally been accepted as the correct translation, but even a cursory examination of "sceptre of his rule" indicates that it contains an element which is absent from the other. Each of the categories mentioned, namely "kings", "governors", "commanders" are ipso facto rulers, and thus it would be a logical translation to render הוהי "rule" rather than "judicial staff". The latter can certainly be an element of the overall responsibility of these personalities, but it cannot be assumed to be the functional equivalent of "rule". Soggin observes that, "the expression מַשְׁפִּי can certainly be translated 'the sceptre of his judgement', but it is clear that 'the sceptre of his rule' or 'of his kingdom' is a more obvious rendering and is a better parallel to 'his royal throne'". [53] There is no doubt that some form of authority is being referred to here, and the context intimates that it is "royal" rather than "judicial" authority.

53 Soggin, ibid., p. 2. See also Ishida, art.cit., p. 518.
Two other occurrences of דֵּדֵּי in Phoenician, though not as old as the Ahiram inscription will aid in deciphering the meaning of דֵּדֵּי. The first example which is from Kition [54], describes Abd-eshmun as a "judge" [55]. Unfortunately there is not much background data from which to determine the function of the דֵּדֵּי in this reference, but some scholars have suggested that "judge" in this context refers to a person who, for all practical purposes, functions as a king, in place of a king. [56] However, the evidence which is available to scholars is rather slight and circumstantial. What is known is the fact that there is no reason to believe that דֵּדֵּי in this context is primarily concerned with the judiciary. A safer conclusion would be a concurrence with Cooke's speculation, namely the connection of דֵּדֵּי with kingship in Tyre. [57] The other occurrence is from Piraeus [58] and once again it is used as the title "judge" for a person. The dating (about Third-Second Century B.C.) and place

54 Corpus Inscriptionum Semiticarum. Tomus I (Parissis: E Reipublicae Typographeo), 1881, i 47.

55 Cooke, op.cit., justifies the translation of דֵּדֵּי as "judge" by suggesting that as a title it is only found in Phoenicia and corresponds with the system of government which was in effect at the time, p. 44, note 3. It is interesting to note also that CIS renders דֵּדֵּי as "suffetis". This is noteworthy in the sense that the later Punic references in CIS i 165 are translated using the same word, pp. 236-237.

56 See Cooke, op.cit., p. 44. Also Charles F. Jean and Jacob Hoftijzer, Dictionnaire des Inscriptions Semitiques De L'Ouest (Leiden: E.J. Brill), 1965. Jean-Hoftijzer note that this designation is of an office whose exact meaning is unknown, p. 316.

57 Cooke says, "At an early date, in the time of Nebuchadnezzar, we hear of a succession of judges at Tyre, who took the place of the king...", op.cit., p. 44.

58 CIS, i 118.
of this inscription suggest that *Dt* in this occurrence corresponds more to a "consul" rather than a member of the judiciary. While this text translates *Dt* as "judge", the title is clearly not indicative of the function. [59] The "judge" in this period is more akin to the idea of "consul" which suggests "rule" rather than "giving judgement".

D. Punic

The occurrences of *Dt* in Punic [60] are essential to this study particularly because there is sufficient material available, enabling us to determine a likely meaning. *Dt* in Punic is found in many instances, in different areas such as Carthage, Marseilles, Malta. [61] In order to arrive at a possible pattern in meaning of *Dt* and the connotation which emerges, there will be a brief examination of examples from each of the three contexts. The first example is from Carthage and in this particular instance, *Dt* occurs twice. [62] It is a dedicatory inscription which is rendered in English as "your

59 See Cooke, op.cit., p. 100.

60 These occurrences are all relatively late, ranging from Fourth-Second Century B.C. However the careful transmission of language from Phoenician to Punic enables us to derive a fairly accurate meaning of *Dt*. If nothing else, it will allow us to see the evolution in meanings.

61 For a list of references in which *Dt* occurs in Punic, see Jean-Hoftijzer, op.cit., p. 316.

62 CIS, i 176.
servant Melekjaton the judge, son of Mahar-baalis the judge, dedicated...". Unfortunately, this inscription which is from Fourth-Third Century B.C. does not have any elaborate context from which it might be understood. However, it is known that it is from Carthage and the designation of someone as a "suffete" means that this person officiated at the highest magisterial level; [63] hence this meaning is somewhat different from that of early Phoenician. [64]

A second example is from an inscription which was found at Marseilles. [65] This text, which is dated about the Fourth Century B.C., is particularly helpful because of its length and the common elements which it shares with other inscriptions. In this context, \( \text{Di} \) occurs twice and in both instances, it refers to the individuals who were suffetes at the time. Several observations are necessary at this point. Even though this stone was found at Marseilles, the style and nature of the inscription suggest that it is Carthaginian in orientation and essence. [66] The connection is further enhanced by Cooke's suggestion that the geological formations on this stone suggest that it originated in

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63 See Jean-Hoftijzer, op.cit., p. 316.
64 It is interesting to note that both in the Carthaginian inscriptions and in the early Phoenician inscriptions, the suggested Latin translation of \( \text{Di} \) is suffetis. See e.g. in CIS, i 47, 165, 176. The fact that suffetis is used in these contexts would indicate, at least superficially, that there are obviously no differences in functions between the \( \text{Di} \) of early Phoenician and the \( \text{Di} \) of Carthage. Such a conclusion however would be imprecise and inaccurate, for while the title \( \text{Di} \) was clearly in use during these periods, the functions of the \( \text{Di} \) were certainly not identical.
65 CIS, i 165.
While there is still no definite word which can be said about ooci in this period, there are certainly elements which lead in a particular direction. It is generally accepted among scholars that, in this period, there was no monarchy, certainly not in Carthage nor in the Carthaginian colonies. Whether or not it is a "republican form of government" as Whitelam attests, is uncertain, but it is known that there are individuals who are appointed as suffetes, those being the equivalent of magistrates. These magistrates are the principal rulers in both Carthage and the colonies, even though power and responsibilities varied between mother-state and colony. In each situation, there appears to have been two suffetes ruling at any given time. While ooci then, in these contexts is used to designate the person who rules, it does not have any explicit reference to the primacy of judicial responsibility.

The third example is an inscription which is from Malta and is dated in the vicinity of Third-Second Century B.C.

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66 See, e.g. CIS i 170, which is a text from Carthage. When the Marseilles text is compared with this, the similarities become evident.

67 See Cooke, op.cit., p. 115.

68 Ibid., p. 115. See also, Whitelam, op.cit., p. 58.

69 Whitelam, op.cit., p. 58.

70 See e.g. CIS i 165, lines 1-2, 18-19; CIS i 175, line 1. Also Cooke, op.cit., p. 127, no. 45, lines 5-6. For a discussion of this, see Cooke, pp. 115-116.

71 See CIS, i 132.
This is rendered in English as: (4) in the time of our lord of noble worth, Arish, son of Ya'el... (5) judge son of Zibaqam, son of Abd-eshmun, son of Ya'e[l]. [72] Line 5 of this inscription begins with oD but because of the missing ending to line 4 it is difficult to give a definitive interpretation of oD in this context. However, there are two observations which might be helpful. First, oD could refer to the function of the father of Arish. The fact that Arish is of noble worth might indicate something of his functional status, rather than his birthright. If indeed Ya'el the father is a suffete, [73] then his station in life would elevate the societal worthiness of his family also. However, there is no indication that Arish is a suffete, and this is further strengthened by the fact that historically during the period when the suffetes ruled, the position was magisterial, which by its nature presupposes that it cannot be hierarchical. Moreover, two suffetes are not mentioned as is generally the case in other Carthaginian inscriptions, such as CIS i 143 and i 165. Nevertheless, this does not detract from the theory that Ya'el could have been a suffete, but the focus in this inscription is clearly on Arish, not on Ya'el. Since there is no indication that Arish is involved in judicial responsibilities, the use of oD in this context may be similar to Carthaginian

72 Cooke, op.cit., p. 105.

73 There is no logical nor contextual reason for translating oD in this inscription as "judge". Ibid., p. 105.
The second observation focuses on the structure of the inscription. After the first three lines of this dedicatory inscription, the genealogical background of Arieh is given. The missing word(s) from the end of line 4 could have been ... \[\text{ missing word(s) }\]
in which case it would mean that \[\text{missing word(s)}\] was part of a person's name, rather than a title.

Finally, what can be said about these inscriptions? It is arguable that in every example discussed \(\text{word} \) is used as the designation of an office, specifically one which suggests the power to rule. It can therefore be concluded that in these contexts, the primary meaning of \(\text{word} \) is "rule" even though this position includes a judicial element.

The use of \(\text{word} \) in the Ancient Near Eastern texts discussed, indicate that \(\text{word} \) can be used as a judicial term, but it is clearly not its primary use. Different examples, such as \(\text{word} \)'s association with "king", "government", "order", "reign" all suggest that \(\text{word} \) in a significant way refers to "rule" in general.
II. EXCURSUS ON RELATIONSHIP BETWEEN אִית and י"ו

This section will focus principally on content and message regarding אִית and י"ו in certain types of literature, and from this examination a particular pattern of relationship between the two terms will be seen. It will become evident that while אִית is virtually non-existent in Mesopotamian literature, nevertheless the theme of "justice" with specific reference to the ruler is germane and essential for this study.

A. Din in Ugaritic

It is interesting to note that in all the examples which were cited from Ugaritic literature, DIN is used alongside ה. [74] It would appear that ה is occasionally used as a synonym for DIN, particularly in the dispensing of justice to the widows and orphans. Of the hero Dan'el, it is said that he judges with judgement (vdm ḫn) the widow; he does justice (yctp ḫn) to the orphan. [75] Certainly from this example it appears that ה and DIN are employed interchangeably. They are both in reference to the ruler Dan’el [76], and both are used in a context which involves "doing of justice" to the underprivileged. [77]

74 See above, pp. 135-140.
In addition to these occurrences in Ugaritic, there are also instances of din in the Mari texts. In ARM viii 83:4, da-ia-nu-um occurs in the sense of a "judge" who litigates in a dispute regarding ownership of an ox. In this instance, the da-ia-nu-um is clearly an individual who is a member of the judiciary. Likewise, in ARM viii, 87:1, the da-ia-nu preside in a case and give a decision regarding a property. The da-ia-nu here function similarly to the da-ia-nu-um in 83:4. It can be argued that in these instances what is evident is the fact that the da-ia-nu are professional judges. When these are examined in isolation, nothing unusual is observed. However, in ARM viii 84:4, there is a reference to a ūqāpitum (Sumu-Hadu, a ruler) who conducts a trial involving two individuals regarding their goods. It is obvious that no firm conclusions can be drawn from this, except that it compounds the argument that there are elements which are common to both āpt and din. It is true, as Marzal observes, that the ūqāpitum is a high official while the da-ia-nu-um is an ordinary "judge" and therefore the offices cannot be identical. [78] However, while their professional status is clearly different, their functions do coincide on occasion.

76 See H.L. Ginsberg, "The North-Canaanite Myth of Anath and Aqhat", BASOR 97 (Feb. 1945), pp. 3-10. Ginsberg notes that both names Dn'il and Dnty are connected with the judicial function, p. 4. It is true that both names contain the root ʾṭt, but "judicial function" ought not be so readily associated with them, for then it limits the meaning.

77 For other similar occurrences of āpt and din, see Gordon, Textbook, Text 127, lines 33-34; 46-47. See also the glossary, p. 384, for more examples of occurrences of din.

78 Marzal, JNES, p. 204.
C. Din in the "Code of Hammurabi"

So far, din and ₇₄₇ have been examined briefly in Ugaritic and the Mari texts, but the main focus of this section will be on the "Code of Hammurabi" and the "Hymn to Šamaš". It is important to note that root ₇₄₇ is found only once in the "Code of Hammurabi" and is absent from the "Hymn to Šamaš". However, there is one text in which there is a use of ₇₄₇ which is associated with Šamaš. The section which contains ₇₄₇ reads:

A-na (il) Šamaš sar Ša-me-e ʿer-se-ti-im ša-pí-it ili
ʿa-wi-lu-tim ša me-Ša-ru-um i-si-ik-šu-ma [79]

"To Šamaš, king of heaven and earth, [judge] of God and of men, he administers a result which is just". There are two points to note in this inscription. First, Šamaš is regarded as one who is king over both heaven and earth, and his powers cover this entire territory. [80] This description enhances the estimation of Šamaš's portfolio, since it testifies to the fact that Šamaš as the god of justice is not limited to a localised governance. Second, and perhaps more importantly for the purpose here, there is the characterization of Šamaš as a ša-pi-št. In and of itself, this may not be strikingly significant, however it is an important point when it is realized that even though it is ša which is used here in regard to Šamaš, throughout the "Code of

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79 Dossin, Syria, p. 12. For another occurrence of ₇₄₇ in this text, see v.12, p. 17.

80 This interpretation of the inscription is based on Dossin's French translation, ibid., p. 12.
Hammurabi" and the "Hymn to Šamaš", it is din which is used. The fact that throughout these texts Šamaš is referred to as the "god of justice" and din is used, leads to the conclusion that there is a connection between ṣapt and din, if only thematically. In addition to this occurrence of ṣapt, it also occurs once in the epilogue of the "Code of Hammurabi". In this instance, šii-ṭi-im is used to mean "judgement" and is in the context of Ninlil asking Enlil to pronounce judgement on anyone who would erase the laws on the stele. [81] Even though the obvious rendering of šii-ṭi-im in this context is "judgement", it would be an error to conclude that the main thrust of the context is forensic. This occurrence must be understood in the larger context of the entire column. In the opening section of column 35:1-38, it is clear that the intent of the laws is to "set the heart at ease" and help the oppressed. In other words, the primary orientation is for the restoration of various forms of broken relationship.

In the following discussion, the intention is to underline this connection, and perhaps the clearest way in which this might be achieved is to compare message, text and context. As we look at the "Code of Hammurabi", there are definitive words which are spoken regarding the administration of justice, the care and protection of those who are not affluent or powerful and those

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who are not in a position to command justice and exert influence. Throughout the Code, in the prologue, the laws themselves, and the epilogue, the words of the king resound clearly: the strong may not oppress the weak, and justice must be meted out to the widow and orphan; the lack of either carries grave consequences. It is within a message such as this, that the use of *din* is found.

In this discussion, three different examples will be examined. In law no. 3, *din* is used three times.

\[
\begin{align*}
\text{šum-ma a-wi-lum i-na di-nim a-na} \\
\text{šu-bu-ut ña-ar-ra-tim ù-si-a-am-ma} \\
\text{a-wa-at iq-bu-u la uk-ti-in šum-ma di-nu-um} \\
\text{šu-ú di-in na-pí-iš-tim a-wi-lum} \\
\text{šu-ú id-da-ak.} [82]
\end{align*}
\]

According to this text, "If a man has come forward in a case to bear witness to a felony and then has not proved the statement that he has made, if that case (is) a capital one, that man shall be put to death. [83] On every occasion in this text, *din* refers to "case", as in a lawsuit. However, the focus is not so much on the judicial aspect of a "case", as it is on the integrity of the accuser. In this instance, it is not the accused individual that is being spoken to, but rather the one who brings the "case". It is true that this context involves something of a forensic situation, but this is merely a superficial view. In reality,

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82 Driver and Miles, op.cit., p. 14.

83 Ibid., p. 15.
the context focuses on the integrity of the individual and perhaps even more importantly, on the relationship between the individuals. The fact that the consequence of deception on the part of the accused, is death, underlines the crucial nature of the faithful relationship.

The second example is from law no. 5, where *din* in different forms is used twelve times, in the conventional sense of "judge" and "judgement". Because of the length of this law, [84] only the English rendering will be noted. "If a judge has tried a suit, given a decision, caused a sealed tablet to be executed, (and) thereafter varies his judgement, they shall convict that judge of varying (his) judgement and he shall pay twelve-fold the claim in that suit; then they shall remove him from his place on the bench of judges in the assembly, and he shall not (again) sit in judgement with the judges". [85] The various legal terms which are used here are all expressed by *din*, and its derivatives. While the immediate focus of this law is clearly in regard to a "judge", it is the underlying theme which is crucial. The fact that a judge will be severely reprimanded for a change of decision is not so much an insult to the judge's ability as a reminder of the significance of the one being judged. That is to say, it is essential that the parties involved in the lawsuit be the main focus at all times and then an impartial and well-thought decision can be rendered. Once again, what is at stake is the integrity of the relationship.

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[85] Ibid., p. 15. For a similar translation see Meek, *ANET*, p. 166.
between individuals. The importance of this is reflected in the consequences of an incorrect decision by the judge. This text, together with the one prior to this (no. 3) must be understood in the context of the closing words of the Prologue to the "Code of Hammurabi", "when Marduk commanded me to give justice to the people of the land and to let (them) have (good) governance, I set forth truth and justice throughout the land (and) prospered the people". [86] The concern therefore is for the individual, ensuring that he or she is sustained within the community. False accusation and partiality or incorrect judgements will carry grave consequences.

The third example is from the epilogue, and once again Hammurabi relates his major concern. "In order that the strong might not oppress the weak, that justice might be dealt the orphan (and) the widow...I wrote my precious words on my stela [87] and in the presence of the statue of me, the king of justice." [88] Hammurabi is concerned about the welfare of his people; he is intent on keeping intact the community. Hammurabi's frequent reference to Šamaš clearly indicates the association between ruler and deity, and underlines the idea that it is Šamaš who is particularly interested in justice for

86 Driver and Miles, op.cit., p. 13.

87 See F.C. Fensham, "Widow, Orphan and the Poor in Ancient Near Eastern Legal and Wisdom Literature", JNES 21 (1962), pp. 129-139. Fensham notes the important connection between king and deity, pointing to the fact that Hammurabi is pictured with Šamaš on the stela on which the laws are inscribed, p. 132.

88 Meek, ANET, p. 178. See also Driver and Miles, op.cit., p. 97.
everyone.

D. **Din** in the "Hymn to Šamaš" [89]

The "Hymn to Šamaš" [90] is a crucial piece of Babylonian literature, when studied with the intention of determining the possibility of influence on Old Testament thought. While there are many areas which might be germane to this interest, the discussion here will be limited to the use of din. There are at least seven occurrences of some form of din in this text, and each will be examined briefly. In the first instance in which din is used, [91] Šamaš is perceived as the one who executes justice and judgement on anyone who lives and acts contrary to the established laws of the society. On this occasion, di-in-šu-u(n) is used to mean "judgements" and in the following five lines, din is used twice in similar fashion; once as di-na meaning "lawsuit" and then di-in "just verdict". [92] In these three occurrences, Šamaš is seen as the one who is intricately involved in the resolution of any cases and lawsuits, and his

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90 As the title suggests, this hymn is in praise of Šamaš. Šamaš occupies an important place in Babylonian thought as the god of justice, and, even though he is a god of secondary status in comparison to Marduk and Ninurta, nevertheless the portfolio which is assigned to him makes him significant. As is evidenced by the "Hymn to Šamaš", "god of justice " is not merely an honorary title, but one of substance.


92 Ibid., lines 62-63, pp. 128-129.
decisions are always just. The next three occurrences are all used to mean "judge" but each is employed to illustrate a particular point. In the occurrence in line 93 [93], dałant is used to mean a member of the judiciary. In this instance, in order to uphold justice, even the brothers of the accused will not be allowed to support his case against the judge's decision. In line 97 [94] da-a-a-na is once again used to mean "judge", but on this occasion it is employed within a context which describes the consequences of being an unscrupulous judge. The circumspect and just judge is described in line 101 [95], and he too faces the consequences of his actions, except that in his case they are positive. Finally, in line 127, di-in-šu [96] is used to mean "lawsuit". It is important to note that in this instance, even though "lawsuit" does have a forensic overtone, it is found within a section which lauds Šamaš as one who acts on behalf of those who are wronged. In lines 132-133 the category of the "wronged" becomes explicit when the "feeble", "humble", "weak", "afflicted", and "poor" are mentioned. It is clear that whatever actions are taken, whether in a lawsuit or not, they are meant to sustain those who are powerless.

If indeed there is a pattern which is identifiable in these examples, it is the use of di-n in every instance to refer to a judicial matter. It is true that "justice" as the product of the

93 Ibid., p. 130.
94 Ibid., p. 132.
95 Ibid., p. 132.
96 Ibid., p. 134.
judge's decision is not rendered by din, but it is nevertheless connected. For example, in line 98, "justice" [97] is the English term used, but din is not the Babylonian term. However, line 98 is clearly associated with the theme of the preceding line, where din is used to refer to the one who ought to execute "justice". In these examples, Šamaš is the subject, and this is particularly significant for two reasons. First, it indicates clearly the importance of justice to him and establishes the deity's role in the procuring of justice for the oppressed, in order to maintain the equilibrium of the society. Second, while din is used in connection with Šamaš, it is clear that Šamaš is not a judicial functionary. As such, one cannot argue that din is reserved for the professional members of the judiciary. Rather as is seen here, the procuring of justice for the oppressed involves the use of the term din. Also it must be noted that once again, the execution of justice is associated with a ruler; on this occasion it is a deity.

In this brief excursus on din, the similarity in use in the Ugaritic, Mari, and Babylonian texts is evident, for it is found in contexts which focus on the need for justice on behalf of the oppressed. In order to complete this discussion, it is important to look briefly at the way ǰēʾ and its derivatives are used in the Old Testament, particularly with reference to ʾēḏ. There are one hundred and thirteen occurrences of ʾēḏ in the Old Testament and of this number, fifty-six are used in the books of Esther (30) and Proverbs (26). Even though there are occurrences

97 Ibid., p. 133.
of וִי in these contexts which refer to justice to the oppressed, the overwhelming number is used in the sense of "contention", "strife", in Proverbs, and "province" in Esther. [98] However, when וִי is used in a context seeking justice for the oppressed, then it becomes quite similar in connotation to מְדָא. Proverbs 31:9 states:

In this particular context, וִי is not used in isolation from the general theme of justice to the oppressed, but is connected with יִדְרָה, מָשָׁף, עִוְּר, and יְהוֹרָן, thus making its use very clearly in relation to justice for the oppressed.

Another example which underlines this thesis is the use of וִי in Isaiah 3:13:

The writer uses וִי in this context to mean "judge". The judicial nature of the context is emphasized by the use of יִדְרָה, and they are both employed in reference to Yahweh. What makes this occurrence of וִי significant is the fact that it is the only instance in which it is used in Isaiah, and here it is found in a context which uses מְדָא also (v. 14). מְדָא of course

98 See, for example, occurrences of וִי and its derivatives in Proverbs 10:12; 18:19; 21:19; 23:29; 26:21; Esther 1:1; 1:22; 9:2 and 9:28. It is interesting to note that virtually all of the occurrences of וִי (mostly the derivative נְדָא) are used to mean "province". This makes an interesting parallel to the use of מְדָא in the Ancient Near East where it is used frequently in such senses as "rule", "order", "governor". See also וִי in I Samuel 2:10 and Zechariah 3:7, where in both instances, it is used to mean "rule".
is the term which is overwhelmingly used to express such concepts as "judge", "justice" and "judgement". The other noteworthy element in this context is the portrayal of Yahweh as prosecutor, a concept which is similar to the one found in the "Hymn to Šamaš". [99]

Moreover, by way of demonstrating this affinity in connotation between ירום and בד, we shall look briefly at the way some uses of ירום in the Old Testament are rendered in the LXX. [100]

<table>
<thead>
<tr>
<th>Reference</th>
<th>Hebrew</th>
<th>Greek</th>
</tr>
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<tbody>
<tr>
<td>Genesis 30:6</td>
<td>ינהב</td>
<td>κρινευ</td>
</tr>
<tr>
<td>Deuteronomy 32:36</td>
<td>ירי</td>
<td>κρινε\i</td>
</tr>
<tr>
<td>Isaiah 3:13</td>
<td>לירח</td>
<td>κρίσιν  [102]</td>
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<tr>
<td>Jeremiah 22:16</td>
<td>יזר</td>
<td>κριναν</td>
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<tr>
<td>Jeremiah 22:16</td>
<td>יזר</td>
<td>κρίσιν</td>
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<tr>
<td>Psalm 7:9 [8]</td>
<td>יזר</td>
<td>κρινε\i  [103]</td>
</tr>
</tbody>
</table>

What this short comparative outline intimates is the overlapping in translation in the LXX. י.picture and בד are overwhelmingly rendered by κρίσις, κρίμα and κρίνω in the LXX, and, as is

99 See discussion above, on pp. 155f.

100 The following is only a representative of the occurrences of ירום and it is not meant to be exhaustive; rather it is simply indicative of a possible functional synonymity with בד in the specific contexts.

101 This is an interesting example, in that the context includes ירעה, ירעה and בד (2x) and they are all used together to give a judicial connotation.
indicated in the outline, two of these terms are used to render "" in the LXX. Even though the external evidence in terms of numbers does not verify "" as a synonym for "", nevertheless, these examples do suggest that "" is used on several occasions in contexts which espouse a message similar to, if not identical with the ones in which "" is used. It is also interesting to note the way the root "" is rendered in some instances in the Targum. The following examples give an indication of these uses.

102 It is interesting to note that which is used to render "" in this instance, is used not only to render "" in Isaiah 3:13, but also "" in Isaiah 3:14 and in both of these instances, the identical form is used. See Rosenberg, who observes that, "" occurs frequently in parallelism to "" and the two terms are often treated synonymously as 'judgement'. There is, however, a real difference between them. is much more encompassing than "". is an abstract concept expressing that which is normative and right in the total societal experience. does not possess this abstract quality, it is much narrower and concrete, referring to a judgement that is handed down by a judge", Diss., p. 245. Rosenberg's observation appears to be oversimplified, for clearly the examples in this outline and the following outline (which compares Old Testament and Targumic uses of ) do not verify his view.

103 In this verse of Psalm 7, both "" and "" are used and the use of and respectively, suggest that there is some connection between "" and "", at least thematically. This would seem to be the case precisely because there does not appear to be any distinction in meaning between "" and "" in this context.
Some observations are necessary at this point. Both the "Code of Hammurabi" and the "Hymn to Šamaš" indicate quite strongly that justice to the poor, the widow and the orphan is both vertical and horizontal. "The vertical protection comes from the god Šamaš, which therefore falls in the religious sphere, while the horizontal protection comes from the king, the substitute of the Sun-god, which falls in the social sphere." [104] This is a noteworthy point in that it brings this literature even closer (at least in external similarities) to the relationship between justice, king and Yahweh in Israelite religion. The vertical-horizontal association alludes to the fact that the executing of justice on behalf of the oppressed is not a concept which is established by the State, but rather by divine interest. [105] In essence, it can be seen that in both Near Eastern and Israelite contexts, there is a relationship between king and deity with respect to the administration of justice. The roles of the deities are distinctive, for whereas, in Israel, Yahweh participates to the point of establishing the

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104 Fensham, "Widow, Orphan...", p. 130.
laws, in the Ancient Near East the deity is more of an honorary figure. Shalom Paul notes that Yahweh "is not merely the guarantor of the covenant, as the deities are in the epilogues to Mesopotamian legal collections and treaties; he is the author of the covenant who directly addresses his people". [106] Moreover, as opposed to justice being the responsibility of one god in the pantheon, "Yahweh is regarded as the only protector. He is even placed in opposition to the gods of foreign nations and hailed as the only true supreme Judge of the world." [107] It is Yahweh who saves and delivers Israel out of Egypt and it is he who enters into covenant with his people; this is the God of Israel who

105 For a different view, see Paul D. Hanson, "The Theological Significance of Contradiction Within the Book of the Covenant", in Canon and Authority eds. George W. Coats and Burke O. Long, (Philadelphia: Fortress Press), 1977. Hanson suggests that, "Civil law, as expressed for example in the actual body of laws in the Codex Hammurabi, was a strictly secular institution, having nothing to do with the cultic officials or deity", p. 120. Hanson's view appears to be somewhat inadequate. Even though the "king-god" relationship in Mesopotamia is not identical to that obtaining in Israel, nevertheless the "king-god" connection in Mesopotamia is a relationship. In some fashion, the gods in Mesopotamia are involved in the affairs of the people. Hanson's position is clearly untenable particularly in the light of the Šamaš-Hammurabi relationship. Against Hanson's position, see E. Hammershaimb, "On the ethics...", p. 79. Having said this however, an important distinction needs to be made here. See Hans Jochen Boecker, Law and the Administration of Justice in the Old Testament and Ancient East trans. Jeremy Moiser, (Minneapolis: Augsburg Publishing House), 1980. Boecker makes a useful observation, "although Hammurabi for example acted by divine commission, it is as king of Babylon that he wrote his code and expressly described himself as lawgiver", p. 41. This must be seen in the context of Yahweh being the sole legislator in Israel.


107 Fensham, "Widow, Orphan...", p. 138.
seeks justice. Justice, however, is not his only portfolio, he is the God of all creation, and it is this God who shows concern for the poor and oppressed.

The presence of common elements in the literature of the Ancient Near East and the Old Testament, specifically as it relates to justice, can be an invitation to conclude that the Old Testament received its orientation in this regard from its neighbours. There is at least one scholar who has concluded that in fact the Old Testament's message regarding justice and care for the oppressed by the king is procured in its entirety from Canaanite religion. [108] It is perhaps a more judicious statement which suggests that Israel, because of circumstances, may have inherited many of the customs of her neighbours. Fensham notes:

It was a common policy, and the Israelites in later history inherited the concept from their forbears, some of whom had come from Mesopotamia, some had been captive in Egypt, and others had grown up in the Canaanite world. In the Israelite community, this policy was extended through the encouragement of the high ethical religion of Yahweh to become a definite part of their religion, later to be inherited by Christians and Muslims. [109]

108 Hammershaimb, "On the ethics...", p. 93. There is no doubt that there are many inferences and explicit commands and statements in Canaanite texts regarding this idea, nevertheless it would be too sweeping a conclusion which states that the Old Testament usage is a wholesale transportation of the Canaanite texts. It would appear superficially that Hammershaimb's conclusion has merit, and if this study were focused solely on external similarities and evidence, then it would be true. However to agree with such a statement as Hammershaimb makes, there would need to have been an indepth study of factors such as the Sitz im Leben, the contexts and circumstances. While the external evidence expresses similarities, the variables make it difficult to concur with Hammershaimb's conclusion.
This view is not to suggest that Israel is using her neighbours as a means for handling her internal situation, but rather to point to the fact that it is inevitable that there would be traits inherent in Israel's attitude towards matters such as justice, precisely because of its ancestral ties and contiguity to other nations.

There is certainly incontrovertible evidence which demonstrates the similarity between Israel and her neighbours regarding justice. With all of the distinctiveness which each religion displays, still there is enough similarity on important elements which are helpful. It is certain that there are contextual similarities between יְשִׁיעָה and עֶבֶד and this only serves to underline the consensus regarding justice in the Ancient Near East and Israel.

III. USE OF נֵדֶר IN THE OLD TESTAMENT

The use of נֵדֶר is an essential aspect of this chapter, particularly because of its dominant use in the Old Testament (208 occurrences), but also because נֵדֶר is derived from it. This discussion will enable us to see the meanings of נֵדֶר and whatever development there might have been. One area in which there are still many questions to be answered is the role of the נֵדֶר in the book of Judges. The discussion of נֵדֶר in this context will point to a crucial use in the Old Testament and will inevitably lead to a picture which outlines an early use of נֵדֶר.

109 Fensham, "Widow, Orphan...", p. 139.
and indicate also the later developments.

A. The דָּעָד in Israel

One of the perplexing questions which arises when an attempt is made to discuss the use of דָּעָד in the Old Testament, is the way the דָּעָד are employed. The most logical starting point is with the book of Judges, where the title דָּעָד is not necessarily representative of either the contents of the book or the functions of the characters. Who then are the דָּעָד? The function of the דָּעָד in Israel is dependant on what דָּעָד is supposed to have meant in Ancient Israel. First though, a word must be said regarding the "major" and "minor" judges.

1. "Major" and "Minor" דָּעָד

The fact that the דָּעָד are divided into two categories (based on the information provided about them in the Bible) only succeeds in creating greater difficulties. Opinions regarding the relationship between the "major" and "minor" דָּעָד vary. Ishida, for example, finds no essential difference between the "major" and "minor" דָּעָד and supports his thesis by pointing to "the fact that both Tola and Jair, who belonged to the so-called 'minor judges' 'arose ( נָפַל )' (Judges 10:1, 3) shows that they were both deliverers like other 'major judges' (cf. 2:11, 16, 18; 3:9, 15). Indeed, as for Tola, it is written: 'He arose to save ( כָּלַח שַׂמֵּר ) Israel'." [110] Thus Ishida would conclude that functionally, there is no difference between the

110 Ishida, art. cit., p. 517.
"major" and "minor" דּוֹדַךְ. According to Malamat however, the essential difference between the "major" and "minor" דּוֹדַךְ is based on the literary sources out of which they are drawn. For example, the "major" דּוֹדַךְ are from folk narrative, while the "minor" דּוֹדַךְ are from family chronicles. [111] Then, there is the most commonly held theory which proposes that the "major" דּוֹדַךְ are not דּוֹדַךְ at all, but are incorporated into the list of דּוֹדַךְ by the author of the deuteronomistic chronicle because Jephthah is listed in both groups. [112] In the description of Jephthah in Judges 11:1-11, he is not called דּוֹדַךְ [113] but is given the generic title יִשְׂרָאֵל and then the rarer one הָעֵץ . [114] The fact that Jephthah appears both as a "major" and a "minor" דּוֹדַךְ is not indicative of the custom of being either a "major" or a "minor" דּוֹדַךְ, but rather that Jephthah's situation is exceptional. Noth's view, therefore, that because Jephthah appears as a "minor judge", all military heroes also have judicial functions is untenable. [115] There is no

111 Malamat, World History, p. 131.

112 See Martin Noth, The History of Israel trans. Stanley Godman, (London: Adam and Charles Black), 1958, p. 101. See also Rudolf Smend, Yahweh War and Tribal Confederation trans. Max Gray Rogers, (Nashville: Abingdon Press), 1970. Smend says that the title דּוֹדַךְ which is used to describe the "minor judges" was of course transferred by the Deuteronomic author of the book of Judges to a number of war heroes, whereby next to the true, but "minor", there appeared the figurative, but "major" judges, p. 47. See also A.D.H. Mayes, Israel in the Period of the Judges, SBT 29 (London: SCM Press Ltd.), 1974, p. 61.

113 Even though the דּוֹדַךְ are said to have "judged" Israel, there is no instance in the book of Judges where the term דּוֹדַךְ is used to refer to one of these individuals, except in the introduction (2:16-18) where the writer speaks of Yahweh raising up דּוֹדַךְ, and in reference to Deborah in 4:4.
indication that any is a military leader and a civil leader simultaneously. As such, there is no mixing of responsibilities, and, as Smend notes, "the non-political-military office of the Judge of Israel is not the direct continuation of the charismatic leadership, and it is not surprising that Jephthah is the only case where with certainty a major judge has become a minor one". [116]

It is certain that the "major" are military heroes; whether they performed any judicial functions during this time is unknown. What is well known and accepted is the fact that they arose during times of military crises and came to the rescue of Israel. Moreover, it must be noted that during the time of the , there were other leaders in existence, the most notable being the elders. It is perhaps the presence of the elders which

114 It is certainly evident that the initial interest in Jephthah is for military matters. Upon examination of the biographical sketch of Jephthah, at least two important factors emerge. After being driven from his house, Jephthah's profession would have been classified as "outlaw" and as an illegitimate son, he is also an outcast of society. Historically, in the life of Israel, these two factors would certainly be against him. Yet, implicit in this episode regarding Jephthah's appointment is the extraordinary circumstances in which Israel finds herself, for even Jephthah is surprised that he would be sought out for military leadership. It is clear that while the initial interest in Jephthah is for military affairs, his appointment also means that after the military manoeuvres, he would be a leader of a different sort in Israel; hence after being a and , he is said to have "judged" Israel.


116 Smend, op.cit., p. 52. Smend is suggesting that 1) the minor judges have nothing to do with military matters and 2) the minor judges are simply those who are leaders in civil matters.
helps to discount the notion of judicial activity on the part of the \( \text{נָצִי} \). It is true that during the period of the Judges, the office of the elder was not of national significance, but one generally associated with the city. See, for example, Judges 8:14 and 8:16. In fact, if there were a need for judicial functions, then the elder would act, and this was the case in all local communities. Weinfeld observes that, "in purely local matters such as family affairs, levirate marriage, blood redemption and defamation of the virgin, the elders themselves acted without resorting to officials. ...Similarly, when central authorities were involved, the 'judges' and the 'elders' acted together". [117] Thus, it would appear that the \( \text{נָצִי} \) were not involved in going from one place to the next in order to adjudicate in cases. As de Geus notes, "the Judge was first of all a municipal official, a ruler whose authority rested upon the power of the council of elders". [118]

By the time of Samuel though, the elders held a national office. This is seen in the role of the elders at a national level. When Israel decides that she wishes to have a king, it is the elders of Israel who ask Samuel to select a king for Israel. [119] And the importance of the elders is also seen in the context where Abner speaks with the elders regarding the enthronement of David as king. [120] In addition to this, the

117 Moshe Weinfeld, "Judge and Officer in Ancient Israel and in the Ancient Near East", IOS 7 (1977), p. 81.


119 See I Samuel 8:4.
national significance of the elders is seen when they travel to Hebron, for the covenant-making with the new king. [121] What these examples of the role of the elders at both the local and national levels indicate is the fact that they are principally the ones who administer the affairs of Israel. [122]

While much has been said so far regarding the major דִּקְנָח in the book of Judges, there is very little which is said about the "minor" דִּקְנָח. [123] However, for many years, Martin Noth's theory of the amphictyony was axiomatic. Noth suggests that the amphictyony in Ancient Israel had its foundation in law and it is the judges who were the instruments in charge of executing this law. Moreover, Noth claims that "they appear as the bearers of an office which was administered by one man; and the list mentions six such judges, who filled the office of judge

120 See II Samuel 3:17.

121 See II Samuel 5:3.

122 For other examples of the role of elders, see, Exodus 24:1; Isaiah 3:2-4; Hosea 7:7; Micah 7:3; Zephaniah 3:3; Job 9:24, 12:17.

123 Malamat, World History, says that in the book of Judges, "the term shofet and the verb shafat both refer to a leader of the people, whether a major judge or a minor judge and such activity indeed included the office of arbitrator and judge in the legal sense of the word", p. 131. In this statement, Malamat attempts to unify the functions of both the "minor" and "major" דִּקְנָח. However, one element which he overlooks is the fact that the activity of the "major" דִּקְנָח was determined by the prevailing military circumstances. It must be assumed that in times of peace that there was some system of judicial authority which was in existence. It would be inaccurate to presuppose that with the ascension of a new דִּקְנָח, primarily because of the need for military leadership, that the existing judicial system would become inoperative and the newly selected leader would assume also, the role of legal arbitrator. Malamat's view is therefore dubious precisely because there is no support for such a theory.
in an uninterrupted sequence". [124] One of Noth's main supports for his theory of the amphictyony is the presence of a central sanctuary in Israel and it is supposedly in this setting that the minor דֶּדֶּק functioned. In other words, Noth's thesis hinges on the presence of a central sanctuary. In recent times many scholars have been critical of Noth's view and have generally rejected it. [125] This rejection of Noth's theory raises once again the question of the role of the "minor" דֶּדֶּק. If, as the many critics of Noth's theory have observed, there is no evidence to support a central sanctuary, or amphictyonic law, then Noth's conclusion regarding the function of the דֶּדֶּק is both misleading and erroneous.

Noth believes that the amphictyony concept was so well known


125 See for example, Harry M. Orlinsky, "The Tribal System of Israel and Related Groups in the Period of the Judges", in Studies and Essays in Honor of Abraham A. Neuman (Leiden: E.J. Brill), 1962, pp. 375-387; also, Wolfgang Richter, "Zu Den Richtern Israels" ZAW 77 (1965), pp. 40-71. Richter suggests that there was no central sanctuary and also because the role of the "judge" was not to be a functionary over a tribe, but rather a civil leader of a small town. See also, George W. Anderson, "Israel: Amphictony: 'AM, KAHAL; EDAH" in Translating and Understanding the Old Testament (Nashville: Abingdon Press), 1970, pp. 135-151. Also Hayes, op.cit.; James D. Martin, The Book of Judges, (Cambridge: Cambridge University Press), 1975, and Sean Werner, "The period of the Judges Within the Structure of Early Israel", HUCA 47, (1976), pp. 57-79. Warner notes that there was no shrine with national significance, and the three shrines at Mizpah, Gilgal and Bethel were all equal in importance and status, p. 65. He does note, however, that while this was true of the period of the דֶּדֶּק, it was not the case in the time of Samuel, when there was a cultic centre at Shiloh, which had national significance. See Samuel 1:1-28.
in Ancient Israel that the writers did not need to mention it directly. [126] This is the basis on which he constructs his theory of the function of "minor" מנה. Two points must be registered here regarding Noth's framework. First, the argument from silence is not an idea which is entirely unknown and in fact it has been used to substantiate points which would otherwise be dubious. For example, the term מנה is found nine times in the Eighth Century prophets. (Isaiah 24:5; 28:15; 33:8; Hosea 2:20; 6:7; 8:1; 10:4; 12:2; Amos 1:9) with Hosea 8:1 being the only explicit reference to a covenant with Yahweh. However it is myopic to conclude that the prophets of this era knew nothing of the covenant with Yahweh; rather, argument from silence in this instance would be unjustifiable, the reason being that the concept of covenant was well known in Ancient Israel. Second, Noth's theory is seriously impeded, precisely because it is grounded on an assumption. Heuser correctly submits that, "arguments from silence must be used with extreme caution and only in conjunction with corollary circumstances that render it probable". [127] Noth's theory is therefore not very helpful.

It is apparent that both the "minor" and the "major" מנה existed during this period in Israel's history and there is reason to believe that they did so simultaneously precisely because they functioned differently, and it was the latter element which distinguished them, not their titles. Rather than

126 Noth, History of Israel, p. 97.

being involved in a central sanctuary, they were in fact leaders in a localised government. Thus both the "major" and "minor" דֹּדִים were leaders, but with different responsibilities. [128] This theme will become clearer when the idea of "דֹּדִים as ruler" is examined later in this chapter.

2. דֹּדִים as Saviours

The idea that the דֹּדִים are actually saviours or deliverers has its roots in the fact that there are several instances in which the term דֹּדִים is associated with דֹּדִים. Moreover, there are references, such as I Samuel 24:16, and II Samuel 18:19, where דֹּדִים has the contextual meaning of "deliver"; these occurrences lend credence to this theory. Even though the subject of these references is Yahweh, nevertheless, it is arguable that if דֹּדִים is used to mean "deliver" and the "judges" are called דֹּדִים, then the implication is that "delivering" is an element in their overall function. [129] This thesis, which is in particular reference to the "major" דֹּדִים is not easily justified, even though there are scattered instances in the Old Testament which support it. However, Oskar Grether has proposed a solution to this question. According to Grether, one must distinguish in the book of Judges between the

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129 It must be noted here that the instances in which דֹּדִים is used to mean "deliver" are not in the book of Judges.
function of the "greater" רופי and the "lesser" רופי. The "lesser" רופי can be compared to the Gesetzsprecher of Iceland, being "appeal judges", whose decisions carry the force of law. [130] The "greater" רופי are "charismatic leaders" and Grether thinks that their primitive title may have been רופי, "saviour". It was later that the two functions were confused, resulting in the charismatic leaders and the Gesetzsprecher both being called רופי. [131] Even though Grether concludes that רופי is only in reference to the charismatic leaders, there is also an instance in which רופי is used in reference to a minor רופי. Regarding Tola, it is said that he arose (��רוי) to save (לייר) Israel. [132]

What is clear from Grether's view and the example of Tola is the fact that perhaps there is an element of "saving" or "delivering" in the functions of the רופי. Yet, this does not explain convincingly the role of רופי as "saviours". Two other opinions must be noted regarding this question. Van der Ploeg attempts an explanation which makes a distinction between the use of רופי (when used in a context meaning "save") in reference to Yahweh and the רופי. According to van der Ploeg, Yahweh "judges" but because one cannot appear before his tribunal, רופי means above all for him to "do justice", meaning

130 See Oskar Grether, "Die Bezeichnung 'Richter' für die Charismatischen Helden der vorstaatlichen Zeit", ZAW 57 (1939), pp. 110-121. Grether's theory regarding the role of the "minor" רופי is purely speculative, for there is no basis for this position.

131 Ibid., p. 110.

132 See Judges 10:1, where Tola is mentioned and in 10:3 where Jair is described as "arising" also.
that he either punishes or recompenses. Each time that Yahweh exercises his justice, one can say that he is "judging". When the oppressed people appeal to him and ask him to "judge" them, it can be equated with an appeal to "save" them. As such, van der Ploeg believes that when Yahweh "judges" an individual or nation, "save" generally means "save". [133]

Van der Ploeg notes that "to save" and "to judge" are entirely different and while it is sometimes said that Yahweh "judges", that is, "saves", it is only because Yahweh is situated above the parties involved. Hence, when an individual is absolved by him, he or she is simultaneously "saved" from the adversary. The "judges" on the other hand represent only one party and for them "to judge" the people was not "to save" them. [134] The second opinion is that of Orlinsky, who concludes that the role of the "major" was to deliver (hōššāţ) from the enemy the Israelites who were affected; then they 'judged' (šāp-tū), i.e. ruled as Chieftains, those whom they had militarily delivered." [135]

Several observations are necessary at this point. First, Orlinsky's position provides a neat chronological order for the functions of the which simply does not exist. His suggestion that they were both "judge" and "deliverer" at designated times is untenable. [136] Second, both Grether and

134 Ibid., pp. 147-148.
135 Orlinsky, Studies and Essays, p. 378.
van der Ploeg are evidently overlooking crucial elements in their discussions and, subsequently, in their conclusions. The distinction which is created by Grether is biblically untenable, for there is clearly no indication that the "major" were deliverers, while the "minor" were judicial functionaries. In fact, the reference to Tola discounts Grether's claims that is a term which is reserved for the "major" . Van der Ploeg's concept of Yahweh is one which suggests that Yahweh is set apart from his people almost in an olympian manner and from there administers judgement and salvation. This however is quite erroneous, for Yahweh, from every biblical indication, is the God who is constantly among his people, and the fact that Israel is his people, necessitates that he be on their side. However, "being on Israel's side" does not exclude judgement. In other words, judgement and salvation are not exclusive of each other, and this is the case both with Yahweh and with the . That is to say, that the "judged" Israel clearly includes the element of "saving" and "delivering". It is therefore to be noted that the use of is not a new element in the responsibilities of the but rather an integral part of them. [138]

136 It must be noted that there is no indication which verifies the theory that the first functioned as a "deliverer" then as a "judge". In Judges 2:16, 18, for example, the noun is used with the verb , while in Judges 3:9, it says that Yahweh raised up a deliverer ( ) who delivered Israel ( ). In other words, the question is why two different subjects are attached to , if, in fact, all were initially "deliverers"; certainly then there would be no reason for the specialist as is the case in 3:9.
The use of נְכֵד to mean "judge" has often been the centre of debate and even though recent scholarship has focused this debate somewhat, nevertheless there are many questions which still remain. A century ago, Henry Ferguson argued that the idea of נְכֵד as priest and נְכֵד does not exclude the primary functions of an individual. This hypothesis is borne out by Eli's role as both priest and נְכֵד. The description of Eli has always been that of priest, yet in 1 Samuel 4:18, after Eli dies, it is said of him:

which says, "He had judged Israel forty years". The term נְכֵד had never been used in relation to Eli prior to this and some scholars, for example, Henry Preserved Smith, *A Critical and Exegetical Commentary on the Books of Samuel* ICC (Edinburgh: T and T Clark), 1899, p. 36, have concluded that the deuteronomistic redactor attempted to include Eli as one of the נְכֵד. However, the idea of Eli as priest is preserved consistently, and so it raises the question as to whether the redactor was in fact interested in Eli as נְכֵד as Smith speculates. It would appear that if the redactor were interested in this, then why were the references regarding him as נְכֵד not deleted? It is with this in mind that one is inclined to agree with Rosenberg, who suggests that the logical probability of Eli being נְכֵד should not be ignored. See M.S. Rosenberg, "The Sōfētim in the Bible", p. 78. See also, H.W. Hertzberg, *I and II Samuel OTL* (London: SCM Press), 1964, who says that "there is no evident reason why he, the priest of the most eminent sanctuary, should not also have held the office of judge", p. 49.

Of the eighteen occurrences of וֹרֶד in the Old Testament, four are found in the book of Judges (3:9, 15; 6:36; 12:3) and while it is true that in each instance a particular וֹרֶד is named, it does not set these individuals apart as primarily "deliverers". Rather, as וֹרֶד, the idea of "saving" and "delivering" their people would be of paramount importance. It is also significant that the וֹרֶד who are mentioned as וֹרֶד are also noted as having "judged" (נְכֵד) Israel. Moreover, to suggest as van der Ploeg does, that the "major" וֹרֶד were the וֹרֶד exclusively, is clearly an overstatement. In fact, the term וֹרֶד is not reserved for the וֹרֶד, for in several instances it is used in reference to Yahweh. See, for example Isaiah 45:15 and Psalm 17:7.
of judging and deciding questions is in fact the primitive meaning of יִשָּׁנָה and all other meanings were subsequently added. As such, the original meaning of יִשָּׁנָה is used in the context of deciding questions judicially and in administering justice, and the one who does these things is referred to as a יִשָּׁנָא. [139]

After Ferguson, there have been many others who have attempted to establish the meaning of יִשָּׁנָה in the Old Testament as being forensic in its orientation.

Perhaps the most important proponent of this view is Grether. [140] In his study he attempts to defend the theory that "judge" is both the primitive and the only meaning of יִשָּׁנָה. Accordingly, he says that יִשָּׁנָה appears as "judging", "delivering judgement", (that is, giving what is right) "sentence", "punishment" and the general duty of the judge. In essence, Grether's interpretation is entirely forensic in overtone. [141] He notes two important factors in his discussion, which he employs as favourable elements for his theory. First, he observes that the root יִשָּׁנָה occurs two hundred times [142] in the Old Testament, but of these, he sees only three occurrences as having the meaning "rule" [143] while most of the others have a judicial connotation. [144] From this he concludes that at least statistically, it is impossible that יִשָּׁנָה could mean

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140 Oskar Grether, art. cit., p. 110-121.
141 Ibid., p. 111.
142 The number does not include the occurrences of יִשָּׁנָה in the Old Testament.
"rule". It would appear that Grether's method is based on an interpretation which merely looks superficially at the texts, without engaging in the task of critical examination. For example, he sees the two occurrences of מָעָה in Psalm 96:13 as meaning "judge".

"Before the LORD, for he comes, for he comes to rule the earth. He will rule the continent with righteousness, and the peoples with his truth." [145] מָעָה in this context is assumed by Grether to mean "judge" and thus the function of Yahweh in regard to אַרְבָּא and אַבּוֹל is judicial in nature. Because each use of מָעָה has in this context a personal object, namely "earth" and "continent", the connection to the concept of "land" is quite noticeable. [146] Moreover the use of "peoples" can hardly be viewed as being Israelite in its reference. Hence, Grether's

143 The idea that מָעָה in its earliest use meant "rule" will be discussed later in this chapter. Since it is the other main meaning which is ascribed to מָעָה, Grether focuses his discussion in response to this.

144 Grether, art. cit., p. 113.

145 This is a simple text and it is grammatically straightforward. However, contextually, a literal translation does not reflect the intended meaning. It is interesting that the RSV provides a literal meaning.

146 The Hebrew words which are used for "earth" and "continent" are אָרְבָּא and אַבּוֹל respectively. The RSV renders אָרְבָּא as "world" and thus imposes something of a cosmic connotation, perhaps to create a sense of uniformity with אֵרָא , which can certainly be understood to have cosmic proportions. It is also interesting to note that the LXX renders אָרְבָּא as οἰκουμένη rather than κόσμος, the former indicating that אָרְבָּא signifies much more of a particularity rather than universality.
implication that דִּיק in this context means "judge" is erroneous. [147] What this simply means is that Grether's conclusions appear to be established on purely external evidence. Moreover, Grether does not find the Ras Shamra texts helpful in determining the background of דִּיק, but nevertheless concludes that in fact these texts which were published at the time of his writing indicate that the meanings associated with דִּיק are "judge", "help to right someone", "judicial functionary" and also "jurisdiction" and "powerless". [148] Thus, the conclusions which are drawn have been derived from the use of דִּיק in both the Old Testament and Near Eastern texts. [149]

Many other scholars after Grether have agreed with his thesis and have pursued his line of thought. Van der Ploeg, for example, notes that in the instances in which דִּיק is used with Yahweh as the object, the meaning is neither "rule" nor "judge" but rather "to do justice". [150] Yet he argues that the meaning of דִּיק in the Old Testament is "judge". In other words, since the meaning "judge" does not fit every category, then excuses are given, such as the one which explains the apparent problem of having Yahweh associated with דִּיק. Moreover, van der Ploeg has concluded that since דִּיק has a judicial meaning, then דִּיק

148 Grether, art.cit., p. 112.
149 Grether's conclusions regarding the meaning of דִּיק in the Near Eastern texts are untenable. The earlier discussion of דִּיק in the Near Eastern texts shows conclusively that in fact the primary meaning of דִּיק is not "judge", but "rule". See above, pp. 127-150.
150 Van der Ploeg, art.cit., p. 147.
must mean "judgement". He says:

Puisque ooai signifie toujours "juger", il s'ensuit que le sens primaire de ooai est "jugement". Et comme "juger" ne signifie pas seulement "prononcer une sentence," mais s'étend à tout ce qui accompagnait ou suivait immédiatement la procédure primitive, il s'ensuit que ooai ne désigne pas seulement la sentence du juge, mais tout le procès et ses conséquences immédiates.

[151]

More recent than both Grether and van der Ploeg is Donald McKenzie who pursues the theory which Grether expounds. McKenzie notes two points of significance. He suggests that there is no indication outside the book of Judges that the verb ooai ever means "to help to justice by defeating an enemy in battle". [152] McKenzie's implication in this statement is twofold. First, it intimates that the ooai of Israel are judicial functionaries and not "rulers" as some have suggested, and, second, throughout the Old Testament, the meaning of ooai is a direct derivation of its earliest meaning, "judge". McKenzie's second point of importance is a development of the thesis that Samuel is a judicial functionary, the final one. His example is taken from I Samuel 8:5-6, where the people seek a new leader and

151 Ibid., pp. 151-152.

152 D.A. McKenzie, "The Judge of Israel" VT 17 (1967), p. 118. See also McKenzie's article, "Judicial Procedure at the Town Gate" VT 14 (1964), pp. 100-104. In this latter article, he notes that the noun ooai based on the meaning of ooai refers to (1) decision of the judge, (2) guilt of a condemned person, (3) judicial proceedings, and (4) simple justice. See also, Ludwig Köhler, Hebrew Man trans. Peter Ackroyd, (London: SCM Press), 1956. Köhler says, "shaphat originally means 'to decide between', mishpat means in most cases, 'a decision which is valid for a person'. From this can be derived quite naturally the two most common meanings, 'a legal decision, judgement', and 'a legal claim which someone has'," p. 157.
thus request this from Samuel. According to McKenzie, it is the rigour of traveling from Bethel, Gilgal, Mizpah and Ramah to deliver judgements, that become too demanding on the physical strength of Samuel, and, since Samuel's two sons do not help, the people seek a new leader. [153] This of course is connected with his earlier point regarding the role of דָּבָר in Israel. In both instances, McKenzie is convinced that it is the judicial function which is described when דָּבָר is used.

Several observations are necessary regarding the views of Grether, van der Ploeg and McKenzie. Grether's discussion on the use of דָּבָר is somewhat incomplete and oversimplified. He does note at the beginning of his study that he will examine each theory (on the meaning of דָּבָר) individually, but in essence he simply makes superficial reference to them without any critical examination. For example, in his examination of דָּבָר as "rule" or "reign", he observes that in Aramaic, דָּבָר cannot be found (though there is an occurrence in Ezra 7:25, and many examples in non-biblical Aramaic), but that it is found in Canaanite literature. However, he does not note or discuss any examples. He simply points to Lidzbarsky who says that "to reign" and not "to judge" is the meaning of דָּבָר. Grether, moreover, notes in passing that the Ras Shamra texts use דָּבָר to mean "judge", but once again he does not illustrate his point with any specific examples. This is the extent of Grether's discussion of the theory of the double meaning ("judge", "rule") of דָּבָר. After such a superficial discussion he concludes that the comparison

with the languages of Near Eastern neighbours does not lead to a
double meaning of אֶפֶן in Hebrew, but he also observes that
there is no evidence against it. [154]

Second, the views of van der Ploeg are heavily influenced by
Grether, and, not surprisingly, he endorses many of the points of
Grether. However, he does make certain independent observations,
the most important of which were discussed earlier. Van der
Ploeg notes that אֶפֶן, when used in reference to Yahweh cannot
mean "judgement" but rather "to do justice". It is certainly
true that the idea of "doing justice" can be attributed to
Yahweh, but it is clearly not the only meaning which can be
derived. Van der Ploeg presupposes that in order for there to be
judgement by Yahweh, a person or nation must be involved in a
physical tribunal. This view is rather myopic and oversimplifies
the use of אֶפֶן in reference to Yahweh. There are in fact many
instances in which Yahweh is involved in a lawsuit, and the
evidence clearly indicates that it is not necessary for there to
be a physical trial. One of the most notable examples of an open
conflict between one party and Yahweh is found in the story of
Job. If one is to take Job's questions seriously, then it must
be realized that in these instances, the complaints are against a
God who delivers "judgements" which clearly do not fall under the
category of "doing justice". Van der Ploeg's theory therefore is
erroneous. Moreover, in his conclusion, van der Ploeg, like
Grether, notes that, "La racine אֶפֶן se rencontre un grand
nombre de fois dans la texte massoretique de l'A.T. ...Or dans

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tous ces textes, la verbe דָּבָר a toujours le sens de "juger", ou un autre sens qui en est directement dérivé. Il s'ensuit que "juger" est bien la signification primitive en même temps que primaire de דָּבָר". [155] It is in fact a conclusion which is drawn from little discussion.

Third, in McKenzie's discussion regarding the meaning of דָּבָר, he notes that דָּבָר when used to describe the role of the דָּבָר refers to a judicial function. In this context he suggests that Samuel is the last of the judicial functionaries and attempts to explain the request of the people in I Samuel 8:5 as one which involves the appointment of a person to execute judgements. If the reason for wanting to replace Samuel and his sons is primarily because of their inability to execute judgement, then surely what is needed was a דָּבָר [156] and not a דָּבָר. In I Samuel 8:5ff, Samuel is asked by the people for a new king to govern ( דָּבָר ) them. It is true that they seek a דָּבָר, but the use of דָּבָר together with דָּבָר indicates that דָּבָר is clearly not meant to be understood simply as a judicial term. The people are certainly not seeking a new member of the judiciary, for if this individual were meant to execute judgement between parties, then Samuel would be a prime candidate, despite his age, [157] precisely because wisdom would be one of the primary criteria for such a position. The fact that Samuel is

155 Van der Ploeg, art. cit., p. 146.

156 In fact, even if a דָּבָר is sought after and he is understood to be a judicial functionary, then one would have to explain the element of Samuel's sons being eligible to replace him, precisely because the position of the דָּבָר in Israel is not a hereditary one.
"too old" has nothing to do with his ability to execute judgement (if that were his role), but it is evident that a "to judge" implies much more. That Samuel is "too old" is indeed indicative of the probable function of the individual sought after and in the process confirms the theory that a יָשָׁב in Israel functioned as a leader, and not only as a judicial functionary. יָשָׁב, from the contextual evidence, simply cannot be construed to mean "judge". True, it is the king who is the one ultimately responsible for executing justice, but there is no evidence to support a theory that that is his main function, and there is certainly no evidence to suggest that being a king entails functioning as a "judge". It is perhaps the words of I Samuel 8:20 which finally solve this question. In this instance, the people are adamant about the person they seek and the functions of the prospective candidate. They are seeking someone to govern them (יָשָׁב) and fight their battles. This is the clearest evidence of Samuel's role (in part), and thus McKenzie, is incorrect in supposing and concluding that Samuel is a judicial official.

What Grether, van der Ploeg and McKenzie have attempted to do is to prove that "judge" is the only possible meaning which can be derived from יָשָׁב. Subsequently, they have overlooked crucial instances in which the presence of יָשָׁב simply does not fit the mould which they have created. The critique of their positions therefore is not so much a rejection of any possible

157 One could also argue that in fact if Samuel were suffering from mental senescence, then surely the elders would not have approached him regarding his replacement; some other measure would have had to be taken.
truth there might be in their theses, but rather a criticism of their methodology and their overlooking of fundamental factors. The following section therefore is a discussion and examination of "plural as "rule".

C. "plural as "Authority"

It is perhaps in the area of "plural as "rule" that "plural as "authority" receives its most significant arguments. This position finds its greatest and most formidable support from the association between "plural and terms such as (chief, prince), (advisor), (leader), (king), and (official, governor). In this section several specific examples will be discussed in order to illustrate and give credence to "plural as "authority". Before the association between "plural and the terms above is discussed, three general examples will be examined. Earlier in this chapter it was shown that the role of Samuel was not primarily judicial but, rather, that he was a ruler of some sort. In that discussion, it was pointed out that the reason the people wanted a king to rule ("plural") them was precisely because of the nature of the "plural's rule, that is, it was not judicial but oriented more in the area of leadership and military affairs. This view is further enhanced by Samuel's words in I Samuel 12:1-5. In the rhetorical questions which Samuel poses to the people of Israel, it becomes clear that Samuel is a good leader and this is seen through the words of the
people, "You have not defrauded us or oppressed us or taken anything from any man's hand" (1 Samuel 12:5). Oppression, fraud and corruption are generally associated with those in leadership positions. The fact that Samuel's questions and Israel's answers are given from the point of view of Samuel as a ruler is seen in two instances in 1 Samuel 12:2. In this verse, Samuel says that his role is identical to that of the king. In the first instance, it is the king who leads and in the second instance it is Samuel who leads. [158] This context clearly suggests that Samuel was a leader though the title "judge" is used in reference to him.

Several specific examples will further demonstrate the use of "rule" in the context of "rule". One such example is seen in the conspiracy involving Absalom (2 Samuel 15:1-4). [159] In this instance, Absalom comes to the realization that executing as he conceives it is a responsibility of someone with authority and in this particular case it is the king who is indicated. As a result, when Absalom says, "Oh, that I were judge in the land", he is implicitly hoping to be more than a judicial functionary; he is hoping to be king. This becomes clear when it is so understood in the context of 2 Samuel 15:2, where someone needing comes to the king.

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[158] The RSV translates both and as "walk". It is true that could mean "walk" but in this context "lead" is a better rendering. If "walking before" is meant to convey the definite idea of leadership, only then would the RSV's translation be acceptable.

[159] Whether or not Absalom is wrong in believing that everyone who comes to him will have is not the concern here.
This example is not to suggest that there is no need for the judiciary, but rather to note the association between "rule" and מַלֶּה.

As was noted above, there are several words indicating leadership which are associated with מַלֶּה; an example of each will be discussed in turn. In II Kings 15:1-5, there is the description of Azariah's demise for allowing idolatry during his reign. After Yahweh punishes him by making him leprous, his son Jotham is made king. The text in II Kings 15:5b says: "And Jotham, the king's son was over the household, governing (מַלֶּה) the people of the land." There is no doubt as to the association between מַלֶּה and מָלֵל here. The function of the king is to rule, and in this instance, מַלֶּה is the verb used.

A second example of this association is in II Samuel 7. [160] In this context, Yahweh sends a message to king David telling him not to build a house for the ark; Yahweh points out to his prophet Nathan that in all the years in which he has been with the people of Israel, the ark has always been in a tent and he never asked the judges [161] who were "shepherding" his people to build a house for the ark. It is this point which makes Yahweh's words regarding the judges particularly crucial to this

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160 II Samuel 7 has been held to be a late addition and thus cannot be taken as true historical material of the period to which II Samuel is attributed. However the literary features which are found here are nevertheless useful for the purposes of this discussion.

161 The word מַלֶּה does not appear in the Hebrew, but this text clearly has a reference to II Samuel 7:11, when מַלֶּה is used.
discussion. In the earlier days, it was the o'DDC who were the leaders and this is evident from the fact that they were the ones who were shepherding [162] Yahweh's people. This of course ties in with the context to produce strong evidence for the association between "rule" and $\text{Ew}$. [163]

In addition to this, the noun $\text{Ew}$ is used in parallel to $\text{Ld}$. In Hosea 7, there is a description of the chastisement of Samaria because of her wickedness. In this description, several authorities are mentioned together. In verses 3 and 5 there is "princes" and "kings" and in verse 7 the "rulers" (o'Dcri) and "kings" are mentioned together. This context suggests the idea of those in positions of leadership who are responsible for the wickedness in Samaria's society; there is no reason to believe that $\text{Ew}$ in this instance is used in particular reference to members of the judiciary. Rather, alongside the $\text{Ld}$, the $\text{Ew}$ is meant to be representative of those who lead the people. This association between $\text{Ld}$ and $\text{Ew}$ is seen also in Psalm 2. In this Psalm, the kings and rulers are warned that they should be faithful to Yahweh, the one who has given them power. In this Psalm, $\text{Ld}$ is used twice, once in parallel to $\text{Dl}$ (leader, ruler) (verse 2) and the other time with $\text{Ew}$ (verse 10). The context once again clearly suggests that it is the rulers who are being pointed to. Perhaps a phrase in Psalm 2:10

162 The concept of "shepherding a people" has traditionally been used to mean "leading a people" in the Ancient Near East, and this is precisely what is meant here. For other similar references in the Old Testament, see, e.g. II Samuel 5:2 (I Chronicles 11:2), Isaiah 44:28; Jeremiah 3:15, 23:4; Micah 5:4; Psalms 78:72.

163 The text is repeated in I Chronicles 17:6.
will help to demonstrate this point. The phrase ... ירא ... indicates much more than simply judicial functionaries, for the context involves national rebellion and terms such as "nations", "peoples", "earth", are used and ...ירא... reflects this, for ירא has to do with a national rather than a local problem. [164]

In addition to these instances, ירא is also used in parallel to יע. In Exodus 2, where there is the description of Moses' early years in Egypt, there is included the incident in which he reprimands the two Hebrews for fighting. After Moses scolds one of the Hebrews for striking the other, the one replies with these words: הנה שלש ליאו של רעה על Negro (Exodus 2:14) which immediately gives the impression in a sarcastic manner that Moses was displaying attitudes which implied leadership or overseering. Superficially, one might notice the use of יע and assume that the view of the individual who speaks is in reference to Moses' decision that one Hebrew had struck the other, and is thus guilty. [165] However, it must be understood in the light of Moses' place in the household of Pharaoh and the position of power which he held there. The Hebrew's sarcastic question is meant to refer to Moses as a person of power and authority and not a judicial functionary. [166]

These examples show conclusively that the root ירא is used

164 For similar examples of occurrences of רָאִיל and ירא together, see Isaiah 33:22; Psalm 148:11.

165 The RSV translates יע in this context as "judge" but clearly the term "ruler" would be a more appropriate rendering.
primarily in the sense of "rule" and "authority". This is of course particularly applicable to the period of the Judges where the phrase נְבָעָה יִשְׂרָאֵל occurs several times in reference to the יִשְׂרָאֵל. This phrase must be understood as an expression of the rise of the יִשְׂרָאֵל as rulers. [167] In these instances then, נְבָעָה simply means "ruler" and the degree of importance which is afforded a יִשְׂרָאֵל is dependent on the subject with whom he is associated. For example, when יִשְׂרָאֵל is in reference to יִשְׂרָאֵל or לֶא or Yahweh, then the rule is supreme and carries great authority. However, when the reference is to suffete or the like, then the function is commensurate with the limited power inherent in that office.

It is true that נְבָעָה is connected in some manner with jurisdiction, but certainly not in a narrow sense. It has to be understood in the light of its association with some figure of authority. Generally, "to be judged" or "to be vindicated" are not negative concepts for Israel. For example, in Psalm 7:9 [8] the individual seeks the judgement of Yahweh, clearly not for punitive measures, but for Yahweh's mercy and continued relationship. As such, even if נְבָעָה in this context has a

166 For similar examples of יִשְׂרָאֵל used in parallel with נְבָעָה, see Amos 2:3; Micah 7:3; Zephaniah 3:3; Proverbs 8:16; II Chronicles 1:2. Note also that there are instances in which נְבָעָה is used in parallel with both יִשְׂרָאֵל and לֶא. See, e.g. Hosea 13:10; Psalm 148:11.

167 Ishida concludes that, "نزירות המביא הזדמנותALA יִשְׂרָאֵל in the book of Judges and I Samuel also signifies not 'to judge' in a narrow sense of the term but 'to rule', in which the function 'to judge' is included," art.cit., p. 520. See also, Rosenberg, who notes that נְבָעָה involves more than simply giving judgement; it has to be understood to mean that he exercised authority. "He became the Chieftain over Israel"; "The סופר...", p. 77.
judicial overtone, still its basis would be in the person of Yahweh, the ultimate authority. In other words  מִשְׁפָּט means not so much that a guilty individual is given well deserved punishment but that it refers to someone's restoration. This is precisely where the idea of authority is essential, for only one in authority can restore.

In the widest sense of the word מֹשֵׁל points to the action which reaffirms and sustains an individual's שָׁלוֹם. This is primarily the reason why the leaders of pre-state Israel are called מֹשֵׁל. Their position is to deliver and restore Israel, for in deliverance and restoration a relationship is healed, maintained, sustained. This would be the primary raison d'être for the מֹשֵׁל. It is this meaning of מֹשֵׁל which is later attached to the kings, who are responsible for the welfare of the people, working to ensure that the right relationship between individuals is maintained as well as the relationship between Yahweh and Israel. The king seeks the guidance of Yahweh in this matter, and this once again underlines the idea of authority and the importance of this for the sustaining of the covenant relationship. In I Kings 3:9, there is a description of Solomon seeking wisdom from Yahweh in order to govern ( מָשָׁל) his people, to discern between good and evil. The use of מָשָׁל in this context makes it clear that the meaning has to do with rule and not with the judicial function, though of course this latter element can be contained in the former.
The discussion of הֵנָּה in this chapter has pointed conclusively to "rule" as the primary and oldest meaning of הֵנָּה. It is true that not all the elements of Ancient Near Eastern usages of הֵנָּה are identical to the Old Testament ones, but this is to be expected, precisely because of the different cultural and religious orientations. Orlinsky is one scholar who believes that it is idle to use this kind of study and points specifically to the futility of the comparison between the הֵנָּה of Israel and the suffete of Carthage. He argues that with a period of over a thousand years separating them and the difference in historical circumstances and social structures, surely a comparison cannot be viable. [168] This comparison would indeed be an idle task, if the primary interest is in comparing external similarities to arrive at a usage which is identical. However, this is neither the interest nor the aim of this study, and in comparing the הֵנָּה with the suffete, the interest is to see whatever movement in meaning there is, taking into account elements such as contexts and connotations. Since the Old Testament says very little about the function of the הֵנָּה, then it is essential to resort to the analogical method of determination; this is when the use of הֵנָּה in the Ancient Near East proves crucial. As this chapter now focuses on the use of הֵנָּה, the impact of this discussion of הֵנָּה on the use and meaning of הֵנָּה will become apparent.

168 Orlinsky, Studies and Essays, p. 379.
CHAPTER III

I. OCCURRENCES OF נָאָם IN THE OLD TESTAMENT

The occurrences of נָאָם [1] in the Old Testament will give an indication of the different meanings, contexts and connotations which are associated with נָאָם. It will also bring into focus the various subjects which are used with נָאָם; that is to say, whether it is Yahweh, Israel, or the individual. In addition to these factors, perhaps the most important element which will be derived from this study is the functional use, namely the motivational force behind נָאָם, whether subscription to a norm or the sustaining of a relationship.

GENESIS

There are three occurrences of נָאָם in Genesis, and each has a distinctive meaning. In 18:19, Abraham and his children are charged with "doing נָאָם"; this command is given with the sole purpose of sustaining the relationship with Yahweh. This is explicit in this verse, as it points to the fact that "doing נָאָם" is directly tied to the expectation of "keeping Yahweh's

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[1] In the following examination of the occurrences of נָאָם, the term נָאָם will be used to refer to both the singular and plural forms, unless there is the need to make a technical distinction. Later on in this chapter, there will be a discussion specifically on נָאָם.
way". In 18:25, Yahweh is described as the "judge of the earth" who does כזז. This indicates clearly the important aspect of Yahweh’s relationship with the world. In this particular occurrence, there is the implicit reference to Yahweh who is thus involved in the affairs of the world. [2] It must be noted that the doing of כזז may include a punitive element, something which becomes evident in the demise of Sodom. In this instance, the relationship with Yahweh depends on the cleansing of Sodom. In 40:13, it is used in a non-technical sense of "customary". This also must be understood as that which is expected in order to sustain the ceremony which is associated with the placing of the cup in Pharaoh’s hand. Thus, while the context requires a rendering of "customary", it does connote some degree of sustaining a relationship.

EXODUS

Of the eleven occurrences, four (28:15, 29, 30 [2x]) are in chapter 28 and three of these are in reference to the 'breastplate of judgement'. In 28:15, כזז is used in a context which simply describes the physical nature of the breastplate. In 28:29, and the first instance in verse 30, Aaron is described as wearing the breastplate, but it is not for his personal relations, but rather that of Israel. The second instance of כזז in verse 30 makes this clear. Aaron, as he appears before Yahweh in his capacity as priest represents Israel

2 In this context, Yahweh is described as ruler of the earth and thus perhaps כזז here has to do with "cosmic justice" or "cosmic harmony".
and brings their מַדּוֹן with him. מַדּוֹן in this instance can be rendered by one of many terms, such as "cause", "case" or any element which is necessary to bring to Yahweh, perhaps even in the form of a confession in order to maintain rightly the relationship with Yahweh.

In three instances (15:25; 21:1; 24:3), מַדּוֹן is used to mean "ordinance", but on each occasion, the context is different. In 15:25, Moses prays to Yahweh for water and Yahweh gives a מַדּוֹן which if followed would keep the people in good standing with him; the alternative being punishment similar to that which Egypt receives. In 21:1, מַדּוֹן is used in the context of determining that which is necessary in order to have the proper relationship between master and slave. מַדּוֹן in 24:3 is used to mean "ordinances", and these are given by Yahweh as expectations of those who would be in a covenant with him. The idea of entering into a covenant relationship becomes clear in 24:8. Twice (21:9, 31), מַדּוֹן is used to mean "dealing" or "judging". Both of these occurrences exemplify the importance of sustaining a proper relationship between different parties and the way these parties are dealt with; they reflect the issue of relationship, and not the subscription to a norm. In Exodus 21:9, it would be simple to render מַדּוֹן as "norm", [3] but if this were to be the case, it would certainly detract from the context. That is to say, מַדּוֹן is used here in the context of relationship.

3 Rosenberg says, regarding the מַדּוֹן in Exodus 21-23, that they are to be viewed "more properly as a collection of case decisions than as a code. The degree to which these mishpatim become binding was probably determined by how normative they became for the society", Diss., p. 135.
between a master and a former slave. The sustaining of this particular relationship is dependent on דֵּין which then is clearly being used in the sense of "custom". If it were merely a "norm" which was being alluded to here, then it would make the actions of the master rather detached and meaningless.

In 23:6, there is the command to do דֵּין to the oppressed and not pervert it. This is perhaps the one occurrence of דֵּין in Exodus which is most definite about its use in the context of relationship, for perversion and corruption of דֵּין introduce the element of oppression in society, and this goes against the nature of the covenant relationship. Finally, in 26:30, דֵּין appears to be used in its most technical sense, meaning "architectural design". Even in this reference, the concept of authority is evident, precisely because it is Yahweh who is the original designer of the tabernacle and it is this which is shown to Moses. Moreover, this experience further reflects the relational aspect between Yahweh and those who are participants in this cultic affair.

LEVITICUS

There are fourteen occurrences and of this number, eleven (5:10; 9:16; 18:4, 5, 26; 19:37; 20:22; 25:18; 26:15, 43, 46) can be translated as "statutes" or "ordinances". Of these 18:4, 5, 26; 19:37; 20:22; 25:18 call for the "doing of Yahweh's ordinances". In all of these instances, the doing of דֵּין is directly connected with Israel's faithfulness and responsibility to Yahweh. They are clearly not being asked to
subscribe to cosmic norms, but rather the doing of Yahweh's \( צד \) sets Israel apart as his people. In 5:10 and 9:16, \( צד \) is used in the context of presenting offerings to Yahweh. Offerings are done according to Yahweh's \( צד \), that is, that which is necessary for the offerings to fulfil the desired function. Also, in 26:46 the use of \( צד \) while being rendered "ordinances", clearly has a covenantal overtone, for it is in reference to the bond between Yahweh and Israel.

The remaining three instances (19:15, 35; 24:22) occur in contexts which plead for non-discrimination against the poor. In 19:15, \( צד \) is stressed as being essential in the area of "judging"; partiality and deference are abhorred. In 19:35, it is used in the context of "weights and balances", an area in everyday life which is crucial for the welfare and sustaining of the people. If there is corruption in this area, relationships are broken and invariably there is a rift in the society, between the rich and the poor. In 24:22, Moses makes it clear to the people that Yahweh expects the same \( צד \) to be used for the stranger and the native, clearly an admonition which is intent on preserving equity and thus a right relationship.

NUMBERS

There are nineteen occurrences of \( צד \) here and of this number, fifteen (9:3,14; 15:24; 27:11; 29:6,18,21,24,27, 30, 33, 37; 35:24, 29; 36:13) are in reference to the various ordinances. All of the ordinances which are pointed to in chapter 29, are used in the context of the different offerings.
These occurrences of בֵּיתָן indicate once again the element of relationship, for Yahweh has expectations and demands of his people and the keeping of these guarantees a right relationship. Not abiding by the בֵּיתָן of Yahweh in the offering implies opposite consequences. In 15:16, the use of בֵּיתָן is similar to Leviticus 24:22, where it is noted that there must only be one בֵּיתָן for the native and the stranger alike. In this way there is no chance of discrimination or the prospect of creating inequities. In 27:5, it is in the context of Moses' bringing the בֵּיתָן of the people to Yahweh and in this instance בֵּיתָן can be rendered as "case" though this does not necessarily imply a forensic use. [4] In 27:21, it is used in Joshua's preparation for leadership, and in this role Israel is to obey him. [5]

Finally, in 35:12, בֵּיתָן is used to mean the "judgement" which is meted out to a killer. In this context, the slayer must submit himself to a process of בֵּיתָן. The section which follows this verse, (vv. 16-23), might unwisely be taken to be the "norms" which have to be met, but in fact, they are necessary elements for the sustaining of relationships within society. [6]

4 This is an interesting occurrence of בֵּיתָן, and a cursory glance at the context does not suggest any uniqueness. However, a closer study of this text indicates that the use of בֵּיתָן here is instrumental in explaining the way in which "the laws of Yahweh" are initiated. The fact that Moses is the one who bears the case, implies that the local judges have already administered a verdict which is subsequently being appealed. Moses, not being able to arrive at a decision on his own, appeals to Yahweh and it is Yahweh's words which become a "בֵּיתָן".

5 Rosenberg observes that, "miṣpāṭ when associated with ḫōṣēn "breast-plate" or the "Urim" or "Tummim" is an oracular decision. This decision is not limited to priestly or cultic matters but may extend to all areas of life", Diss., p. 99.
DEUTERONOMY

There are thirty-five occurrences here and of this number, seventeen (4:1, 5, 8, 14, 45; 5:1; 6:1, 20; 7:11; 8:11; 11:1, 32; 12:1; 26:16, 17; 30:16; 33:10) are used to mean ordinances. Most of these occurrences have implicit references to the importance of keeping these ordinances in order to sustain a healthy relationship with Yahweh. There are also explicit references such as in 5:1 where Moses admonishes the people to learn and do the שמים of Yahweh. The reason for this becomes evident in 5:2 where he reminds Israel of the significance of keeping the שמים.

"Yahweh our God made a covenant with us at Horeb"; the implications of this are clear, and there is no doubt that the שמים of Yahweh is intricately connected with this covenant.

Five other occurrences (1:17 [2x]; 16:19; 24:17; 27:19) are used in reference to the perversion of שמים. In 1:17, the focus is on "partiality of judgement", and the context suggests a use which is judicial, but once again, the argument against partiality is precisely the destruction of the existing relationship among the people and a subsequent division into "classes". [7] The occurrence in 16:19 is similar to this and contains the same concern for those who are in a position to administer שמים, and also a concern for those who are on the receiving end of "perverted" שמים. In 24:17, the theme is also

6 The idea of שמים being used in a punitive sense for restoring a relationship is not unusual. See, e.g. Jeremiah 10:24 and 46:28.
similar to these, but the objects, on this occasion are "the widow", "the orphan", and "the resident alien". In 27:19 this last theme is repeated and it is perhaps in this context that the importance of  ויָּעַד to the oppressed is underlined. Those who pervert  ויָּעַד are not merely scolded or even abhorred, they are cursed ( רָאָרַד), a term which is reserved for extreme situations.

On three occasions (17:8, 9, 11)  ויָּעַד is used to mean "decision" which is handed down by a judge and the Levitical Priests. Even in these instances, the "decision" which is executed is done specifically to protect the individual who has been hurt and needs to be restored. [8] The occurrence in 16:18 is used in similar fashion, and, as a follow up, the people are reminded that this protection involves the covenantal promise of the land. In 32:4,  ויָּעַד describes the actions of Yahweh while in 33:21, it is used in reference to the decrees of Yahweh. Of the remaining five occurrences, it is used in identical manner in 19:6 and 21:22. In these two contexts it used to refer to the

7 Rosenberg suggests that, "the priests and magistrates are not to be afraid to render any verdict, for in reality 'the decision' is not theirs but God's. They are merely divine instruments acting on his behalf", Diss., p. 99. What Rosenberg's view once again underlines is the fact that even when a supposed judicial term such as "decision" is used, it has to do with authority, rather than "judging" and in this instance it is the highest authority, Yahweh's.

8 See Rosenberg who observes "the use of  תּוֹרָה 'instruction' and  מִשְׁפָּת 'decision/bearing' in verse 11 should not be taken to infer that the court was divided into two clearly demarcated judicial bodies, where the former pertained only to priests and religious matters, and the latter to lay magistrates and non-ritual and civil questions. The context indicates that the priests were involved in civil disputes as well," ibid., p. 101.
consequences of a particular crime. Because each crime which is committed affects a relationship, then דָּמוּן is necessary in each instance in order to restore the injured party or provide compensation to the family of the dead person. In 19:6 and 21:22, the דָּמוּן which is necessary is death. In 21:17 the use of דָּמוּן focuses on the דָּמוּן of the first-born; this instance illustrates clearly that the importance of establishing the right (דָּמוּן) of the first-born is precisely in order to ensure the correct relationships within the family. In 25:1, דָּמוּן is used to mean the place where justice is to be executed and in 32:41 it means "judgement" without any technical overtone.

JOSHUA

There are three occurrences and each is used in a different context with a distinctive meaning. In 6:15, דָּמוּן can be translated "manner" and a superficial glance gives no indication of a larger context outside of the immediate reference to the manner in which Joshua marched around the wall. However, when this occurrence of דָּמוּן is seen within the greater context of the surrounding chapters, it becomes evident that the דָּמוּן of marching came from Yahweh, thus bringing דָּמוּן once again into association with authority. In 20:6, it is used in the context of a congregation executing דָּמוּן to an individual and in this instance it has to do with his protection rather than his condemnation. [9] Finally, the occurrence in 24:25, is in the context of covenant-making, where Joshua after making a covenant with the people gives his דָּמוּן as expectations and expressions
of the covenant. Once again, יְבִנהּ פִּנִּים are set down by Joshua in order to keep the covenant relationship intact. פִּנִּים together with יְבִנהּ is not unique to this situation however. [10]

JUDGES

There are three occurrences here and two of these (13:12; 18:7) can be rendered as "manner", but each is in a distinctive context. In 13:12, it is used in the context of Manoah asking the angel about the IDE of life the child Samson is to live. From the surrounding context, it becomes clear that Samson's manner ( יְבִנהּ ) of life has a direct connection with Yahweh and thus his יְבִנהּ will be of a nature that will keep him in this special relationship as a Nazarite. In 18:7, the יְבִנהּ of the people of Laish reflects a sense of peace and satisfaction. In this instance, it might be argued that יְבִנהּ is used in a secular sense, however the context suggests that there is harmony, and a healthy relationship among the people. The third occurrence is in 4:5 and it is in the context of Deborah giving יְבִנהּ to someone who comes to her with a case. It is not certain whether or not Deborah was a יְבִנהּ but at least in this instance she seems to be fulfilling a judicial function.

9 It is interesting to compare the use of יְבִנהּ in Joshua 20:6 with the use in Numbers 35:12. Both occurrences are in reference to "judgement" given by the congregation but in the Numbers occurrence it involves a punitive element while in Joshua, it has to do with a degree of innocence.

I SAMUEL

Of the seven occurrences, three times (8:9, 11; 10:25) דֹּדִין is used in the context of describing the reign of a king. In all of these contexts, the people are told about the דֹּדִין of the king, and in these instances the king who is being spoken of is Saul. The importance of expressing the דֹּדִין of the king to the people is twofold. First, this is their first king, hence the orientation. Second, and perhaps more importantly there is the fact that it indicates the responsibility of the king to the people, a responsibility which finds its most significant element in the sustaining of his relationship with his people, and his nation's relationship with Yahweh. [11] The occurrences in 2:13 and 27:11 can both be rendered as "custom", but the contexts are different. In 2:13 דֹּדִין is used in the context of describing the דֹּדִין of the priests in relation to the people while in 27:11, it is in a context which describes David's דֹּדִין when he raids countries. In 8:3, the context speaks of the perversion of דֹּדִין; in this instance it is the sons of Samuel who are the guilty ones. The importance of not corrupting and perverting דֹּדִין is reflected in the elders' request for a king. Finally, in 30:25, it is used to mean "ordinance" and occurs in a context

Even though these occurrences of דֹּדִין are in contexts which speak of the "ways" of the king, nevertheless the connotations are not identical. In 8:9 and 11 דֹּדִין can be rendered as "ways" or "customs", and these terms do not indicate whether the "ways" or "customs" are good or evil. However, the context clearly suggests that because of the circumstances surrounding the appointment of the king, his "ways" (דֹּדִין) are seen in a negative light. In 10:25, even though דֹּדִין appears to be used in a similar fashion, the context clearly suggests that the דֹּדִין of the king is positive.
in which David urges a sense of equity regarding the spoils which are received on an expedition. The ordinance (םדמ) which David makes is meant specifically to establish equality between those who are involved in battle and those who remain behind.

II SAMUEL

Of the five occurrences, three (15: 2, 4, 6) are found within the section which deals with Absalom's conspiracy. In these instances, דומד is once again associated with authority. Absalom desires to be an adjudicator, but is unable to do so, because he is only an average citizen. [12] In 8:15, דומד is used in a context describing David as administering justice to all. There are several elements in this occurrence which are noteworthy. דומד is here associated with the king, the highest authority, and in this capacity he administers דומד. This however is not merely a casual act, for the king is the primary figure who is responsible for the execution of דומד. Also, in this particular instance, the specific reason behind David's execution of דומד is to create equity and sustain a proper relationship among the people. Finally in 22:23, David says that he has kept the דומד of Yahweh, and the implication here is that this is instrumental in his continued relationship with Yahweh.

12 Absalom's deep desire to be an arbiter probably blinds him to the need for impartiality in his judgement. He hopes to declare innocent anyone who comes to him with a מ or דומד.
I KINGS

There are seventeen occurrences and four of these (2:3; 6:12; 9:4; 11:33) can be rendered simply as "ordinances" and all in reference to Yahweh. All of these references though are in contexts which focus on Yahweh's relationship with the king of Israel. The use of דַּעַת in 2:3 epitomises the use in the other three instances and sets the pattern for the uses in 6:12; 9:4; 11:33. When it was time for David to die, he gave advice to Solomon and this included the keeping of Yahweh's דַּעַת. The reason for this is clearly spelled out by David when he points out to Solomon that keeping the דַּעַת of Yahweh is essential for the continuation of the relationship.

Five other occurrences are found in chapter 8 (8:45, 49, 58, 59 [2x]) and all are in the context of Solomon's prayer to Yahweh, praying that Yahweh might maintain the cause (דַּעַת) of his people. In these instances, Yahweh is not simply upholding Israel's דַּעַת in an objective manner, but the special relationship between God and people presupposes on Yahweh's part that he will maintain Israel's דַּעַת, particularly if Israel has kept the דַּעַת of Yahweh. So, when Solomon prays to Yahweh, he is calling on him to maintain a relationship with Israel even when Israel has sinned.

There are three other occurrences (3:11, 28 [2x]) which are once again associated with Solomon, but in these instances, they are in reference to his responsibility to execute דַּעַת. There are two important points which must be noted here. First, in
3:11, it is clear that Solomon understands the fundamental nature of his kingship and this is reflected in his request from Yahweh. He seeks the element of "wisdom" which is necessary for his rule to be successful. [13] Second, in 3:28, the demonstration of ἡδονα is perceived by the people as a gift from Yahweh. This, once again indicates the connection between the ἡδονα which is to be administered to the people and the ultimate source, Yahweh.

In 5:8 [4:28], ἡδονα can be rendered as "charge" or "responsibility" and is found in a context which points to the servants fulfilling their ἡδονα (that which is expected of them). In 6:38 it is used to mean "specifications". A cursory look at this occurrence does not suggest anything unusual, but in fact ἡδονα here has to do with "right relations". It is true that ἡδονα in this instance is used in a secular sense, but it nevertheless underlines the important aspect of all the parts of the structure being in the correct relationship to each other. The occurrence in 7:7 is used in the phrase "Hall of Judgement".

In 10:9, the Queen of Sheba remarks that Yahweh has made Solomon king, so that Solomon might execute ἡδονα. This context once again underlines the basic responsibility of the king and the primary expectation which Yahweh has of him. In 18:28, ἡδονα can be rendered as "custom", with a negative overtone. The ἡδονα of those who worship Baal is to cut themselves with swords

13 In this context, Solomon seeks ἡδονα from Yahweh in order to help him discern between good and evil. He is certainly not seeking the ability primarily to decide correctly in judicial cases (though this aspect is not excluded), but rather he is seeking that which is essential for him to be a good ruler. Thus the renderings of the LXX (κρίμα), Vulgate (judicum) and the KJV (judgement) are inadequate.
and lances, but this apparent indignity must not overshadow the fact that these worshippers are doing that which they believe keep them in relationship with Baal. Finally in 20:40, dr is used to mean "judgement" in a punitive sense.

II KINGS

Of the eleven occurrences, eight (17:26 [2x], 27, 33, 34 [2x], 37, 40) are in chapter seventeen. The occurrences in verses 33,34 and 40 can be rendered as "custom" or "manner". These contexts make it clear that both Yahweh and other gods have dr, but it is not a matter of choice for Israel, for Yahweh's dr is the point of reference for Israel's relationship with Yahweh. In these instances, the custom ( dr ) of the other gods has a negative overtone, and following this custom, as Samaria does, brings dissociation from Yahweh. In verses 34 and 37, dr is used to mean "ordinances" and these are in the same context as the previous three. On these occasions, Samaria is described as not having kept the dr of Yahweh, a condition necessary for a right relationship. In 17:26 and 17:27 dr is described as that which is essential for the foreign nations to know, in order not to experience death. This context once again distinguishes between what might have been the dr of other nations, and Yahweh's dr.

Another occurrence is in 1:7 and the context requires a translation such as "manner". [14] Even this term however does not fully capture the meaning of dr in this context. It is
true that 1:8 describes the manner in which the man is dressed, but the meaning of מָרְדָּנ must be understood in the context of what Elijah says, for it is not the clothing which makes Elijah distinctive, but his מָרְדָּנ, which points to his association with Yahweh. In 11:14, מָרְדָּנ is rendered as "custom", and in 25:6, it is used to mean "sentence" and is used in a punitive judicial sense.

ISAIAH 1-39

There are twenty-three occurrences of מָרְדָּנ in this book and eleven of these (1:27; 4:4; 5:16; 9:6 [7]; 16:5; 26:9; 28:17, 26; 30:18; 33:5; 34:5) are in reference to the "justice of God". Of these occurrences, only 5:16 is employed in an inactive sense; that is, it is seen more as an attribute. All the other references to the "justice of God" are in contexts which either point specifically to the מָרְדָּנ of Yahweh on behalf of Israel or allude to it. [15] Five other occurrences (3:11, 10:2, 28:6 [2x]; 32:7) are used in contexts which emphasise the need for justice (מָרְדָּנ) for the poor and oppressed. These occurrences give an indication of the many areas in which מָרְדָּנ

14 The RSV renders מָרְדָּנ in this instance as "kind", which is used to inquire about the nature of the person. This word, however, does not capture the connotation of מָרְדָּנ in this context, for it does not seek to find out about the physical nature or even the individual's presentation, but rather the individual's entire orientation.

15 See L. W. Batten, "The Use of מָרְדָּנ", JBL, XI (1892), pp. 206-210. Batten sees מָרְדָּנ in the Old Testament as having to do with a moral quality. He says that the occurrence of מָרְדָּנ in Isaiah 30:18, when Yahweh is referred to as a "God of מָרְדָּנ", refers to Yahweh's moral attribute, p. 207. By suggesting that this is the primary use, Batten overlooks the central significance of מָרְדָּנ in the sense of moral attribute.
is needed. The occurrence in 10:2 is tied to the "woe" in 10:1; this is the consequence of not giving justice to those who are most in need. Two important points may be noted from the occurrences in 28:6. In verse 6, it is clearly spelled out that the one who executes וָהָ א needs to have the spirit of אֹחָ ה, which comes from Yahweh. This instance once again gives a perfect indication of the relationship between the וָהָ א of Yahweh and that which is desired for the people. Both of the instances in verse 6 tie into verse 7 and form a biting condemnation of those in authority; those who are in a position to execute וָהָ א to the people, and do not. The prophet and priest, people who are supposedly above corruption and perversion are singled out here as proponents of the perversion of וָהָ א. This is also tied in closely with the occurrence and use of וָהָ א in 3:14. In this instance, it is the elders and princes who are singled out for Yahweh's וָהָ א. There is no doubt that in this context וָהָ א has a punitive connotation. It is not a judicial use, for it is the lack of וָהָ א for the poor that brings punishment to the offender.

Two other occurrences are found within the context of Isaiah's observation of the degradation of Israel. In the first instance, in 1:21, it is used as a part of a pair of parallels. Israel's degradation has moved from a position of "faithfulness" to one of "harlotry"; she has moved from being full of וָהָ א to being the abode of murderers. The extremes in this context are striking. The second occurrence in 5:7 is a part of Isaiah's "Song of the Vineyard" where Isaiah tricks Israel into
self-condemnation. This use of מַטָּה is a part of a poignant picture in which Yahweh's superlative love for Israel is demonstrated. The special relationship is established in 5:1, where it says: ... אֶלֶף נַעַר לִיָּהָ בְּעַד. With this special relationship, Yahweh expects מְנַח but finds מַטָּה instead.

In 1:17, מַטָּה is employed in a context which exhorts the people of Israel to "seek מַטָּה " and this involves the care of those who are poor and oppressed. This occurrence gives a clear indication of the active nature of מַטָּה and the need for this to be an essential element in every aspect of life. In 26:8, it is used in the context of those who remain in the מַטָּה of Yahweh. The occurrence in 32:1 points to the future rule of the princes and kings of Israel. In some ways this can be seen as a contrast to the reference in 3:14 where the princes are corrupt. The context suggests that this new age of justice is meant to be understood as one which will be in the life of Israel.

16 This phrase could be translated as "Let me sing for my friend", but the RSV's use of "beloved" rather than "friend" misses the general orientation of the parable.

17 The statement in Isaiah 1:17 which says, מַעֲשֵׂה יְהֹוָה is rendered by the RSV as "defend the fatherless". This translation unfortunately neither captures nor reflects the correct meaning of מַעֲשֵׂה. The earlier part of the chapter has made it clear that the Old Testament use of מַעֲשֵׂה is more in the area of "rule". As was pointed out, "rule" is a concept which by its nature is meant to include the overall responsibility for the ruler's constituency. When many of those who are being "ruled" consists of the poor and powerless, then "care" is also clearly an essential element of "rule". In this instance, the people are not asked merely "to defend" (though this is important) but rather to take care of. When מַעֲשֵׂה is understood in this sense, it fits the context well, for surely "the fatherless" have none to care for them and thus the need for people "to rule" (take care of) over them is natural.
in the near future. It is not a messianic oracle. Finally, in
32:16, with the coming of an age where the leaders will execute
\( \text{כְּבָד} \), not only will the people benefit, but so will all
creation.

ISAIAH 40-66

Of the twenty occurrences, six (42:1, 3, 4; 49:4; 53:8;
54:17) refer to the "suffering servant" of Yahweh. Three of
these 42:1, 3, 4, are a part of the first servant song. [18]
Twice in these verses it says clearly that the servant will bring
\( \text{כְּבָד} \) to the "nations" and establish \( \text{כְָּבָד} \) in the "earth".
There is no reason not to believe that Israel was the primary
concern of Yahweh, but in these references, the "earth" and
"nations" certainly portray Yahweh's concern as a universal one.
[19] In this servant song, the \( \text{כַּפֶּר} \) will bring \( \text{כְָּבָד} \), but he
will come silently and will not override the weak but rather

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[18] In this first "servant song", it is not entirely clear to
whom the servant's beneficent acts are directed. It could
of course be the people of Israel now that they are in
exile. Even though there is the development of the theory
of individualism (e.g. in the sense of righteousness and
accountability to Yahweh) nevertheless the common element
in their present existence is bondage and thus it would be
à propos to postulate that in fact the object of the
servant's beneficence would be the people of Israel, as a
community. Perhaps, it would be better to say that in the
first instance Israel is the beneficiary.

\( \text{כָּפֶר} \) ", TDNT ed. Gerhard Kittel, Volume III (Grand
Herntrich observes that, "the comprehensive significance of
\( \text{כָּפֶר} \) is shown especially in the fact that the prophet
uses it in the absolute. \( \text{כָּפֶר} \) is a comprehensive term
for the revelation of God in which is grounded not merely
the relationship of Yahweh to his chosen people, but also
his relationship to the nations", p. 933.
respect them. In some ways, the care of the weak is the point of departure for determining the truth of the ADN. Moreover ADN in these references is seen as something which will be established on earth by Yahweh. It is not the establishment of some objective religion as van der Ploeg suggests [20], but rather, when ADN is used in this context, it refers to that which is an ultimate aspect of Yahweh's relationship with his people, namely, his deep care and concern for them. The other three references to the "suffering servant" (49:4; 53:8; 54:17) are all steeped with the suffering aspect of his role. Both 49:4 and 53:8 point to the suffering of the servant, but at two different levels. In 49:4, there is a sense of self doubt about the effectiveness of the servant's role, while 53:8 describes the theme which was begun in 53:7, namely the suffering of the servant at the hands of the people. Finally in 54:17, the confidence of Yahweh in his servant is underlined by the fact that the servant will be vindicated against all who oppress and judge him.

Five other occurrences are found in chapter 59 (8, 9, 11, 14, 15). All of these focus on the absence of ADN in society. The first four of these occurrences all contain specific images which are associated with the lack of ADN. In verse 8, the lack of ADN affects דואל [21a]; in verse 9, lack of ADN brings darkness; [21b] in verse 14 the absence of ADN has caused the level of truth to decrease and in verse 11 the lack of ADN is directly related to the people becoming like animals.

20 Van der Ploeg, art. cit., p. 155.
In 59:15, these are all brought to the fore and the consequences become clear, Yahweh is displeased. The image of Yahweh in an angry mood expresses the great importance of having רְשָׁם.

Three other occurrences (40:14; 51:4; 61:8) are used in reference to Yahweh. In 40:14, רְשָׁם is a part of a rhetorical question which makes it clear that רְשָׁם originates with Yahweh, for he does not receive it from anyone. In 51:4, Yahweh's רְשָׁם will be a light unto the nations. This image of light conveys a sense of freedom and of course the ability to see clearly which in turn brings truth to the fore. [22] In 61:8 it is made clear that Yahweh loves רְשָׁם and will bring רְשָׁם to all who need it. רְשָׁם also occurs twice in 58:2, and in very strong words Israel is condemned for her sins. The irony in this context is that Israel appears to be blind to her transgressions and carries on with her association with Yahweh as if nothing were wrong. These references indicate clearly that Yahweh is not interested in the outward show of obedience and worship but rather he desires רְשָׁם, and, when this is missing, all else is in vain.

21a See, von Rad, Theol. 1, who notes that רְשָׁם, "is not adequately rendered by 'peace', for the word designates a state where things are balanced out, where the claims of a society are satisfied, a state, that is, which can only be made effective when protected by a society governed by justice...", p. 372, note 6.

21b Rosenberg notes that the רְשָׁם of Yahweh is often used in the context of light. See, Diss., p. 105. The idea of light infers certain particular images when used in the same context as רְשָׁם. See e.g. Isaiah 51:4, Zephaniah 3:5; Psalm 37:6.

22 Rosenberg's idea that רְשָׁם here refers to the doctrine of Yahweh is unclear and perhaps misses the point of the light imagery. See, Diss., p. 105.
The remaining four occurrences are all used in different contexts with different meanings. In 40:27, Israel is reminded that her complaints about the hiddenness of Yahweh and thus the discarding of her right (איהו) are unfounded, for Yahweh is the omniscient Creator. In 41:1 איהו is used to mean "judgement" and in this instance the executor of "judgement" is Yahweh, and it is used in a forensic manner. Yahweh is the ultimate judge, and it is he who decides the case between Israel and her oppressors. In some ways, it seems to be more of a demonstration to convince Israel of Yahweh's concern for her; the coastlands have been defeated and the gods and rulers (Israel's oppressors) have been dismissed. This occurrence in 41:1 is connected with 41:21-29 where there is a court hearing. [23] In 50:8 איהו is used together with יור to mean "adversary". יור in this context may be taken to mean "case" and יור thus is the person who attempts to stifle the servant's "case" (איהו). In this context, the servant is sure that Yahweh will vindicate him. Finally, in 56:1, Israel is told "to do justice" (איהו), and this is tied in directly to Yahweh's salvation and deliverance.

JEREMIAH

There are thirty-two occurrences and six of these (1:16; 4:12; 39:5; 48:21; 51:9; 52:9) can be translated as "judgement". Four of these occurrences refer to Yahweh. In 1:16

23 See W. A. M. Beuken, "Mishāt. The First Servant Song and its Context", VT 22 (1972), pp. 1-30. Beuken notes that the "they" and "us" motif makes it clear that this is a judicial matter, and, most important, it states unambiguously whose side Yahweh is on, p. 15.
and 4:12 the ḫ̄n of Yahweh is the element which punishes Israel for apostasy; in these instances it is clear that Yahweh's ḫ̄n includes a punitive element. However, punishment must not be understood as an end in itself, for the ḫ̄n of Yahweh works for the restoration of Israel and punishment is only a step in that direction. In 48:21, judgement ( ḫ̄n ) has come upon Moab and in 51:9, Yahweh has also brought his ḫ̄n against Babylon. In these instances, the primary reason for judgement against these nations, is for the deliverance of Israel from the grasp of Moab and Babylon. Thus once again, the punishment against these nations is not an end in itself. The occurrences in 39:5 and 52:9 are identical and one simply repeats the other. In this context, Nebuchadrezzar delivers "judgement" against Zedekiah, and here ḫ̄n is used in a judicial sense.

Three other occurrences (5:4, 5; 8:7) are used in the context of those who do not know ḫ̄n. In the first two instances, Jeremiah seeks on behalf of Yahweh anyone who knows the law ( ḫ̄n ) of Yahweh. Jeremiah is unable to find anyone, rich or poor, who knows Yahweh's ḫ̄n. In 8:7 Israel's apostasy is described in a striking manner. The people do not know the ḫ̄n of Yahweh and this is seen in parallel to the animals who are aware of that which is crucial for them. The implication here is clear; the people have neglected that which is essential to them. [24]
In three other occurrences (7:5; 22:3, 15) there is a stress on the importance of "doing justice" (םְדֹרָב). There are two elements which are particularly important in these occurrences and which must be noted. First, the idea of "doing justice" is not made in a vacuum but rather it is said with particular classes of people in mind, the alien, the orphan, and the widow. These people are not to be oppressed, but שָׁם must be shown to them. Second, there are ultimata and promises which are given to Israel depending on whether she does שָׁם or not. In 7:5, the promise is to allow Israel to dwell in the land of her ancestors; the implication for not obeying is self-evident. In 22:3, 15; the importance of doing שָׁם is stressed. In 22:3, the doing of שָׁם is concerned with the maintenance of the Davidic dynasty and clearly involves the relationship between God and king. In 22:15, שָׁם is used in the context of a rhetorical question and points clearly to the importance of doing of שָׁם as the means of well-being. In two other instances (4:2; 9:23 [24]) it is used in reference to Yahweh, describing him as a God who loves שָׁם. In 4:2, שָׁם forms a part of a

24 The RSV translates שָׁם in this instance as "ordinance" but this does not capture the fulness of the concept. Rosenberg suggests that the people simply did not adhere to the norm of Yahweh, Diss. p. 164. This however is also missing the main point, for there is an indication that the people did not know the way (דּוֹרָב) of Yahweh; that is to say, they were overlooking his covenantal involvement in their lives. See also, Eliezer Berkovits, "The Biblical Meaning of Justice," JUDAISM 18 (1969), pp. 188-209. Berkovits suggests that in this context, "the mishpat of the Lord is a cosmic principle of measured, balanced relatedness which applies to the whole of life, to the realm of the Spirit, no less than to the realm of nature. ...These seasonal birds know their appointed time; they sense the orderliness and interrelatedness in nature; thus they know when to come and when to go, but Israel does not acknowledge the same mishpat as it prevails in the spiritual life of the world," p. 204.
confession which says that Yahweh loves $\text{Din}$. In 17:11 and 22:13 (concerning king Jehoiakim), it is used in the context of the individual who becomes rich at the expense of those around him and does so without doing $\text{Din}$. These two references make it clear that it is futile to amass wealth and not do $\text{Din}$. On two occasions (23:5, 33:15) $\text{Din}$ is used in the context of the "righteous branch". These references epitomise what is expected and demanded of the king and moreover, this "righteous branch" reflects this and $\text{Din}$ becomes the main element which is associated with the king. The two occurrences, 26:11, 16 are both used in a judicial sense, referring to the fact that an individual deserves the sentence (\text{Din}) of death. There are also two occurrences in chapter 32 (verses 7,8) in which $\text{Din}$ is used to mean "right" in the sense of duty and in this case it is in the context of Yahweh's sign to Jeremiah through the purchase of a field. $\text{Din}$ is clearly being used in the context of "relationship" here; in this instance it concerns the relationship between the family and land.

The occurrences in 30:11 and 46:28 are used in identical contexts and are in reference to Yahweh. In these instances, even though Israel has sinned endlessly against Yahweh nevertheless she will be saved. However, before this happens Israel will first be chastened, according to that which she is deserving. This is what $\text{Din}$ means in these contexts. This is an important occurrence in that $\text{Din}$ is used in a punitive sense, but it is a step towards restoration.
The remaining seven occurrences are all found in separate contexts. In 5:1, דוד appears as that quality which is essential yet which is missing from among the people. In 5:28, the anger of Yahweh is seen when it becomes apparent that there is no דוד in society, and all have become corrupt. In 10:24, it is used as a part of Jeremiah's prayer to Yahweh, for sparing Israel, even though she deserves it; rather than to correct with anger Yahweh is asked to correct with רוח. The implicit indication here is that it is דוד which is essential for this restoration. In 21:12, the king is exhorted to do דוד to the people and to take care of those who are being oppressed. In 30:18, it is used in the context of Yahweh's promise to Israel to restore the nation; the castle will stand in its original site (דוד). The rebuilding of the castle on its original site, demonstrates in a peculiar way the idea of restoration. When something is restored, e.g. a friendship, a relationship, it means that it returns to the way it once was. The restoration of the city and castle exemplify this. Moreover, restoration also involves the essential element of harmony - thus the castle and the city will once again exist in an original situational relationship. [25] Finally, in 49:12, דוד is used within the context of Yahweh's oracle against Edom. In this sense it may be rendered as "fate" or what is deserving in particular circumstances.

25 See Fahlgren, שדוק, p. 126.
EZEKIEL

Of the forty occurrences of נְבַיּוּ, nineteen (5:6 [2x], 7 [2x]; 11:12 [2x], 20; 18:9, 17; 20:11, 13, 16, 18, 19, 21, 24, 25; 36:27; 37:24) are used to refer to the ordinances of Yahweh. In these instances what is certain is that Israel has not kept the נְבַיּוּ of Yahweh and this has resulted in a brokenness in their relationship. Israel is specifically set up in the centre of all the nations, perhaps even as an indication of Yahweh's rule as being the axis of the existence of all nations. The presence of Israel in this position is meant to underline Yahweh's power, but instead Israel does not follow Yahweh's נְבַיּוּ. But not only does Israel neglect the expectations, but she follows the ways of the neighbouring nations (11:12). Thus it is not a situation where Israel unconsciously forgets the נְבַיּוּ of Yahweh but consciously rejects it in favour of her neighbours'. The rejection of Yahweh's נְבַיּוּ is in essence a rejection of Yahweh and a breach of the covenant relationship.

On four occasions (5:8; 7:27; 16:38; 39:21) נְבַיּוּ is used in the context of the "judgement of Yahweh". The occurrence in 5:8 is directly connected with the occurrences in 5:7 which point to Israel's apostasy. The breaking of the relationship and the rejection of Yahweh bring destruction to Israel. The metaphor of harlotry in 16:38 forms a powerful indictment against Israel, and, as part of the judgement (נְבַיּוּ) of Yahweh, Israel will be sunk to her lowest level and made to suffer indignation before the other nations.
In four other occurrences (23:24 [2x], 45 [2x]) it is used in the context of Yahweh allowing others to judge Israel for her wickedness. They occur in the allegorical story of Gholah and Oholibah, the two fictional characters representing Samaria and Jerusalem. Since Jerusalem has apostasised and committed idolatry, she is handed over to the nations to judge her. In these instances, it is once again clear that דָּוָא is not only associated with Yahweh but the other nations also have their דָּוָא. In this case, too, it includes a punitive element.

In four other occurrences (18:5, 8, 27; 33:16) דָּוָא is associated with life. In 18:5,8, whether an individual lives or not is conditional on several factors, including doing what is lawful or just (דָּוָא). Being "just" involves care for the underprivileged and even executing justice between individuals. What is notable in this context is that doing דָּוָא involves the sustaining of others. The instances in 18:27 and 33:16 note that even though an individual was once wicked, דָּוָא could change him and bring him life. In one other occurrence (44:24) it is used in the context where priests are told that they can execute דָּוָא. The fact that they will give judgement in a controversy suggests by implication that the priest is to "right the wronged person". In this context the use of דָּוָא has a forensic overtone.

The remaining seven occurrences are used in a variety of contexts. In 7:23, it is used to describe the extreme desolation and corruption of Israel. It is used in a rather technical sense here in reference to the nature of the crimes, "bloody crimes".
[26] In 18:19, it is used in a context which makes it clear that doing שׁוֹדֶד is the essential element in the question as to whether one lives or not. In this reference it is made clear that the doing of שׁוֹדֶד removes the possibility of the son suffering for the father's iniquity. In 21:32 [27] it is used in a sense which means "right of ownership" and even though it is used in the context of Yahweh's judgement, it is not a forensic use, but refers to the ruler whose right of ownership (שׁוֹדֶד) it is. This use thus points to a figure whose orientation is shaped by Yahweh's שׁוֹדֶד. In the occurrence in 22:29, it is used in the context of those who oppress unjustly (שׁוֹדֶד) the poor. In 34:16, it is used as a part of the metaphor of the shepherd and sheep, and in this context, Yahweh as the Shepherd, will care for his sheep and "feed them with שׁוֹדֶד". The image of "feeding with שׁוֹדֶד" paints a picture of sustaining; that which is necessary to keep Israel well. [27] The occurrence in 42:11 is used in the description of the temple. In this occurrence שׁוֹדֶד is used in a context which not only outlines the various aspects of the structure of the chamber, but also the relationship between these parts. In 45:9, Yahweh calls for שׁוֹדֶד for the people rather than violence and oppression, and in this instance, the "princes" are singled out for criticism; this however could

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26 Rosenberg observes that שׁוֹדֶד refers to the act of the criminal. The city is full of blood crimes (שׁוֹדֶד שׁוֹדֶד) and thus the punishment must be שׁוֹדֶד, that is, the death penalty. See, Diss., p. 126. For similar instances see, e.g. II Samuel 16:8; Jeremiah 26:11; Nahum 3:1.

27 This reference to "feeding them with שׁוֹדֶד" does not indicate disciplinary action, as Rosenberg suggests. See Diss., p. 127.
be a reference to all those in leadership positions. The use of +D9 here points to two elements of "relationship". There is a sense of the relationship between the rulers of Israel and Yahweh and thus the expectations which Yahweh demands of them. Also, the relationship between Yahweh and Israel is underlined by the use of "םד".

HOSEA

Of the six occurrences, three (5:1, 11; 6:5) refer to the judgement of Yahweh. The judgement of Yahweh is against Israel for her transgressions and apostasy. Those from whom םד busc is expected in society are singled out for rebuke. The priests, the kings and the prophets are the leaders, and from them is expected the sustaining of Yahweh's covenant, thus setting an example for the people. There is no doubt that the judgement (םד busc) of Yahweh here is punitive in nature, but it is also evident that the reason has to do with the breaking of the covenant (6:7). The nature of this covenant relationship will not allow final destruction, but these periods of chastisement are more to cleanse Israel and bring her back to the right path. In 2:21 [19], םד busc is used in a context in which Yahweh speaks of the restoration of the faithless wife, Israel. Israel will be restored in a covenant which will involve all of creation and it will be one which is based on righteousness (מַר), justice (םד busc), steadfast love (רֵוֹנ) and mercy (תְּמוּנ). The occurrence in 10:4 is in a context in which it refers to Yahweh's destructive judgement. The imagery of "poisonous weeds" in the
furrows of the field describes the effect of the judgment on Israel. Finally, in 12:7 [6], it is used in the words of Yahweh to Jacob: "hold fast to love and justice" (הַרְמָנוּ).  

JOEL

No occurrences.

AMOS

There are four occurrences, two of which (5:7; 6:12) are used in the context of the perversion of נֶאֶר. In 5:7 and 6:12 נֶאֶר, which is supposed to sustain life and relationship is turned into poison - now it has become the downfall of the society. Israel has succeeded in corrupting נֶאֶר, one of the main elements in relationship with Yahweh. In 5:15, it is used specifically in the context of executing נֶאֶר "in the gate". In some ways this is particularly crucial precisely because the oppressed go to the "gate" for their only chance of redress, and when נֶאֶר is corrupted at this level, then there is no hope for the oppressed. Finally, in 5:24 it is a part of the imagery of the constant ever-flowing stream. Rather than have נֶאֶר be dried up, Yahweh urges Israel to have it become dynamic and vibrant.

OBADIAH

No occurrences.
JONAH

No occurrences.

MICAH

Of the five occurrences, two (3:1,9) are used in reference to the rulers of Israel. In 3:1, it is used in a rhetorical question and points to the fact that it would have been better for these rulers to know וָדָּבָא . [28] The occurrence in 3:8 is used in a context which is in contrast to 3:1 and 3:9. In 3:8, the prophet Micah compares himself with the seers and diviners but unlike them, he has the Spirit of Yahweh and this includes Yahweh's וָדָּבָא . In 6:8, the prophet points to that which is required by Yahweh, the doing of וָדָּבָא and this is seen in contrast to offerings and sacrifice. [29] Finally in 7:9, וָדָּבָא is used in the sense of "cause", and the language portrays Yahweh as involved in a tribunal. Micah's intention is to suggest to those around him who have apostasized, that Yahweh will in fact act on his behalf.

28 Even though thematically 3:1 and 3:9 may appear identical, it may be that these rulers are quite different from each other.

29 Batten notes that passages such as Micah 6:8, where the prophet speaks of "doing justice", have a moral sense, art.cit., p. 208. This is too narrow a view, for the doing of וָדָּבָא encompasses everything that affects life.
Nahum

No occurrences.

Habakkuk

All of the four occurrences are found in chapter 1. It is used twice in 1:4 in reference to the perversion of מזדב. In this context, the prophet protests to Yahweh that the latter does not appear to be involved in the affairs of the people. Habakkuk notes that there is destruction, violence, strife, contention and perversion of מזדב. In 1:7, מזדב is in a context which describes the self-oriented nature of the Chaldeans' (neo-Babylonians) justice. Habakkuk observes that the מזדב of the Chaldeans proceeds from themselves and thus implies not only a difference from Israel but more notably the fact that Israel's מזדב comes from Yahweh. Finally in 1:12, it is used in the context of Yahweh using the Chaldeans as the instruments of his judgement (مزדב) against Israel.

Zephaniah

There are four occurrences, each of which is used in a different context. In 2:3, there is a warning to seek Yahweh and do מזדב and thus be spared from the wrath of Yahweh. In 3:5, the constancy of Yahweh's מזדב is seen in sharp contrast to the corruption of Israel's leaders. While the prophets, priests, and judges are oppressing the people, Yahweh remains just and righteous. In 3:8, the meaning of מזדב is unclear but the
context suggests a time of judgement, perhaps final judgement. If this is the correct sense then יָדָה means "sentence" or "decision" and carries punitive overtones, tying in with Yahweh's indignation. Finally in 3:15, it is also used in a punitive sense, but it is reserved, thus suggesting the idea of restoration.

HAGGAI

No occurrences.

ZECHARIAH

Both of the occurrences are in reference to judgement. In 7:9, Yahweh says to the people through Zechariah that they should render true judgement ( דִּוָּדָה ). The reaction to this use is to believe that it is used in a judicial sense. The view is engendered by the use of the terminology "render judgement". However, the context suggests that what is necessary is the care and well-being of the disenfranchised. In 8:16, Yahweh tells the people what is expected of them; included in this catalogue of demands is "render judgement". However, unlike 7:9, it says here that "judgement in the gate" is necessary and as such this reference has a judicial overtone.
MALACHI

There are three occurrences and each is used in a different context. In 2:17 Yahweh is wearied by the constant complaints by Israel, always asking where is the God of justice. This occurrence is a part of a larger context which develops the relationship between Israel and Yahweh, using the metaphor of marriage. Yahweh does not believe in divorce (the breaking of the covenant), yet this is what Israel has done. In 3:5 μνημοσύνη is used to refer to the final judgement where Yahweh will judge all those who have lived contrary to his way. Finally in 3:22 [4:4], it is used in the sense of "ordinances".

PSALMS

There are sixty-two occurrences here and of this, twenty are in reference to the ordinances of Yahweh (18:23 [22]; 19:10 [9]; 81:5 [4]; 89:31 [30]; 119:7, 13, 20, 30, 39, 43, 52, 62, 102, 106, 108, 160, 164, 175; 147:19, 20). These ordinances of Yahweh are not mere norms and are not static, but rather they are concerned with the relationship between Yahweh and Israel. In 18:23 [22], for example, keeping the ordinances of Yahweh has resulted in a reward and is also associated with the deliverance from the enemy (18:18 [17] ff). In other words, the ordinances of Yahweh are intimately connected with the elements of daily life. The reference in 89:31 [30] demonstrates the converse effect. This is a particularly important occurrence precisely because it contains several significant elements. If the ordinances are not kept, then the perpetrators will be punished.
Thus, not only are those who keep the ordinances affected (positively) but also those who fail to do so (negatively). However, the punishment inflicted on the transgressors will not lead Yahweh to violate his covenant; for he will always be faithful to his promises and thus the punishment is more an instrument of restoration than an instrument of vengeance.

Fourteen other occurrences (1:5; 7:7 [6]; 9:8 [7]; 9:17 [16]; 10:5; 48:12 [11]; 76:10 [9]; 97:8; 119:75, 84, 137; 122:5; 143:2; 149:9) are used in contexts which refer to Yahweh's judgement. However, this judgement varies, for it can have both positive and negative overtones. For example, the occurrence in 1:5 points to the fate of the wicked person and it says that he will not be allowed to participate in the judgement (םַעְרָבָה) of Yahweh, but "the righteous" will. Certainly in this sense, "םַעְרָבָה" has a positive connotation and probably refers to a time when those who have been faithful to Yahweh will gather together. Most of these fourteen occurrences have a similar overtone, but the occurrence in 143:2 gives an indication of Yahweh's judgement (םַעְרָבָה) having a punitive or negative element. In this instance the Psalmist prays for deliverance and pleads with Yahweh not to enter into judgement (םַעְרָבָה) with him.

On seventeen other occasions (9:5 [4]; 25:9; 33:5; 36:7 [6]; 37:28; 89:15 [14]; 94:15; 97:2; 99:4; 101:1; 103:6; 111:7; 119:32, 91, 149, 156; 140:13 [12]) it is used to point to the various expressions regarding the justice (םַעְרָבָה) of Yahweh. In 33:5 there is the point regarding Yahweh's love of מַעְרָבָה, while in 36:7 the מַעְרָבָה of Yahweh is seen as being
unfathomable. The foundation of Yahweh's throne is built on ָּּנָּיְּנּ אֹּּיִּיְּתָנּ; this reference (89:15) makes it clear that ָּנָּיְּנּ is not a by-product of Yahweh's actions but it is the basis of them. In 99:4, where Yahweh is described as one who loves ָּנָּיְּנּ, it also points to the fact that Yahweh has established equity. Thus ָּנָּיְּנּ and the concern for all individuals to be equal and enjoy the same standards are tied together. Similar to this is the instance in 103:6 in which Yahweh is described as working ָּנָּיְּנּ for those who are oppressed.

On two other occasions (37:30; 112:5) it is used in the context of those who do justice (ָּנָּיְּנּ). Both of these occurrences focus on average individuals who are righteous. In both instances the righteous individual is the one who does ָּנָּיְּנּ and consequently is the one who is rewarded. In two other occurrences (17:2; 37:6) it is used in the sense of "vindication" but the contexts are different. In 17:2 it is a prayer to Yahweh for vindication while in 37:6, the psalmist pleads with the people to trust Yahweh, and if they do he will surely vindicate them.

The two occurrences in 72:1-2 are part of a Royal psalm and in this instance the king is praying to Yahweh, seeking the ability to judge the poor with ָּנָּיְּנּ and ֶּרְסָּיְּאָסְיָס. ָּנָּיְּנּ and ֶּרְסָּיְּאָס are clearly seen to be the essential elements for a successful reign. [30] The occurrence in 105:5, points to the actions of Yahweh for the people while in 105:7 it is in
reference to Yahweh's ֚לֶשׁ in all the earth. [31] In this context, the ֚לֶשׁ of Yahweh is closely connected with the covenant relationship between Yahweh and his people (cf. 105:8). The occurrences in 106:3 and 146:7 point to the need for there to be justice (֚לֶשׁ) to the poor and oppressed. In both instances the person who does ֚לֶשׁ is referred to as ֚לֶשׁ. Finally in 119:13, ֚לֶשׁ is used as a part of an individual's confession to Yahweh.

JOB

There are twenty-three occurrences, all found in the poetic dialogue. Seven of these occurrences (8:3; 9:19; 19:7; 34:12, 17; 36:17; 37:23) can be rendered as "justice" and are in reference to Yahweh, but with a variety of contextual considerations. In 8:3 and 34:12, it points to the fact that Yahweh does not pervert justice (֚לֶשׁ) but implies that in

30 See I.H. Eybers, "The stem ֖ת in the Psalms", OTWSA, 1963, pp. 58-63. Eybers believes that ֖ת in this context should mean "judicial power" or "capacity to judge", p. 60. Eybers' view is too narrow to reflect fully the king's request. In fact, in Psalm 72:2, ֖ת is used to mean "judicial ability" and is clearly meant to be distinct from ֖ת , in this context. Here ֖ת is a function of ֖ת. The idea of ֖ת in this occurrence is not so much a request for ability to determine legal matters, as it is the ability to preserve covenantal relations by ensuring that those who are apt to be oppressed, and not allowed to have that which is essential for sustaining of the covenant, receive ֖ת from the king.

31 The difficulty in translating ֖ת is reflected in the RSV's rendering of ֖ת in 105:5 and 105:7. In both instances, it is translated as "judgements", but clearly these contexts are different and "judgement" does not capture the essence. See Eybers, who says that in 105:7, ֖ת ought to be rendered as "just rule" or "righteous dominion", art.cit., p. 60.
every relationship Yahweh is just. Similar to these are the references in 9:19; 34:17 and 37:23 in which Yahweh is seen as a God of צדק . In 19:7, Job cries out that there is no צדק and makes it clear that he has declared Yahweh as an enemy who holds the power of צדק but has chosen to destroy him.

There are also five occurrences (27:2; 34:4, 5, 6; 36:6) which are used to signify one's "right". In 27:2, Job continues to plead his innocence ( צדק) in the face of all that is happening. In the four other references, Elihu attempts to demonstrate to Job that it is impossible for him to be innocent in the eyes of Yahweh, precisely because Yahweh does not pervert justice; by implication therefore, Job must have done something wrong. In three other occurrences (9:32; 13:18; 23:4), it is used in a judicial sense. Job, in order to defend his integrity hopes for a trial ( צדק) between himself and Yahweh (9:32) and he is confident because his case ( צדק) is prepared and he knows that he will be vindicated (13:18; 23:4). Even though these instances are used in a judicial sense, the underlying idea is to restore the broken relationship between Job and Yahweh. In three other occurrences (14:3; 22:4; 34:23) it is used in reference to the "judgement" by Yahweh. In these references, two elements are noteworthy. First, it is Yahweh who ultimately determines the affairs of humanity and as such it is he who makes the decisions regarding the appropriate times for events to transpire. Second, "judgement" in these references has a punitive overtone and even has an element of finality to it.
In two occurrences (29:14; 35:2) it is in reference to Job. In 29:14, Job continues to plead his case and observes that he did all that was expected of an individual, for his entire life is made up of כָּלָה and yet he is suffering. In 35:2, Elihu attacks Job's belief that his punishment is unjust. The occurrence in 31:13 is in the context of Job's search for a possible reason for his suffering and he wonders if it could be because he had not pursued the cause (כָּלָה) of his servants, but this is not the case. [32] The occurrence in 32:9 is used to mean "what is right" as opposed to "what is wrong". It is not a question as to whether one party is "right" over against the other, but rather it involves the factors which are essential for a sound relationship. Finally in 40:8, it is used in a rhetorical question by Yahweh to Job. In this context Yahweh accuses Job of denying that he (Yahweh) has כָּלָה (i.e. is in the right).

PROVERBS

Of the nineteen occurrences, six (2:8, 9; 16:11, 33; 21:3; 29:26) are in reference to Yahweh, but each is used in a distinctive context. In 2:8, Yahweh is described as guarding the path of כָּלָה for those who follow him. There is a parallelism here between כָּלָה and כָּלָה which suggests that the כָּלָה is someone who has כָּלָה. In 16:11, the context illustrates the involvement of Yahweh in the mundane things of

32 Job's servants are in a similar social strata to the widow, orphan and poor in that there is generally no one to plead on their behalf.
everyday life; in this instance it is in reference to "scales, balances and weights". [33] This occurrence signifies the interest of Yahweh in preserving the lives of those who are poor, for it is this group of people who are apt to suffer from false weights and balances. The use of דִּבֵּק in 16:33 indicates clearly that regardless of what happens in the lives of the people, it is Yahweh who dictates the final picture. [34] In 21:3, the "doing of דִּבֵּק" has more meaning to Yahweh than does sacrifice, and in 29:26, it points to the fact that in Yahweh an individual receives דִּבֵּק, and this is seen in contrast to the favours which are received from rulers.

In three other occurrences (17:23; 19:28; 24:23) it is in reference to the perversion of דִּבֵּק, and each instance focuses on a particular area of perversion and corruption. In 17:23, it points to the individual who secretly accepts a bribe with the specific intention of corrupting דִּבֵּק. In 19:28, it refers to the witness who does not take seriously the task of telling the truth and maintaining justice; rather he makes דִּבֵּק a mockery. In 24:23, it refers to "partiality in judging" which presupposes that one party is not being granted דִּבֵּק. All three of these occurrences are used with a judicial overtone.

33 Rosenberg notes that, "in association with 'balances' and 'scales' דִּבֵּק bears the meaning of 'correct, honest, accurate' or some such term as would yield the opposite of 'corrupt' or 'dishonest'. It is here employed as a specialized extension of 'just'", Rosenberg, Diss., p. 152.

34 The RSV's rendering of דִּבֵּק in this context as "decision" is probably not the best translation, for it does not capture the essence of the context, and, moreover, it gives a forensic connotation to its use.
Twice (12:5; 21:15) it is used as an attribute of the "righteous". In 12:5, the reference is to the thoughts of the "righteous", which are described as "righteous. 21:15 describes the joy of the "righteous" when justice (ονομ) is done. In two other occurrences (16:10; 29:4) it is used to underline the fact that the king administers judgments and executes justice. The king, by being the epitome of ονομ is able to have peace and stability (29:4) in his land; his judgments (ονομ) are done with honesty and integrity (16:10).

The remaining six occurrences are all used in different contexts with particular references. In 1:3, which is a part of the editorial introduction, there is outlined, the nature of the instruction. ονομ is clearly one of the important elements in the instruction, for it is only one of four concepts which is specifically noted. In 8:20, personified wisdom says that she walks in the paths of ονομ. The occurrence in 13:23 refers to the injustice which is the cause for the shortage of food for the poor. Even though there is enough food, the corruption of ονομ has resulted in the subsequent shortage. In 16:8, it points to the futility of amassing wealth through injustice. The occurrence in 21:7, has the violence of the wicked in antithesis to doing what is just (ονομ). Finally, in 28:5, (ονομ) is clearly associated with those who seek Yahweh and is seen in sharp contrast to those who are evil. In this context, understanding ονομ is in close relation to being in relationship with Yahweh. Those who do not seek Yahweh, consequently do not understand ονομ.
ECCLESIASTES

There are six occurrences, used with different connotations. In 8:5,6 המָּשַׁר is used to suggest that there is always an appropriate way ( חשָׁד ) for every situation. In these occurrences, המָּשַׁר therefore refers to "proper course of action". [35] The occurrences in 11:9 and 12:14 focus on the judgement of Yahweh. In 11:9, there is a warning which is attached to the admonition to enjoy youth. This cautionary word suggests that the enjoyment of youth has to be balanced and kept in perspective, for surely it will have to face the reality of Yahweh's judgement; the punitive implication is evident. In 12:14, the judgement of God seems to be neutral in that everything will be judged, regardless of good or evil.

The occurrence in 3:16, the thoughtful observation of Qoheleth is evident as he says that instead of justice ( חשָׁד ) there is wickedness and in 5:7 [8] this cynicism is again witnessed as the Qoheleth points to the high officials as being the ones who are responsible for the corruption of חשָׁד. In

35 Rosenberg suggests that, "the force of 'at 'time' in the hendiadys is to supplement mishpat so that one knows not only 'how to proceed, but also when'," Diss., p. 152.
this instance, Qoheleth observes that it is the highest official who is ultimately responsible.

LAMENTATIONS

Both of the occurrences (3:35, 59) of "non" are used within a forensic context. In 3:35, "non" is used to mean "right" in the sense of an individual's position within a case, while in 3:59, it refers to an individual's "cause".

ESTHER

No occurrences.

DANIEL

The one occurrence (9:5) involves Daniel making confession to Yahweh and this includes two significant elements. First, Yahweh is described as one who keeps the covenant and steadfast love (9:4) and second, this is done in specific relation to those who keep his ordinances ("non"). This is ideally the situation which Yahweh would wish, but Daniel's words in 9:5 indicate that the people have gone astray, and thus, in the process, have broken the covenant relationship.
Both of the occurrences (3:4; 7:10) are used to mean "ordinances". In 3:4, it is used in the context of the "feast of booths" where burnt offerings are offered up according to the ordinance (נָאֹו). The use of נָאֹו in this instance points to the fact that there is a proper manner in which an offering must be presented and only when this is done is it acceptable to Yahweh. In 7:10, Ezra pledges to teach the ordinances (נָאֹו) of Yahweh to Israel. This must be understood in the context of Ezra's knowledge of Yahweh's נָאֹו and its importance for the relationship between Israel and Yahweh.

NEHEMIAH

There are five occurrences (1:7; 8:18; 9:13, 29; 10:30 [29]), all of which refer to the "ordinances of Yahweh". In 1:7, it is a part of Nehemiah's confession of Israel's corrupt nature; this is seen in the fact that Israel has not obeyed Yahweh and not kept the commandments, statutes and ordinances (נָאֹו). In 8:18, it is used in the context of the "feast of booths" according to the ordinance (נָאֹו), that is, according to the manner which is proper (cf. Ezra 3:4). In 9:13, it is in reference to the ordinances (נָאֹו) which were given to Israel by Yahweh at Sinai. This occurrence is connected with the one in 9:29 where it points to the fact that Israel has sinned against these ordinances. This, however, is not a reference to keeping a particular norm, for the consequences are not merely hurt feelings by Yahweh but damaged relationship. Yahweh who is the constant party in this relationship is always ready to forgive
Israel and thus restore her. Finally in 10:30 [29], the use of הָעָלַה is in reference to the doing of Yahweh's הָעָלַה. This is in direct relation to the covenant making in 10:1 [9:38].

I CHRONICLES

Of the eight occurrences, two (16:12, 14) are in reference to the judgement of Yahweh. The text of I Chronicles 16:8-22 is identical to that of Psalm 105:1-15. For a discussion of I Chronicles 16:12, 14; see above discussion of Psalm 105:5 and 105:7. Both of these occurrences are understood in the context of 16:15 where it is noted that Yahweh is concerned about, and remembers his covenant. The occurrence in 6:17 [32] is used in the context of describing the various duties which are assigned to the Levites. In this particular instance, the individuals chosen have the responsibility to perform the service of song according to the expected order (תּוֹרָה). This is not so much a prescription of the order of the worship, as it is the necessary תּוֹרָה which is essential to keep it in harmony with all other elements in the temple. In 15:13, it is used in reference to the care of the ark of God and in this instance it is pointed out that there is a particular way (תּוֹרָה) in which to care for it. This "way" is very important precisely because the "wrong way" involves a broken relationship with Yahweh, as 15:13 points out.

The occurrence in 18:14 refers to David's reign; as king he executed תּוֹרָה and thereby maintained equity among the people. In 23:31, it refers to the required number of burnt offerings for them to be proper and acceptable to Yahweh. In 24:19, it is used
in the context of the division of priests, and each has a duty to perform according to the "procedure" (nDm̄) which is given for the respective duties. In 28:7, nDm̄ is used to mean "ordinances" and is in the context of Yahweh's promise to David that his throne will be established forever if the nDm̄ of Yahweh is kept.

II CHRONICLES

Of the thirteen occurrences, five (7:17; 8:14; 19:10; 33:8; 35:13) are used to mean "ordinances", though the contexts vary. In 7:17 it is a part of Yahweh's promise to Solomon that if he keeps the ordinances (nDm̄) of Yahweh as David did, then he too will enjoy the fruits of the covenant which was made with David. In 8:14, it refers to the ordinance for the division of priests and in 19:10 to the role of priests in situations that involve the execution of judgement. In 33:8, the promise of Yahweh to Israel hinges on the doing of Yahweh's ordinances (nDm̄). In 35:13, it refers to the proper way (the ordinance) of roasting a lamb for sacrifice.

In two other occurrences (4:7, 20), nDm̄ is used to mean "according to a particular manner", and are in the context of Solomon making the lampstands according to the nDm̄. In 6:35, 39, Solomon in his prayer asks Yahweh to maintain the cause (nDm̄) of the people. (See I Kings 8:45, 49). Two other occurrences (19:6, 8) refer to the action of judges. In these instances, nDm̄ is used in a judicial sense; the judicial functionaries are warned against partiality and perversion of
justice. In 9:8, the reference is to Solomon's responsibility for the execution of justice (םִדָּמ) to the people (See I Kings 10:9). Finally, in 30:16, it is used in the sense of "customary".

There are several observations to be made regarding the occurrences of שִׁמְך in the Old Testament. First, this study enables us to see the variety of uses, and the subjects and objects associated with שִׁמְך. It sets the stage for the following discussion regarding the use and meaning of שִׁמְך. It also places in perspective both the subject and the object who are mostly associated with שִׁמְך and indicates the originator of שִׁמְך. Second, שִׁמְך, as is noticed from this discussion, occurs in many different contexts, and thus this study enables us to see both the immediate and the wider contexts. Occasionally שִׁמְך occurs in a context which, when studied by itself, may only indicate a specific and particular connection to an immediate object, as in the שִׁמְך in reference to offerings, or to the building of the temple. However these occurrences set the stage for the next section when these immediate references will be examined in a wider perspective. Third, this examination of the occurrences gives a clear indication of the preponderance of uses in the respective books and at the same time the differences and similarities in meanings become evident. For example the predominant rendering of שִׁמְך in Leviticus and Deuteronomy is "ordinance" while in Isaiah 1-39, it is "justice". The task in the next section is to take the variety of uses, meanings and
contexts and examine them in reference to Yahweh's relationship with Israel.
II. EXCURSUS ON מִשְׁנָה

It is primarily the use and meaning of the singular noun מִשְׁנָה which is of particular importance in this study. However, in the distribution and examination of the occurrences of מִשְׁנָה the plural form is also included, and as such it is essential that there should be a brief discussion of the use of מִשְׁנָה. It is to be noted that מִשְׁנָה is found primarily in the Pentateuch and particularly in Deuteronomy. In Deuteronomy, and in other occurrences as well, it carries the exhortation for Israel to keep the מִשְׁנָה of Yahweh. There is an implicit element suggesting that the keeping of the מִשְׁנָה of Yahweh is what is of importance, not the following of the prevailing human customs. It is thus essential that the use of מִשְׁנָה is kept in correct perspective. These מִשְׁנָה must be seen as a reflection of Yahweh's love for Israel, for in these, he provides for Israel a basis for doing מִשְׁנָה.

The מִשְׁנָה are an expression of Yahweh's will, and when they are seen in this sense, they point in the direction of Yahweh's expectations. Consequently, when מִשְׁנָה is lacking, it is precisely because the מִשְׁנָה of Yahweh are disregarded, and this results in a breakdown in relationship. The idea of "relationship" is often overlooked, particularly when seen in the context of מִשְׁנָה, probably because of the way in which the term is generally rendered in English, namely, "ordinances". This translation of מִשְׁנָה gives it a somewhat static and legalistic connotation, rather than something which is inherently associated with covenant relationship. It is perhaps this
perspective which prompts Rosenberg to note regarding the מִשְׁפָּט , that, "as an efficient leader, Moses provided the people with a collection of norms (מִשְׁפָּטִים) which is to serve as an instrument for the establishment of a just order." [36] Or, as he concludes, "in reality these מִשְׁפָּטִים were decisions handed down in individual cases which were intended to serve as precedents for similar situations in the future". [37]

These views of Rosenberg overlook the larger and more important contextual considerations. McAvoy notes, "Yahweh's ordinances are never arbitrary because the basis of them is a covenant which unites Yahweh to Israel." [38] That is to say, the מִשְׁפָּטִים of Yahweh are not meant to be a display of codes which may or may not be used. They are not a detached set of norms, which, as Rosenberg suggests, is there simply as a guideline. They must be seen within the context of the covenant relationship, as claims and expectations of that relationship. It is clear that the מִשְׁפָּטִים are a direct result of the relationship between Yahweh and Israel; they are given primarily to uphold this relationship. The fact that the claims of the covenant are expressed as מִשְׁפָּטִים suggest by implication that they are not laws which are applied in a detached and generic manner, but rather, as the term indicates, they have to do with מִשְׁפָּט . Herntrich observes, "because this relationship is always the basis when the O.T. refers to מִשְׁפָּט and מִשְׁפָּטִים , the

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36 Rosenberg, Diss., p. 140.
37 Ibid., p. 143.
38 H.W. McAvoy, Diss., p. 45.
reference is never to a binding norm of a general morality."

Moreover, when the יָדָע of Yahweh are spoken of, it is not so much a set of written legal codes, or a collection of case decisions that is being alluded to; rather they are referring to the infraction of expectations and demands of the relationship between Yahweh and Israel, and between individuals. They are elements which have become customary and are essential for the health of the individuals involved in a relationship. As such, when there is no יָדָע or when it is corrupted, then invariably there are legal implications, in that its absence implies that certain legal requirements are being eroded. This legal overtone, however, is the immediate indication of a problem, which is the brokenness in the relationship. As such, it can be said that יָדָע has a legal connection, but only insofar as it is one factor in the overall picture of Yahweh's covenantal expectations. Herntrich observes this when he says, "On the revelation of God's will, i.e. on His יָדָע there rests the obligation of the whole people and of each individual and also the legal claim of each individual (e.g. the poor) and of the whole people." [41]

It can be said therefore, that while יָדָע is generally rendered as "ordinances", it does not have a static or legalistic sense; rather it expresses and reflects Yahweh's covenantal expectations. Because the covenant incorporates all of life,

39 Herntrich, art. cit., p. 927.


41 Herntrich, art. cit., p. 927.
then by its nature it involves a legal reference, but it is certainly not oriented primarily on a legal basis. [42]

III. הַעַבָּד AND THE FUNCTIONAL LOCUS

The discussion in this section of the chapter intends to demonstrate the principal function of הַעַבָּד. That is to say, the meanings and contexts of הַעַבָּד will be examined with the intention of showing the role of "relationship" in these uses. However, the meaning of הַעַבָּד is rather complex, and the fact that contemporary studies have ascribed certain meanings to הַעַבָּד does not facilitate matters. It is therefore necessary to delve beneath these many renderings and trace the main functional locus. With this in mind, the main meanings which are generally associated with הַעַבָּד will be discussed, and this will subsequently lead into the final discussion of the theme of "הַעַבָּד as relationship".

A. הַעַבָּד as Custom

Many of the occurrences of הַעַבָּד in the Old Testament are used in the sense of "custom" and even in the covenant code, the

[42] This brief excursus has focused exclusively on הַעַבָּד as they relate to Yahweh and the way they ultimately reflect his claims on the members of the covenant relationship. Also, it must be noted that הַעַבָּד is not only in reference to Yahweh but it is also associated with neighbouring nations. For example, in Ezekiel 11:12, Israel rejects the הַעַבָּד of Yahweh in favour of the הַעַבָּד of the surrounding nations.
of Yahweh is often referred to as "customs". [43] This use of אֲמַסָּה is not reserved for earlier texts, but something of a transition is seen in Isaiah 28:26, where אֲמַסָּה expresses the "appropriate way" for the cultivation of a field. It is important to discuss briefly, instances in which אֲמַסָּה is used to mean "custom" or "manner". One of the well known occurrences of אֲמַסָּה in this context is Judges 13:12. In this instance, אֲמַסָּה can be rendered as "manner" or even "custom", but the context clearly suggests that it is not merely an objective "manner" which is being spoken of by Manoah, but rather a particular one which would keep Samson in a special relationship with Yahweh. It is not so much the "rules" or "norms" which must be obeyed, but rather that special אֲמַסָּה which is necessary to launch Samson as one who is intimately associated with Yahweh.

In addition to this, the use of אֲמַסָּה in Genesis 40:13, where Joseph interprets the dream of the chief butler, and in this context the butler is told of the particular customary (אֲמַסָּה) way of placing the cup in Pharaoh's hand. Once again, the use of אֲמַסָּה here may appear to be in reference to a special code, but in fact it refers to that element which is necessary to maintain everything correctly, that is, in a right manner. Also, in II Kings 11:14, the custom (אֲמַסָּה) of the king has to be understood in the context of those around him. There is a particular place reserved for the king and this is the custom, but not as an objective norm which must be obeyed regardless of

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[43] See, e.g. Exodus 21:1; Leviticus 18:5-6; 25:18; Deuteronomy 4:5; 8:11. See also, Osborne Booth, art. cit., pp. 105-110.
circumstances, but it is the customary position, precisely to show the relationship between different ranks; in this case the king's position shows his superiority as ruler. In order to maintain a true perspective of the relations, there is the custom (נְコース) which is followed. [44]

One element which is common in these last two instances is the emphasis on that which is customary and the importance of striving to sustain and upkeep these customs. At least this would appear as the most noticeable external element. However, there is an obligatory character which threads together these references. They are far from being detached customary rites or laws which must be fulfilled; rather it is the following of a נコース which is designed by Yahweh. [45]

Even though נコース is occasionally rendered as "custom" or "manner", it still has to do with relationship and in this sense it refers to every person who is a part of a relationship and who participates in its maintenance. As such each individual has his or her נコース, and often when it is used in this sense it is rendered "custom". The king has his נコース (e.g. I Samuel 8:9); the priests have their נコース (e.g. Deuteronomy 18:3; I Samuel

[44] Van der Ploeg suggests that the use of נコース in these contexts indicates that it means something from which "one is not able to escape", art.cit., p. 154. One is not able to escape, precisely because of the demands and expectations of a relationship.

[45] Fahlgren concludes that the "manner" of an individual can become the "custom" of a people. He notes that in Judges 18:7, the five Danite spies notice that the people of La'isha live after the נコース of the Sidonians, "סֵדְכִיק", p. 125. There is no verification of this thesis and while a specific example may fit this view, it appears to have little general biblical support.
used in this context, מִשְׁפָּת refers to the custom which allows the priests to have a certain share of the sacrificial meal. This custom sustains the relationship between priests and people. The first-born also has his מִשְׁפָּת (e.g. Deuteronomy 21:17). The מִשְׁפָּת of the Phoenicians is to live in peace and security (Judges 18:7). In addition to categories such as these, there are instances where the individual has a particular מִשְׁפָּת. Elijah has a מִשְׁפָּת (II Kings 1:7); Samson has a מִשְׁפָּת (Judges 13:12) and there is the מִשְׁפָּת of David (I Samuel 27:11). [46]

It can be seen that מִשְׁפָּת as "custom" or "manner" is used quite often, but the contexts clearly point to the concept of harmony within a particular relationship. It is when scholars overlook this element that מִשְׁפָּת becomes static, legalistic and detached from Yahweh. [47]

46 For a fuller discussion of this view of מִשְׁפָּת and its association with parties and individuals, see Pedersen, *Israel I-II*, p. 350.

47 Jacob notes that, "the conception of mishpat, evolving in the direction of custom, rule, law, into the character of what is obligatory and constraining, became incapable of expressing all that was meant by the righteousness of Yahweh", *Theol.*, p. 97ff. Jacob's view may appear acceptable and valid in the light of this discussion but in fact it is only a superficial reference to "custom". He does not consider the larger context but rather draws a conclusion based on an immediate context. See also Snaith, who likewise overlooks the covenantal aspect when he says that נָרָה and מִשְׁפָּת, "are synonymous to the extent that both are the declared word of God. They are different in that תּוֹרָה, at this early stage, meant an original pronouncement, whilst mishpat meant a decision according to precedent. ...Because of this idea of precedent the word mishpat can mean 'manner, custom'", op.cit., p. 75.
B. ἀδικία as Judicial Concept

A cursory examination of the occurrences of ἀδικία in the Old Testament, and particularly of the way in which they are rendered (by words such as "justice", "judgement", "decision"), might indicate a dominant judicial overtone. One scholar who believes that ἀδικία has such a judicial connotation is Eliezer Berkovits. He believes that the primary meaning which is associated with and derived from ἀδικία is forensic in overtone.

In order to understand the position which Berkovits has taken, it is important to examine several of the biblical examples to which he refers.

In I Kings 3:11, Solomon seeks ἀδικία from Yahweh in order to govern the nation and this request is granted to him. Berkovits dismisses the theory that ἀδικία in this context could mean "justice" or "judgement", and then proceeds to say that what Solomon asked Yahweh for is the ability "to hear wisely with proper insight, the suits brought into his court". [48] What Berkovits is saying, in effect, is that Solomon, as king, is also a judicial functionary. This, in fact misses the point of Solomon's request. Solomon is clearly not primarily seeking the ability to execute judgement or to listen to a lawsuit; rather, he is aware of his main function, namely, ruler of Israel, and it is with this in mind that he seeks ἀδικία. In this sense ἀδικία is not only judicial but covers every element associated with ruling.

48 Berkovits, art. cit., p. 188.
In addition to this, in Deuteronomy 1:16-18, where Yahweh admonishes the judges to be impartial and just, in their execution of דָּבָר, Berkovits believes that דָּבָר in this context is not in reference to "judgement" but to the "entire suit". He translates Deuteronomy 1:17a thus: "Ye shall not respect persons in mishpat". [49] But it is clear that the context points to commands which are given explicitly to judges. Deuteronomy 1:17 certainly refers to the probability of the judges being influenced by the more powerful of the two parties in question. The fact that the first use of דָּבָר in 1:17 refers to "judgement" is underlined by the second occurrence of דָּבָר which undeniably refers to the "judgement" of Yahweh. It would certainly be an error to suggest that דָּבָר in reference to Yahweh, means "entire suit".

In these two examples, as in the others which Berkovits cites, there is one common element. Even though Berkovits sees דָּבָר as having a judicial connotation, he believes it to be much more encompassing than merely the pronouncement of judgement. He believes that דָּבָר refers to the entire judicial procedure. Berkovits sums up his position in this way: "In all the cases which we have quoted, and in numerous others, mishpat stands for the strictness of the law and the implementation. And God is the judge who executes such justice and law." [50] The idea of legal arbitration and pronouncement of judgement must be understood only as elements which are essential for the proper

49 Ibid., p. 188.
50 Ibid., p. 190.
sustaining of a relationship. As such, when a judge executes justice it is not so much a punitive action against one party (though this is often a secondary factor), but rather a means of repairing a broken relationship. This exists in situations which involve Yahweh and Israel, individual versus individual, and individual versus state. Heschel notes:

> Justice is not important for its own sake; the validity of justice and the motivation for its exercise lie in the blessings it brings to man. For justice...is not an abstraction, a value. Justice exists in relation to a person, and is something done by a person. An act of injustice is condemned, not because the law is broken, but because a person has been hurt. [51]

Thus, fundamentally, when justice is used in a context which may suggest a legal sense, it must not be taken as the precise administration of law by a judge. [52] It will be helpful at this point to discuss briefly examples of justice where there is a forensic overtone. In Leviticus 19:15, the command to execute justice when pronouncing judgement is seen to be associated with those members of the society who are most likely to be oppressed. This is in fact a warning not to create power classes and thus establish divisions which inevitably lead to sections of society being oppressed. In Isaiah 3:14, when it says that Yahweh enters into judgement with the elders and princes, it is true that the picture is a judicial one, but the judgement which is meted out to them is entirely because of their involvement in the

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devastation of the poor. Thus the immediate reason for the use of המשים forensic, but the primary motivation is for the restoration of those who have been hurt. One other example will suffice here. In Proverbs 16:33, the use of המשים refers to the action by Yahweh against those who have perverted justice. Here, it appears that המשים is used in a judicial sense and insofar as Yahweh is the supreme judge and he delivers judgement, it is correct. However, that Yahweh comes to a "decision" in this matter is due entirely to the fact that some individuals have perverted justice and in the process have hurt others. As Cazelles says, "we are not dealing with the judicial and forensic, but with supernatural ontology". [53] And at its roots, this ontology involves and includes the sustaining of the covenant people.

Finally, a word needs to be said regarding the judicial element in the book of Job; a context which focuses on Yahweh and the individual. There are many instances in which the use of המשים and the language used depict a judicial connotation. For example, there is language such as, "...we should come to trial (משים) together" (9:32); "Behold, I have prepared my case (משים)" (13:18); "...and bring him into judgement (משים)" (14:3); "I would lay my case (משים) before him"(23:4). These examples, together with others, indicate Job's deep frustration with Yahweh, and, in his speeches, he envisages himself as being involved in a lawsuit. While this is the picture which emerges

from the book, it is not Job's fundamental concern, nor is it the concern of the book itself. The main concern in the book focuses on the broken relationship between Yahweh and Job and on Job's subsequent questions. The judicial language and overtone are, then, expressions of Job's quest for a confrontation with Yahweh, rather than true reflections of the aim of the book.

It is evident, that even though there are many instances in which מָדָה is used in an apparently judicial context, the fundamental question reverts to the concept of relationship, and inevitably it involves the healing of a broken relationship and the restoration of a hurt party.

C. מָדָה and Authority

As has been pointed out earlier, the background of מָדָה is associated with "rule" and "authority", both in the Ancient Near East and the Old Testament. It is therefore not surprising that מָדָה also has a close affinity with "authority". The "judgement", and "justice" of Yahweh, both reflect the מָדָה of Yahweh and so do "vindication" and "deliverance" by Yahweh. Yahweh is the ultimate authority, and it is from him that the nations receive unblemished מָדָה. The fact that Yahweh dispenses justice and judgement clearly indicates his authority.

There are many different contexts in which the מָדָה of Yahweh is used. In Job 8:3, Bildad, one of Job's friends, in a pair of rhetorical questions emphasises the fact that Yahweh is a

God of oath. Also, in Job 37:23, Elihu, speaking about Yahweh reminds Job that Yahweh is a God of oath. The importance of these references to the oath of Yahweh is seen in the knowledge that Yahweh is the ultimate authority and is involved in Job's destiny. The implication is that Yahweh would not execute any oath which is corrupt, nor would he participate in a situation which by its nature makes oath perverse.

These however are not the only instances in which oath is associated with Yahweh; certainly one of the overwhelming uses of oath with reference to Yahweh concerns his oath. These are the expectations and demands which become part of Yahweh's people, both for the sustaining of their relationship with Yahweh and for a proper relationship with each other. Once again, it is noted that the oath are from the highest authority. One other example will suffice at this point. In II Kings 17:26, the nations which are placed in Samaria by the King of Assyria find that they are being "thrown to the lions", precisely because they do not know the oath of Yahweh, who is clearly the highest authority.

In addition to Yahweh being the principal figure of authority, there is also the king, whose function and responsibility it is to epitomise oath and ensure that, at all times, the people, and in particular the oppressed, have oath. In his position, the king becomes the chief administrator of oath, and in this capacity he is also Yahweh's deputy. This position of authority and his role as Yahweh's annointed is developed in the narrative of I Samuel 9. This narrative, which
focuses on the appointment of Saul as king, illustrates the essential elements of the king. Saul is to rule over the people of Yahweh and is selected to be anointed to this position. Yahweh says, "He shall save my people" (I Samuel 9:16), a statement which indicates one of the requirements of the king. Immediately after this, Yahweh tells Samuel, "Here is the man of whom I spoke to you" (I Samuel 9:17), a statement which points to the second prerequisite of kingship, namely, the king as Yahweh's anointed.

While these examples establish the role of the king in a general way, that is, "ruling" and "saving", it is perhaps the reference in Jeremiah 22:3 which epitomises the crucial functions of the king. In his message to the king of Judah, Yahweh says "Do justice and righteousness and deliver from the hand of the oppressor him who has been robbed. And do no wrong or violence to the alien, the fatherless, and the widow, nor shed innocent blood in this place" (Jeremiah 22:3). The idea of doing דָּקָד is thus clearly spelled out as a primary function of the king, the highest figure of authority, after Yahweh. [55] This reference also notes those parties for whom the execution of דָּקָד is most important. They are the ones who need דָּקָד most of all and it is to them that the king has his greatest obligation. The fact that the ruler is accountable to Yahweh and is responsible for the execution of דָּקָד is further attested in Ecclesiastes 5:8.

55 For similar references, see, e.g. Isaiah 16:5; Proverbs 31:9.
However, while אֹּדְם is seen to be associated with authority, and hence the natural link with the use of הָדֹּם, this is not the primary concern. Even more important than this, is the motivation behind the הָדֹּם of Yahweh and the king. Fundamentally הָדֹּם has to do with covenant relationship and to this we now turn.

D. אֹּדְם as Relationship

The previous chapter examining the use of הָדֹּם in the Ancient Near East and the Old Testament serves to demonstrate that the primary meaning of הָדֹּם is "rule" or "authority". However, while the authoritative figure associated with הָדֹּם has changed through the ages, the term itself still refers to authority. Moreover, the discussion of הָדֹּם as "rule" in the Old Testament, has conclusively shown that Yahweh is the ultimate authority who is associated with הָדֹּם. In addition to הָדֹּם, the noun אֹדְם is also associated with Yahweh, and once again Yahweh is seen to be the highest authority from whom אֹדְם comes. אֹדְם is certainly an essential and important aspect of Yahweh's character; later in this chapter examples of the use of אֹדְם in this regard will be examined. As was noted earlier, אֹדְם is often associated with Yahweh, where it is used as a title or to describe an action (e.g. Yahweh judging). It is then essential to establish the fundamental function of Yahweh's judgement, that is to say, what is the ultimate motivation behind the description of Yahweh as a judicial functionary. In this section, examples of contexts in which אֹדְם occurs in reference
to Yahweh will be examined, in order to demonstrate that the underlying principle behind this use is one of relationship.

1. Examples of רְכָּ֛ז as Relationship

The narrative of Genesis 16, describes the actions of Sarai and Abram, in their attempt to aid Yahweh in his promise to provide an heir for Abram. In their quest to be of assistance, Sarai gives her servant Hagar to Abram, to have the child. However, when Hagar conceives the child, the contempt she shows for Sarai creates a rift in the relationship between the two women and between Sarai and Abram. It is with this situation in mind that Sarai says to Abram, "May Yahweh judge (וְיֹּ֔דֶע) between you and me" (16:5).

From the immediate context, it might be perceived that this statement has judicial overtones and thereby has to do with the question as to whether Abram or Sarai is to be blamed for the incident with Hagar. This would certainly be a logical perception, precisely because both Sarai and Abram are involved in the use of Hagar; this however is a secondary element. The consequence of Hagar's contempt for Sarai is reflected in the fact that there is a breakdown in the relationship between Sarai and Abram. The child who Hagar bears is meant to be the fulfillment of the promise, which would establish a covenant with Abram and consequently bring happiness to both Abram and Sarai. However, Hagar's contempt creates a rift in their relationship and in the process brings them to the realization that the son of Hagar is not theirs and thus is not a child of the promise.
Hence, Sarai's comment, "May Yahweh judge between you and me" is more of a hope on her part that her relationship with Abram might be restored, rather than a suggestion for judicial action. Abram's reaction confirms this, when he shows Sarai that their relationship will continue as before, by his act of re-establishing Sarai's charge over Hagar. Sarai's fear focuses on the possibility that Abram might have held Hagar in a special esteem, because she conceives his child and that the affection which Abram has for her as his wife would have to be shared. This is dispelled by Abram who assures Sarai that she still has power over Hagar; Sarai thus reasserts herself and repairs the broken relationship by her harsh treatment of Hagar.

The relationship between Sarai and Abram however, is not the only one which is referred to and affected in this context. In Genesis 15:18 Yahweh makes a covenant with Abram and promises that his descendants will inherit the land. It is this promise, which includes the element of descendants, that brings to the fore for Sarai and Abram the realization that Sarai is unable to have a child and that in their calculations, Yahweh's promise is likely to remain unfulfilled. Rather than have this happen, Hagar is allowed to conceive for the purpose of producing an heir. In their actions, Sarai and Abram overlook the maker of the promise and the originator of the covenant; they do not include in their plans the fact that Yahweh's promise to Abram is an integral aspect of the covenant. When Sarai says, "May Yahweh judge between you and me", this is also indicative of the realization that they have acted contrary to the intention of
Yahweh. Sarai's words must be understood also as an expression of the division between Yahweh on the one hand and Sarai and Abram on the other. Seeking the judgement of Yahweh here must indicate the desire to restore the relationship. Sarai's words, must therefore, be understood to have a two-fold implication: the restoration of Abram and Sarai's relationship and their relationship with Yahweh.

A second example of the use of בִּדְעָה with reference to Yahweh is in Exodus 6:6. A cursory look at this text might suggest that it is primarily concerned with punitive measures against Egypt; however, a closer examination indicates otherwise. In this respect, it is important to look at Exodus 6:5. Yahweh says "I have heard the groaning of the people of Israel whom the Egyptians hold in bondage and I have remembered my covenant". These words express clearly the unnatural combination of "covenant" and "bondage"; it is evident from Yahweh's words that being in bondage goes against the grain of the covenant. Yahweh says that Israel's redemption and deliverance will come from great acts of judgement. It is the "judgement of Yahweh" which is clearly the element employed in procuring the release of Israel. However, when the "judgement of Yahweh" is employed here, it is not merely an instrument of punishment for Egypt and the subsequent deliverance of Israel, nor is it a reflection of the righteousness of Israel and the evil of Egypt.
To be sure, Israel suffers and Egypt is oppressive, but these are only secondary elements in a much larger picture. When Yahweh decides to act, he is not being an objective, detached judicial functionary, executing judgement to nations, but rather Yahweh's actions are a direct result of his relationship with Israel. The elements which are pointed to are "bondage" and "covenant". The existing situation which creates a fractured relationship is the bondage of Israel, and the motivation for deliverance by Yahweh is the ideals of the covenant relationship. Of paramount importance, is the sustaining of the covenant relationship, not the punishment of Egypt, though this becomes an instrument. It can be seen then that even though the language and in some ways the context suggest a judicial overtone, it is clearly the concept of relationship which is the locus.

A third example of the use of נַעֲשׂ in reference to Yahweh is in Isaiah 2:4. Like the instance in Genesis 16:5, the occurrence in Isaiah 2:4 is also used together with יְהֹウェָה and once again this would be an external indicator of a forensic use. However, the use of יְהֹウェָה here is not a true indicator of the focus of the context. Isaiah 2:1-4 [56] can perhaps be called an "oracle of peace", one which describes the state of the nations during this particular period. Rather than swords and spears, there will be pruning hooks and ploughshares, and war will cease. The question which arises here has to do with the instrument which will be used to procure this peace. Isaiah 2:4 says:

...וְיִשָּׁרֵי ... יְהֹウェָה will judge between the nations.

56 See also Micah 4:1-3.
This certainly does not refer to a tribunal where Yahweh will decide which of the nations is "righteous" and which is "wicked", but it refers to that element which Yahweh will use to ensure peace.

It is not the punishment of one or the vindication of another; in other words, ἡμῶ in this instance is not used in a sense which establishes the "right" of one nation over against the other. Yahweh judges the nations with the sole purpose of establishing peace and this is not done through punishment nor by the judiciary. When Yahweh "judges", as in this instance, the fundamental issue at stake is "proper relationship", and the idea of peace underlines this, for the relationship between nations cannot be right if there is war and tension and strife. The changing of weapons into instruments of peace is indicative of the very deep change which is imperative for there to be a right relationship. It is certainly "peace" which is spoken here, but important though this is, it is only an expression of a right relationship. When there is war, there is hurt, and parties become involved in destruction and hatred and these are factors which are expressions of a relationship which has become splintered. In Isaiah 2:1-4, peace is the expression which points to the restoration of a broken relationship.
2. Examples of "relationship" as Relationship

The following discussion focuses on select texts which include the use of "relationship" and which provide different contextual considerations. Each text will be examined in detail with the primary focus on demonstrating that the functional locus of "relationship" is "relationship".

There are three occurrences of "relationship" in the Old Testament which are used in contexts that are associated with architecture. These occurrences underline the use of "relationship" in the sense of relationship, outside of covenant. In I Kings 6:38, the temple is described as having been completed. The sense of harmony and relationship is seen here, in that the finished temple has all the different parts in correct relationship to each other. In Jeremiah 30:18, the restoration of Israel involves the restoring of the city and the castle. The importance of returning to harmony and a correct relationship can be seen from the fact that both the city and the castle will be rebuilt on their original sites. In this way the relationship between the city with its life and buildings, and the castle will be in its former state. Finally, in Ezekiel 42:11, "relationship" is used within a context which refers to the relationship of the parts of the structure to each other. The extensive description of the temple (Chapters 40-46) and the detailed outline of the parts and their relation to each other emphasises the importance of a sense of "wholeness" and harmony.
When נְצוֹר is used in Leviticus, it is evident that predominantly it refers to "ordinance(s)" [57] of Yahweh. These are generally regarded as "norms" or "laws" which must be subscribed to. It is with this in mind that two examples of נְצוֹר in Leviticus will be examined with the aim of confirming the assertion that the functional locus of נְצוֹר in these occurrences is relationship rather than the static norm or law.

In Leviticus 9:16, Aaron is described as having presented and offered the burnt offering according to the נְצוֹר. A cursory examination of this text in its context suggests that נְצוֹר may be rendered as "ordinance", but this term does not explain the primary factor. The sacrifice of animals and the sprinkling of blood (Leviticus 8:19, 30) and the eating of the flesh (Leviticus 8:31) are elements which have traditionally been associated with covenant-making and this episode involving Aaron as priest fits this framework. In other words, the presentation of this offering according to the נְצוֹר is done precisely in order to confirm the relationship between Yahweh, priest and people. As such, "ordinance" as a rendering of נְצוֹר in this context must not be taken to refer to a generic norm, but rather to a necessary element which is involved in the establishing and sustaining of relationships. Thus, when an offering is presented in a proper manner, according to the נְצוֹר, then the relationship between Yahweh and his people is maintained or restored as the situation may warrant.

57 See above, in the section on "Occurrences of נְצוֹר" where נְצוֹר in Leviticus is discussed. The occurrences clearly verify this assertion.
A second example of the use of יָדָה in Leviticus which will be helpful here is in 18:26. Yahweh says to his people that they should keep his יָדָה (cf. 18:4). Israel is given an indication of the expectations and demands of Yahweh. These demands are given with the sole intention of sustaining the relationship between Israel and Yahweh. Yahweh must not be perceived as one of two possibilities (the other being Canaan). It is certainly not a question of Yahweh wishing to impose a set of norms on Israel and not allowing her to choose. The position of Israel with regard to her being sustained, makes choosing one from two sources a non-viable option. By following the ways of Canaan, it is not so much making a positive decision as it is rejecting the covenant with Yahweh.

Another example is in II Kings 17:26. On a superficial level it would appear that יָדָה means "custom" in this context, but on a deeper level, it becomes evident that the "יָדָה of Yahweh" is not merely a norm or custom which must be adhered to. The consequences of not "knowing" the יָדָה of Yahweh indicate clearly the nature of this יָדָה.

First, those who have come into Samaria are obviously strangers and are not expected to know the "ways" of Samaria or the יָדָה of Yahweh. The fact that they do not know the יָדָה of Yahweh, underlines the difference between these people and the people of Yahweh.
Second, "knowing" the ידוע cannot be understood to mean "an awareness of a particular standard". The use of ידוע implies a close relationship with a party and not simply an "objective knowledge". ידוע is also used to express a sexual relationship, as in Genesis 4:1 and thus the use here, while not sexual in connotation still clearly refers to relationship. This would certainly explain the lack of knowledge (ידוע) on the part of the incoming nations, for inherent in this idea of "knowledge" is the fact that there is some relationship with Yahweh. [58] In other words, "knowing" encompasses the elements of involvement and commitment, both of which are obviously lacking on the part of the incoming nations. Perhaps the consequences of the lack of knowledge of Yahweh's דת underlie most powerfully the essence of the term. The fact that these foreign people are killed suggests clearly the extreme significance of this דת.

Third, the use of the דת of Yahweh rather than the דת of Yahweh is an important factor. In this context, the use of דת suggests that it is pointing to a singularly most important element. It is not the "ordinances" of Yahweh which are being spoken of here, and it is certainly not the "ordinance", or "custom" or "law". [59] There are certainly "customs" which might give an indication of what is expected of the people of Yahweh, customs such as "offerings" and "worship",

58 It is perhaps noteworthy that while it is understood that it is the דת of Yahweh which is being referred to, it is דת and not Yahweh which is used. The fact that it is the generic term which is used points further to the lack of knowledge on the part of these nations. Yahweh is clearly a term which is reserved for those who are in relationship with him.
but these are only significant in so far as they represent the much greater ṣadon of Yahweh. In this case, the ṣadon is indicative of that which is essential and crucial for there to be any knowledge of Yahweh, namely, to be in covenant relationship. It is only with this as the foundational element, that knowledge and all of the expectations and demands which are derived from this, can be attained.

The occurrence of ṣadon in Jeremiah 22:3 is in a context which includes all of the elements which have been discussed so far. First, there is the presence of the two main sources of authority, namely Yahweh and the king, and in Jeremiah 22:1, it is clear that it is Yahweh who gives the orders and administers the commands and in so doing, indicates who is the ultimate authority. Also, the role of the king is seen to be crucial as far as executing ṣadon to the people is concerned, and, in this respect, the king clearly appears as Yahweh's deputy.

Second, the admonition which is given to the king outlines specifically what is necessary for the relationship between Yahweh and Israel to continue in good stead. At the same time the consequences of not heeding the words of Yahweh are pointed out. One of the foremost requirements is for the king to do

59 The difficulty in interpreting and translating ṣadon in this context is further exemplified through the different renderings in various versions. The JB translates ṣadon as "worship"; the RSV translates it as "law"; the KJV translates it as "manner" and the NEB translates it as "established usage". See also, Leon Morris, "Judgement and Custom", ABR 7 (December 1959), pp. 72-74, who renders ṣadon as "custom". So too, John Gray, I and II Kings OTL (London: SCM), 1964. While not giving a specific translation, Gray suggests that "middat here signifies the duly regulated order maintained by authority, here of Yahweh in his own land", p. 594.
Dim to all those who are powerless and without authority; only if this is done will the relationship be sustained. Once again, implicit in this demand is the fact that for the covenantal relationship to be maintained in the manner in which it is meant to be, then all parties must be true to their responsibilities. This means both the people among themselves and the people with Yahweh. The consequences of not fulfilling the expectations and following the word of Yahweh is devastation.

Breaking the relationship is not punishment in itself, for in addition to this, Yahweh will make the nation desolate. (v.5) Only in adhering to the covenant relationship is the nation of value. When it is not adhered to and the authorities become corrupt and irresponsible then destruction becomes inevitable. Jeremiah 22:8-9 place the use of דָּבֶּר in its proper relational perspective. The contiguous nations will ask why Yahweh dealt so harshly with Israel and the answer will be, "because they forsook the covenant of Yahweh". And of course the covenant is forsaken when דָּבֶּר is absent.

The occurrence of דָּבֶּר in Ezekiel 44:24 is another example of the use of דָּבֶּר in a context which apparently has little to do with relationship. The Levitical priests are given all the guidelines regarding the manner of life they are to live. Included in these guidelines, is also a word regarding the role of the judge, and, in this respect, it notes that whatever is decided must be based on the דָּבֶּר of Yahweh. There are three important observations to be noted here.
First, the priests do have the authority to pronounce judgement, but the ultimate authority is clearly Yahweh. Even though it is the priests who are the instruments in executing דָּם, the דָּם itself must be from Yahweh. Second, the first point is significant, precisely because the דָּם of Yahweh is what is essential in order to sustain the right relationship between the people and Yahweh. Also, the דָּם of Yahweh is crucial in the context of judging, in order to nullify the chance of any partiality in the case of the judges. Third, in order that the relationship between individuals is sustained or healed as the case may be, it is imperative that they be "judged" with the דָּם of Yahweh, which, at its core, is about relationship. To judge according to the דָּם of Yahweh means that there is impartiality, so that whatever controversy there is between individuals, is resolved, and a proper relationship is restored. If the relationship between individuals is fractured, then it will certainly affect the relationship with Yahweh. In order to keep both in harmony, the דָּם of Yahweh is essential in executing any form of justice.

In Zephaniah, Chapter 3, there are three occurrences of דָּם and all are associated with Yahweh. The references in 3:5 and 3:8 will be examined briefly. The prophet Zephaniah, in a woe oracle against Israel, points to the corruption of all those in authority. As a contrast to this, Zephaniah emphasises the דָּם of Yahweh, who is portrayed as being faithful and ever-present (verse 5). What is clear in this description of Yahweh and Israel is the chasm which divides them and thus causes
the brokenness in the relationship. It is, of course, notable that the actions of the leaders of Israel are directed primarily against the citizens and go against the fibre of the covenant. Thus, not only are they corrupt in the eyes of the people, but more so in the eyes of Yahweh, the originator of the covenant. The fact that Yahweh is constant in his ḫāqān indicates what is expected of those who are party to the covenant. The sustaining of the covenant relationship demands ḫāqān as an essential and constant element and this is precisely what is missing from the lives of those entrusted with the responsibility. As is usually the case when the relationship between Yahweh and his people is broken, it is Yahweh who is the one to restore it, despite the fact that it is Israel who is the offender.

In Zephaniah 3:8, the ḫāqān of Yahweh is to gather the nations and kingdoms and purge them. Once again, in this context, it is evident that the ḫāqān [60] of Yahweh is the important element necessary to cleanse the nations and consequently to have a righteous remnant in Israel. The primary reason for Yahweh's ḫāqān is not so much the punishment as it is cleansing of elements in society which are a hindrance to a right relationship. In other words, in this context the ḫāqān of Yahweh is essential for maintaining Yahweh's relationship with Israel. Certainly ḫāqān in this context has nothing to do with judicial activity, even though Yahweh speaks of himself as a witness (תְּבִ饴), a term which might have prompted the RSV to

60 The RSV translates ḫāqān in this context as "decision", and this gives it something of a forensic connotation. The context does not require a judicial act by Yahweh, and thus this particular translation is not adequate.
render אונוי as "decision". It is true that it is the witness who separates the truth from the untruth and thereby establishes the righteous. In the case of Yahweh, it is his אונוי which is the instrument that will do this, for the sole purpose of once again establishing a nation true to the demands and commitments of the covenant.

The final example of אונוי for discussion is from Daniel 9:5, an occurrence which is part of a prayer of confession to Yahweh. This is one instance in which the concepts of הילרי and אונוי are clearly shown to be connected with each other. In Daniel 9:4, Yahweh is described as the one who keeps the covenant and in 9:5, Israel is described as a people who has rebelled and turned aside from Yahweh's אונוי. Thus, while Yahweh maintains the covenant, Israel rebels and injures the covenant relationship by not keeping the אונוי of Yahweh. The brokenness in the relationship is evidenced in terms such as "treachery" [משלח] (9:7); "confusion" [מָסוּבָה] (9:8); "sinned against thee" [רָאשָׁב] (9:8); "rebelled" [רָבָד] (9:5, 9); "transgressed" [רָאשָׁב] (9:11), all of which are indicative of Israel's rebellion against Yahweh. These terms clearly express more than not simply subscribing to a norm.

Daniel's prayer is a confession of the majesty and greatness of Yahweh on the one hand, and the sinfulness of Israel on the other. The turning away from Yahweh's אונוי has resulted in the desolation of Israel. Once again, this context indicates that even though Israel has sinned and not kept the demands of the relationship (including אונוי), nevertheless through the mercy
of Yahweh, Israel is restored as an active party to the covenant. While it is true that it is only through the mercy of Yahweh that Israel is restored, Daniel's words of 9:5 presuppose that since it is the absence of the keeping of Yahweh's צָוָּא which is responsible for the brokenness, then it would have to be the presence of this צָוָּא which will renew the relationship after Israel is restored.

Several observations may be detected from the discussion in this chapter. The preliminary discussion of the use of צָוָּא in Ancient Near Eastern literature serves two important functions. First, it is evident that the use of צָוָּא is primarily in texts and situations which are associated with some form of authority, whether it is king, governor, or suffete. Second, in demonstrating the meaning of "rule" as its focus, we can see that the judicial meaning of צָוָּא is secondary. This examination of the background of צָוָּא sets the stage for the subsequent discussion of צָוָּא in the Old Testament. It is clear that the religious and social framework of the Ancient Near Eastern societies are different from that of Israel, the most specific distinction being in Israel's relationship with Yahweh. This notwithstanding, it is crucial to have this background discussion, precisely because many of the elements of Israelite society are similar to, if not identical with those of her neighbours. In the case of language and its references, the situation is no different.
The discussion of ḫǎḏ in the Old Testament is important for two reasons. First, the similarities to its use in the Ancient Near East are striking and the meaning of "rule" is confirmed. This discussion establishes the fact that fundamentally, ḫǎḏ has to do with authority, and this is clearly seen in the period of the ḫǎḏ. Second, the importance of knowing the primary reference of ḫǎḏ is seen not only for its own sake, but particularly for the foundation which it sets for the discussion of ḫâḏ. At the outset, as one would imagine, ḫǎḏ has to do with the basic meaning of ḫâḏ which has been demonstrated as having to do with the idea of authority. Since the primary intent of this chapter is the examination of ḫâḏ, it is imperative that the brief discussion of ḫâḏ be done in order to place the meaning of ḫâḏ in correct historical and linguistic perspective. Even though the background of ḫâḏ indicates that it has to do with authority this should not, of course, be taken to be indicative of the overall reference of ḫâḏ. What it does is to point to the background and set the stage for discussion.

In addition to this, the section on the occurrences of ḫâḏ is particularly essential to the overall direction of this thesis. It enables us to see in a contextual setting the many and varied uses of ḫâḏ. The systematic distribution of ḫâḏ places its use in perspective and allows us to recognise the versatility of the concept. That is to say, this categorization clearly distinguishes the many ways in which ḫâḏ is rendered (e.g. judgement, justice, ordinance, decision, case) and the
subjects with which it is associated (e.g. Yahweh, king, judge). This discussion not only outlines the quantitative distribution of דועת, but in so doing dispels the commonly held view that דועת means "justice". The different meanings which are testified to here, also demonstrate the movement and development in meaning. Moreover, such a distribution is necessary if in fact the attempt to determine the functional locus is to be successful. It is important to show that it is not only the occurrences which overtly refer to the covenant that allude to relationship, but rather all occurrences.

It is true, as Beuken says, that דועת may be classified in two categories and that one may envisage "משפוט as a situation, an event to be realized, a process and its execution resulting in relations of righteousness, the background obviously being this: that the present situation is devoid of justice". [61] And then of course there are numerous occurrences where דועת is thought to be an ordinance or a law to be obeyed or proclaimed. However, to make such a classification and attempt to find the functional locus would be futile and ill-advised. Thus, a categorization such as Beuken's, gives only a partial overview.

Finally, it can be seen that דועת is not an objective norm which must be subscribed to, whether in legal matters, worship or religious affairs. Rather, everyone is expected to be involved in דועת, precisely because everyone is involved in some form of relationship. The individual and the community are both expected to do דועת, but this expectation comes as a direct effect of

61 Beuken, art.cit., p. 7.
Yahweh's אֱלֹהִים which is inherent in his covenant. This involves commitment to the covenant and knowledge of Yahweh. For the individual, אֱלֹהִים embodies the expectations both of Yahweh and others of the covenant relationship. As Eichrodt notes, "מִשְׁפָּט is no abstract thing, but denotes the rights and duties of each party arising out of the particular relation of fellowship in which they find themselves. In this way, everyone has his own special מִשְׁפָּט." [62]
CHAPTER IV

I. SALIENT FEATURES OF פִּיו, פִּיו, דָּחָה

The study of פִּיו and פִּיו in the Ancient Near East together with that of דָּחָה in the Old Testament, provides a comprehensive account of the uses, connotations and meanings associated with these concepts. In this examination, several elements have emerged as being integral to these concepts, elements which are germane to the ensuing discussion of the use of פִּיו and דָּחָה in the Eighth Century prophets, and particularly their use in regard to the social critique of the prophets.

A. פִּיו

The background of פִּיו in the Ancient Near East indicates that this concept, while being used in religious, ethical and forensic contexts, refers in some form to "relationship". In no. 287 of the Tel el-Amarna tablets, Abdu-Hiba makes a plea to the king regarding his relationship with the Kasi people. In this instance פִּיו refers to Abdu-Hiba being "in the right". Also, in the Aramaic text of Nerab, the relationship between king and deity is reflected in the latter granting the king a good name and a prolonged life. Moreover, the idea of "straightness" as
regards ḫūd in pre-Quranic Arabic, also, as Achteimeier argues, refers to a responsibility within a relationship. [1]

This idea of ḫūd is centered in "relationship" within a variety of contexts. In the Old Testament ḫūd is used in reference to Israel and the individual, but the ultimate source of ḫūd is clearly Yahweh. [2] Whatever righteousness Israel may have is derived entirely from being in a covenant relationship with Yahweh. That is, Israel is associated with ḫūd only insofar as Yahweh is ḫūd. The righteousness of the individual is similar to this, in that the individual also derives his ḫūd from Yahweh.

B. ṣhk

The use of ṣhk in the Ancient Near East indicates that its background is centered in some form on the idea of "authority". The discussion of the use of ṣhk in Mari suggests clearly that the root ṣhk with its many derivatives has to do with authority and acts of authority. Ideas such as "governing", "ruling", and "giving orders" are all associated with ṣhk. The use of ṣhk in Ugaritic gives the closest parallel to ṣhk in the Old Testament. ṣhk in the Aqhat tale is used in reference to king Dan'el, and in the text discussed in Chapter 2, p. 135, Dan'el is seen as administering justice to the widow and the orphan. While this particular use has a forensic overtone, ṣhk is used in reference to the king and not to a judicial functionary. Thus,

1 See above, Chapter I, note 32.

2 See Chapter I, pp.104-117, passim.
the king in executing justice for the widow and the orphan may be perceived to be one on whom the responsibility for the care and protection of the powerless lies. Moreover, the discussion of the Phoenician inscription of Ahiram concludes that the use of "majesty" in that context refers to "rule" rather than "judge". It is the "royal" not the "judicial" authority which is being spoken of here. Even in the relatively late Carthaginian use of "majesty", there is a sense of "rule" rather than a specific judicial orientation.

The discussion of the use of "majesty" in the Old Testament points to the fact that it is used in several contexts. Traditionally, the use which is generally associated with "majesty" is judicial in connotation. However, this examination points to two other significant conclusions. First, "majesty" as "authority" is found in many instances in the Old Testament and second, "majesty" is found in several contexts in the Old Testament, within the framework of "relationship". The examples discussed earlier indicate that "majesty" as "relationship" involves both Yahweh and Israel on the one hand and the relationship between individuals on the other. [3]
C. ֝דְנָד

These uses of ֝דְנָד in the Old Testament set the pattern for the occurrences of ֝דְנָד in the Old Testament. While ֝דְנָד is not used in entirely the same manner as ֝דָנְד, nevertheless, it finds its most significant occurrences in connection with "authority" and "relationship". Both of these uses are particularly important for the discussion to follow, on the Eighth Century prophets, precisely because both of these areas are developed as integral parts of the prophets' message. The authorities generally associated with ֝דְנָד are Yahweh and the King, and this serves as a foundation on which the Eighth Century prophets expand on their idea of "authority". Most often, it is their relationship with the people which involves the use of ֝דְנָד.

What is clear from the study of these three terms is the fact that they all involve the matter of authority and the concept of relationship. In these terms, the question of relationship connotes a positive element. Whether it is the relationship between Yahweh and Israel or between individuals, there are either positive acts which are noted or positive expectations which are looked for. The salvific acts of Yahweh point not only to the covenantal responsibility of Yahweh, but also includes that important element of care for his people. "Care" and "concern" are also implicit elements in the use of ֝דָנְד and ֝דְנָד as "relationship". Whether it is the restoration of the relationship between Abram and Sarai or Yahweh's admonition to the King of Israel to "do justice", the
implication in these examples is not to create an artificial relationship or restore artificiality to a relationship but to demonstrate care and concern. [4]

II. OCCURRENCES OF פִּזְדָא AND והָשָׁם TOGETHER IN OLD TESTAMENT CONTEXTS - EXCEPT THE EIGHTH CENTURY PROPHETS

LEVITICUS

The one occurrence of פִּזְדָא and והָשָׁם together is in 19:15. This is a part of the "Holiness Code" and here Yahweh admonishes those with the responsibility of executing justice, to do so impartially.

לא תשרו על כל במותה לא - תשרו פבר - דל ראה התודר
פִּזְדָא is used here in a judicial manner, in an active sense. והָשָׁם is the source from which the והָשָׁם should be executed. Being in פִּזְדָא implies that impartiality in justice will take place. The use of פִּזְדָא and והָשָׁם in this context suggests that they affect the people in a concrete way. The text clearly implies that והָשָׁם has its source in פִּזְדָא ( והָשָׁם בְּדַבָּר ).

DEUTERONOMY

There are six instances in which פִּזְדָא and והָשָׁם occur together. In 4:8; 32:4 and 33:21, both פִּזְדָא and והָשָׁם refer to Yahweh. Both 4:8 and 33:21 refer to the nature of Yahweh's ordinances and decrees. 32:4 describes the character of Yahweh

4 See above, Chapter 3, pp. 260-274.
(פִּיתָה) and his ways (וּמַיָּוָה). In none of these instances is there an indication of a possible relationship between פִּיתָה and מַיָּוָה. In 16:18 and 16:19, פִּיתָה and מַיָּוָה are both used in a forensic sense. In 16:18, the judges are admonished to give "righteous judgements". While פִּיתָה is used in this instance to describe the nature of the מַיָּוָה, there is no obvious relationship between the two. However, the presence of פִּיתָה and מַיָּוָה in 16:19 does shed some light here in that "partiality" is seen in opposition to פִּיתָה. In this sense, the subject matter is similar to Leviticus 19:15. Once again, there is no particular relationship between פִּיתָה and מַיָּוָה which is established here. Finally, in 25:1, פִּיתָה and מַיָּוָה are used in a forensic sense and while the terms are clearly connected contextually, there is no ground for determining a relationship between the two.

II SAMUEL

The two occurrences are in 8:15 and 15:4. In 8:15 פִּיתָה and מַיָּוָה are used as two elements which characterise David's reign over Israel. The significance of this is seen in the fact that it is implied that David is a great king (8:13,14) and פִּיתָה and מַיָּוָה are the elements which exemplify his kingship. There is no indication of a relationship between פִּיתָה and מַיָּוָה, but together they are used to express the nature of the relationship which David has with his people. In this occurrence, both פִּיתָה and מַיָּוָה come from David, and are used with an active overtone. The second occurrence in 15:4 involves Absalom's interest in
giving פִּי to those who have a cause (פִּי מִלָּה). [5]

I KINGS

The single occurrence is in 10:9. In a way, this occurrence is similar to the one in II Samuel 8:15. While there is the implication that David is a great king, because of פִּי and מִלָּה, Solomon is perceived by the Queen of Sheba as having been made king precisely in order to execute פִּי and מִלָּה. On this occasion, both פִּי and מִלָּה are expected to be executed, since both terms are governed by the word מִלָּה. There is no indication that פִּי and מִלָּה are used synonymously here nor is there any indication of a possible relationship between the two.

ISAIAH 40-66

There are seven instances in which פִּי and מִלָּה occur together. In 50:8 פִּי is used to mean "vindicate" and is in reference to Yahweh, while מִלָּה is used with a negative overtone to mean "adversary". While both פִּי and מִלָּה appear in this context, there is no apparent relationship between them. In 54:17, both פִּי and מִלָּה are used in a similar fashion to 50:8.

In 56:1, the prophet urges the people to listen to the words of Yahweh to ... מִשְׁמַר תְּשׁוּרִית וְכִרְעָה. This is in connection

5 See above, Chapter I, note 51, which points to Absalom's reckless ambition in wanting to give פִּי to everyone who comes with a "cause".
with the promise of salvation and deliverance by Yahweh. In this verse, there is again no indication regarding a possible relationship between קור and נקִקָךְ, but both terms are used in a context which suggest action and has practical implications. In 58:2, both קור and נקִיקָךְ are used twice, but the connotation of each pair is distinct. In the first instance, Yahweh rebukes the people for acting as if they live in קור, yet they forsake his נקִיקָךְ. In this context, נקִיקָךְ is the expectation of Yahweh and the nation cannot disregard נקִיקָךְ and still presume to live in קור. In this sense, נקִיקָךְ comes from קור and the neglect of the former, adversely affects the latter. The second instance in 58:2 refers to the nature of Yahweh’s judgements (ניקִיקָךְ). קור is in a construct relationship with נקִיקָךְ, that is, Yahweh gives righteous judgements (ניקִיקָךְ נקִיקָךְ).

The final two instances are in 59:9 and 59:14, and in some ways they are connected. Both 59:9 and 59:14 use an imagery of "space" or "distance" and in both instances קור and נקִיקָךְ are said to be in the distance. A second similarity is the parallelism which is used in both contexts. In 59:9, the absence of נקִיקָךְ and קור is associated with darkness (>('פִּנּוֹ) and gloom (תִּפְנָה) while it is implied that the presence of נקִיקָךְ and קור brings light (רָאָה) and brightness (תְּפִנָה). In 59:14, there is the implication that the absence of קור and נקִיקָךְ has led to the ruin and disappearance of truth (תְּמוֹאָה) and uprightness (תְּפִלָּה). There is no indication in either of these occurrences that there is a possible relationship between קור
and דודים.

JEREMIAH

There are eight occurrences in which פֶּרֶץ and דָּודִים are used together. These eight occurrences may be divided into four groups; in one group, פֶּרֶץ and דָּודִים refer to Yahweh; in another, they refer to a king; in the third section, they are in reference to those who pursue wealth through injustice, and in the fourth, they are used in the form of an oath. In 9:23 [24], פֶּרֶץ and דָּודִים are described as active characteristics of Yahweh. Here, there are two important elements which are noteworthy. First, in 9:22 [23], the prophet speaks about the glory which is unacceptable, that is, "wisdom", "might", and "riches" of the individual. Rather, the glory which is advocated is one which knows Yahweh and which will bring people to the realization that Yahweh is a God who practise פֶּרֶץ and דָּודִים. This use in 9:23 [24] is somewhat reflected in 12:1, where Yahweh is described as פֶּרֶץ and as one who listens to those who have a cause (דָּודִים). Clearly, it is entirely because Yahweh is a God of פֶּרֶץ that he listens to these causes. While these uses give some indication of פֶּרֶץ and דָּודִים as active concepts, perhaps even related in some manner, there is no indication of the nature of the relationship.

In three other occurrences (22:3; 23:5; 33:15) פֶּרֶץ and דָּודִים are in reference to the monarchy. In 22:3, Yahweh makes it clear that he expects פֶּרֶץ and דָּודִים from the king of Judah. The king is expected to employ and demonstrate פֶּרֶץ and דָּודִים
as elements necessary for delivering the oppressed. The idea of יְהוָה and יֵשׁ as Yahweh's expectation from a king is further testified to in 23:5 and 33:15; Yahweh himself will send a king and once again the qualities which are singled out are יְהוָה and יֵשׁ. יְהוָה and יֵשׁ are not static qualities, for they will be executed and salvation and security, for Judah and Israel respectively (23:6), will be as a direct result of the king's יְהוָה and יֵשׁ.

In 4:2 יְהוָה and יֵשׁ are used in the form of an oath, while in 22:13, Jeremiah uses יְהוָה as a way of executing judgement on those who have pursued their own financial interests through unrighteousness and injustice. This lack of יְהוָה and יֵשׁ is reflected in the oppression of others. The condemnation in 22:13 serves as a direct contrast to 22:15-16, where יְהוָה and יֵשׁ, when practised, lead to the well-being of both king and subjects, according to the MT. Moreover, יְהוָה and יֵשׁ in the life of a king, are expressed in the care and concern for the poor.

None of these four categories indicate a possible relationship between the two terms יְהוָה and יֵשׁ. However, in all the categories, there are instances which suggest clearly that both יְהוָה and יֵשׁ are practical factors in life.
EZEKIEL

There are seven instances in which פִּדַּי and פַּדַּיָה occur together. Five of these occurrences (18:5,9,19,27; 33:16) refer specifically to individual responsibility. If the individual does what is "lawful and right", and if the individual keeps the ordinances of Yahweh, then the individual will live. These occurrences do not indicate that there is any particular relationship between פִּדַּי and פַּדַּיָה. In 23:45, פִּדַּי and פַּדַּיָה are in reference to the judgements given by the righteous against those who commit adultery. Here again, there is no suggestion of a relationship between פִּדַּי and פַּדַּיָה. Finally, in 45:9, Yahweh admonishes the leaders to replace violence and oppression by פִּדַּי and פַּדַּיָה respectively. The leaders are expected to pursue actively this course. Just as violence and oppression reflect active means of suppressing the existence of the people, so פִּדַּי and פַּדַּיָה will actively alleviate these injustices and restore the people to an acceptable manner of living.

While none of these instances suggest a possible relationship between פִּדַּי and פַּדַּיָה, there is no indication of synonymity either.

HABAKKUK

The one instance in which פִּדַּי and פַּדַּיָה occur together is in 1:4. פַּדַּיָה occurs twice in this verse and on both occasions, it refers to something which is not done or is perverted as the case may be. The form of פִּדַּי which is used is פִּדַּיָה and here it is contrasted with the wicked. פִּדַּי and פַּדַּיָה, while
occurring in the same verse, have no obvious relationship, and, in fact, their uses may be construed to be even detached from each other.

PSALMS

There are twenty-one instances in which הָרְשׁוּ and סָדָה occur together. Nine of these (9:5 [4]; 19:10 [9]; 119:7, 62, 75, 106, 137, 160, 164) refer to the righteousness of Yahweh and allude specifically to his judgements and ordinances. That is to say, the ordinances and judgements of Yahweh are righteous; they are related to his nature. הָרְשִׁי describes both the nature of Yahweh and his acts, precisely because they are inseparable. Six other occurrences (33:5; 37:6; 89:15 [14]; 97:2; 99:4; 103:6) have both הָרְשִׁי and סָדָה in relation to Yahweh. There are three elements to note here. Yahweh not only loves הָרְשִׁי and סָדָה (33:5), but his throne is established in them (89:15 [14]; 97:2) and he executes הָרְשִׁי and סָדָה to the oppressed (99:4; 103:6), and for those who trust in him, he will vindicate them and bring them their right (37:6). These examples indicate clearly, that both הָרְשִׁי and סָדָה are concepts associated with Yahweh, in a descriptive manner and in an active manner. There is no suggestion from these examples of a possible relationship between הָרְשִׁי and סָדָה.

There are three occurrences (1:5; 37:30; 94:15) [6] in which הָרְשִׁי and סָדָה are used in regard to the benefit of being

6 See BHS ad loc., where הָרְשִׁי is suggested as a better reading, with MS and versional support.
a כְּפָרְכ. In all three instances, the כְּפָרְכ will enjoy in some
form, קְפַרְק, or live by it. It is clear from 1:5 that insofar
as the wicked and sinners do not participate in קְפַרְק with the
c pii, קְפַרְק is thus clearly something which is set apart for
the pii. Both 37:30 and 94:15 indicate that קְפַרְק is an
element which is reflected in the pii, precisely, because he is
a pii. In these examples, there is no indication of a
relationship between pii and קְפַרְק. Whether it is a question
of judgement as in 1:5 or justice in daily life as in 37:30 and
94:15, it appears that קְפַרְק is only present and available if
the subject is a pii.

There are two occurrences in 72:1,2. It is not entirely
clear whether Psalm 72 is of Solomonic origin or whether it is in
fact a description of Solomon's rule. What is certain, is that
in 72:1 Yahweh is asked to give pii and קְפַרְק to the king.
Verse 2 expresses a wish that the king might practise pii and
קְפַרְק in his rule. One of the recipients of pii and קְפַרְק is
the יהו. Two points are noteworthy here. First, יהו is
used in this context to refer to Yahweh's poor. The inference
here is that Yahweh is on the side of the poor, and the call for
קְפַרְק to be given to the יהו implies that this does not always
happen. Second, it must be noted that both pii and קְפַרְק,
according to 72:1, have their source in Yahweh. There is no way
of deciphering a relationship between pii and קְפַרְק here, for
they are both given by Yahweh and they are both expected to be
used by the ruler.
יִשָׁרָאֵל and חַסְדָּא are also used together in 106:3. In the light of what Yahweh expects of his people, it is imperative that they practise יִשָׁרָאֵל and חַסְדָּא; he will not accept anything less. In this occurrence, חַסְדָּא is used in conjunction with the doing of יִשָׁרָאֵל. חַסְדָּא has often been used as a parallel to חֲרוֹם. [7] When חֲרוֹם is used in Amos and Isaiah, it is often in the context of those who oppress the poor and needy. [8] In this occurrence, יִשָׁרָאֵל and חַסְדָּא are both active qualities and the individual or community who upholds these qualities will be "blessed". Once again, there is no indication of a possible relationship between these concepts. Finally, in 119:121, יִשָׁרָאֵל and חַסְדָּא are spoken of as the nature of certain acts. Both יִשָׁרָאֵל and חַסְדָּא determine the actions of the individual, but once again there is no evidence of relationship between the two.

**JOB**

The six occurrences of יִשָׁרָאֵל and חַסְדָּא together may be placed in two categories. In 13:18; 29:14; 34:5 and 35:2, יִשָׁרָאֵל and חַסְדָּא are used in contexts which speak of Job's innocence. In 13:18, Job believes that a verdict of innocence will come to him from Yahweh because of the strength of his case (חַסְדָּא); this is a forensic use. In 29:14; 34:5 and 35:2, both יִשָׁרָאֵל and חַסְדָּא are seen to be characteristics of Job and


8 See, e.g., Isaiah 5:8,22; 10:1-2; Amos 6:1,4. cf. 5:18.
29:14 in particular illustrates the fact that בּוֹדֶה and מְשַׁפֵּר are integral to Job's life. In none of these instances is there any indication of a possible relationship between בּוֹדֶה and מְשַׁפֵּר.

The two other occurrences are in 8:3 and 37:23. In 8:3, as a part of his reprimand of Job for the latter's claim to innocence and being in the right, Bildad remarks that Yahweh does not pervert בּוֹדֶה or מְשַׁפֵּר. In 37:23, Elihu describes Yahweh as being great in בּוֹדֶה and מְשַׁפֵּר. In neither of these two contexts are בּוֹדֶה and מְשַׁפֵּר used synonymously or is there evidence of a relationship between them.

PROVERBS

There are four occurrences of בּוֹדֶה and מְשַׁפֵּר together, and in each instance the use is different. In 1:3, this editorial use reflects the importance of בּוֹדֶה and מְשַׁפֵּר in the book of Proverbs. Both בּוֹדֶה and מְשַׁפֵּר are areas in which the youth are instructed. In 12:5, בּוֹדֶה and מְשַׁפֵּר are used to describe the just ( מְשַׁפֵּר ) thoughts of the righteous ( בּוֹדֶה ). In 16:8 בּוֹדֶה is used in contrast to מְשַׁפֵּר. Even though a little is gained in בּוֹדֶה , it is better than much מְשַׁפֵּר. There is an implication here that מְשַׁפֵּר is being used synonymously with בּוֹדֶה. The final occurrence is in 21:15, where מְשַׁפֵּר is described as a joy to the בּוֹדֶה.
There are two occurrences, in 3:16 and 5:7 [8]. In 3:16, פִּשְׁתִּים and דִּזְנִים are seen by Qoheleth, to have been replaced by wickedness. In this instance there appears to be a somewhat tenuous connection between פִּשְׁתִּים and דִּזְנִים. Both are used in parallel to פֶּשֶׁת and are opposed to it, hence there is the indication that they are used synonymously. In 5:7 [8], פִּשְׁתִּים and דִּזְנִים are singled out as elements which might be taken away from the poor, thus oppressing them. It is clear that both פִּשְׁתִּים and דִּזְנִים are essential for a proper means of living for the poor, but there is no indication of a possible relationship between them.

I CHRONICLES

There is one occurrence in 18:14 and it is an exact repetition of II Samuel 8:15. See above for discussion.

II CHRONICLES

The one occurrence in 9:8 is a repetition of I Kings 10:9. See above for discussion.

This examination of the occurrences of פִּשְׁתִּים and דִּזְנִים together, serves to underline two important points. First, פִּשְׁתִּים and דִּזְנִים have been used both in early and later Old Testament literature, however, there is no consistency in their usage, and often, then, there appears to be no connection between "righteous
ordinances" and the "doing of justice and righteousness". There is, moreover, no uniformity of contexts for which פֶּה and פַּעֲמָה are used together. In differing contexts, פֶּה and פַּעֲמָה refer to characteristics or attributes of Yahweh; at other times, they express acts of Yahweh, and on other occasions they describe the nature of the laws of Yahweh. In addition to these, פֶּה and פַּעֲמָה express the expected behaviour of the people to each other.

Second, there is no straightforward indication of a particular relationship between פֶּה and פַּעֲמָה. As is noted in the occurrences, פֶּה is often used as a way of describing פַּעֲמָה, as in righteous ordinances (פֶּה פַּעֲמָה). In this sense, perhaps, there is a relationship, but the use of construct relationship only serves to give the occasional functional pattern. What is not evident is any indication suggesting which of the two is the prior term or if one is derived from the other. There are however, three isolated examples, which might be helpful in this respect. In Leviticus 19:15, there is an indirect reference to פַּעֲמָה having its source in פֶּה and in Proverbs 16:8 and Ecclesiastes 3:16, there is an implication of synonymity.

This examination of the occurrences of פֶּה and פַּעֲמָה together, in the Old Testament (except the Eighth Century Prophets) sets the stage for a discussion of their use in the Eighth Century prophets.
III. THE RELATIONSHIP BETWEEN נַחַר AND נָשֹּׁם IN THE EIGHTH CENTURY PROPHETS

The earlier examination of נַחַר and נָשֹּׁם has demonstrated the general use of these terms in the Old Testament. Both concepts function in concrete situations and both are used to articulate in a clear manner, the notion of relationship. What has become evident from the study thus far, is the fact that נַחַר and נָשֹּׁם exist primarily as elements of relationship; the relationship between Yahweh and the individual or nation on the one hand and between individuals on the other. However, to this point this study has not endeavoured to show the possible connection between נַחַר and נָשֹּׁם. In order to discuss the function of these terms within the framework of the Eighth Century prophets, it is important to discern their relationship to each other, as they are used by these prophets.

There are sixteen occurrences of נַחַר and נָשֹּׁם together in the same context in the Eighth Century prophets. This is particularly notable, when it is realized that נַחַר occurs a total of thirty-nine times and נָשֹּׁם thirty-eight times in these prophets. That is to say, in approximately two-fifths of all the occurrences, נַחַר and נָשֹּׁם occur together. Only the Psalms, with twenty-one occurrences of נַחַר and נָשֹּׁם together has a higher total than the Eighth Century prophets, but, the actual percentage of this word-pair in the Psalms is less than that of the Eighth Century prophets. [9] The use of נַחַר and נָשֹּׁם in the Eighth Century prophets is integrated in an inseparable
manner into the message of the prophets. Every instance in which בְּמַזָּה and פַּעַם occur together in the Eighth Century prophets, either refers to their absence in Israelite society and the consequences there, or to Yahweh, what he expects as behaviour from his covenant people or as divine attribute. [10]

In most of the instances in which בְּמַזָּה and פַּעַם are together, the contexts and usage do not allow for a development of an understanding of the relationship between the two terms. It is obvious from the preaching of the prophets that they are not particularly interested in creating new definitions of בְּמַזָּה and פַּעַם, nor are they intent on outlining the relationship between the two terms. However, this is not to suggest that a relationship does not exist. Some scholars have concluded that there is no difference in meaning between בְּמַזָּה and פַּעַם and that, when they are used together, they are meant to be synonymous. [11] On the other hand, there are scholars who perceive a difference in these concepts, but whose explanation and interpretation of it are inadequate. For example, Heschel observes that, "it is exceedingly difficult to establish the exact difference in meaning of the biblical terms mishpat,

9 The Psalms has one hundred and thirty-four occurrences of בְּמַזָּה and sixty-four occurrences of פַּעַם. That is to say, one-sixth of all occurrences of בְּמַזָּה are with פַּעַם, while the percentage of occurrences of פַּעַם with בְּמַזָּה is one-third.

10 It is true that בְּמַזָּה, for example, in these prophets is not seen explicitly in a active sense, in reference to Yahweh (as in Deutero-Isaiah, where בְּמַזָּה in reference to Yahweh generally conveys the idea of "deliverance" or "salvation") nevertheless, its relation to Yahweh makes his expectation clear. See discussion of בְּמַזָּה in reference to Yahweh, above p. 104.
justice and tsedakah, righteousness (which in parallelism are often used as variants). However, it seems that justice is a mode of action, righteousness a quality of the person. Significantly, the noun derived from shafat (to judge) is shofet which came to mean a judge or arbitrator; while the noun from tsedak (to be just) is tsaddik, a righteous man." [12] While Heschel's observation regarding justice as a "mode of action" and righteousness as a "quality of the person" is perceptive, his explanation of the general meaning and connotation of און and אטב is untenable. It is clearly an oversimplification to reduce און and אטב, even with his distinction, to the realm of judicial activity. [13]

Moreover, there are scholars who have recognised the essential elements which unite און and אטב. Klaus Koch points to a fundamental aspect of the relationship between און and אטב, when he notes that, "both mishpat and אטב אטב appear as spheres of power which already exist in advance of human actions." [14] Even though Koch does not pursue this point at any

11 See e.g. Johannes Pedersen, Israel I-II. While Pedersen does not argue extensively for the synonymity of און and אטב, he nevertheless notes that, "mishpat right, justice, virtually means the same as אטב. Both expressions inform us of the state of the soul and the resulting relation to other souls", p. 352. See also Sidney Rooy, "Righteousness and Justice" ERT 6 (1982). Commenting on the use of און and אטב in Amos, Rooy says, "Amos in a typically hebraic, poetic way uses justice (mishpat) and righteousness (tsedakah) as synonyms." p. 263. Rooy goes on to conclude "justice is righteousness and righteousness is justice", p. 265.


13 See conclusion regarding use of אטב as discussed in Chapter 2 of this thesis.

length, it is nevertheless a valid one and the correct point of departure for initiating a discussion on the functional relationship between מִשְׁפָּת and מִדְרָם as they are used in the Eighth Century prophets. James Luther Mays stretches this point of Koch's even further when he says that מִשְׁפָּת and מִדְרָם express the quintessence of Yahweh's will. [15] Moreover, Mays observes, regarding Amos's use of מִשְׁפָּת and מִדְרָם, that "Amos coordinates מִשְׁפָּת so closely with מֵדְרוֹם because the latter is the source of the former; מִשְׁפָּת is the fruit of מֵדְרוֹם." [16] Mays' assertion regarding this relationship is a meritorious one, but he does not substantiate his observation by proceeding with examples, nor does he give a relevant discussion. Furthermore, Mays weakens his assertion by suggesting that "מִשְׁפָּת means the judicial process of establishing in a case before the court what the right is (and therefore who is in the right), and rendering that opinion as the judgement of the court." [17]

What is immediately apparent from the views which have been expressed here by these scholars, is the diversity of opinion, the lack of consensus, not to mention the lack of unanimity and the realization that much more needs to be said in the way of understanding and relating these concepts. [18] The following

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17 Ibid., p. 132. The discussion of מִדְרָם and מֵדְרוֹם in Chapters 2 and 3 of this thesis, suggests that Mays' conclusion is highly improbable.
discussion is an attempt to discern the relationship between these concepts as they appear in the Eighth Century prophets. Four examples of contexts in which 푽 and oENia appear together, will be examined. The examples are particularly helpful in showing the relationship between 푽 and oENia.

A. Amos 5:7

0 you who turn justice (swana) to wormwood and cast down righteousness (np,r,) to the ground.

In discussing the use of 푽 and oENia together here, it is essential that the imagery is understood correctly. The clue lies in the prophet's reference to those who have wantonly discarded 푽. From the context, it is evident that at one time Israel had 푽 or, as Koch more aptly puts it, "the Israelite did not possess righteousness; he was in ἐθάνατος." [19] What is clear is that Israel was in a specific and special relationship which was bonded in 푽. Thus, when 푽 is thrown to the ground, there is the image of Israel disrobing herself of that which has kept her and sustained her in a special relationship with Yahweh. The casting away of 푽 becomes the point at which Israel has rejected the element which binds her to Yahweh. The relationship is not annulled, but it is broken.

19 Ibid., p. 58.
With the discarding of קרא, it is inevitable that נῦן will be affected adversely. Even though Mays points out that נῦן is the prior word in these word-pairs in Amos, [20] nevertheless, in this instance it is imperative that the use of קרא be understood first. Mays asserts that the word-order of these concepts is important, and he establishes his assertion on the word order of קרא and נῦן as they appear in the MT of Amos, and he maintains this order as the basis of a cause and effect relationship between נῦן and קרא. He supposes that in Amos 5:7, "the cry seeks the attention of all those who turn justice (מִשְׁפָּט) into wormwood and thereby discard righteousness (גְּדָקָה) as something worthless." [21] This view suggests that it is the corruption of נῦן which consequently leads to the rejection of קרא. Initially this may give the appearance of a logical movement, however it is difficult if not impossible to argue that Israel was always in קרא until the time of the perversion of נῦן. If Israel were constantly in קרא, then נῦן would not be corrupted. In order for the corruption of נῦן to transpire, Israel must already have abandoned קרא. In effect, קרא is the prior word and it is out of קרא that נῦן has its force.

While Amos 5:7 is traditionally rendered as, "O you who turn justice into wormwood and cast down righteousness to the ground", a more suitable interpretation might be: "In casting down righteousness to the ground, you have turned justice into

20 Mays, Amos, p. 92.
21 Ibid., p. 91.
wormwood" (see below, discussion of Amos 6:12). Clearly this does not correspond to the grammatical Hebrew structure of the MT, but it enables us to diagnose the relationship between the two words. It allows us to realize that the act of rejecting ÿ'IL is precisely that factor which is directly responsible for the transformation of that which is necessary for sustaining a relationship (שָׁבַע ) into that which leads to calamity and death (לֵעָבֹת ).

B. Amos 5:24

But let justice (שָׁפֵט ) roll down like waters and righteousness (ןָּדָר ) like an everflowing stream.

It is the imagery in this verse which is the element that facilitates the understanding of the relationship between ÿ'IL and שָׁפֵט. There is a tendency to conclude and a danger in so doing that since both ÿ'IL and שָׁפֵט are expressed in terms of water imagery in the same context, they are synonymous. This however would be superficial, for while "water" appears to make them synonymous, it is "water" which distinguishes them and gives the relationship. The consciousness of movement, constancy, dynamism, liveliness is powerfully expressed here. The imagery of water is particularly suitable as there is the underlying realization that there could be a drought.
The idea of יָדוֹ "tumbling over" or "cascading" [22] paints a picture of יָדוֹ as a waterfall and thus presupposes that there is a source out of which it comes. Anyone who has seen a waterfall realizes that its majestic fall, its power, its ability to be perennial are all determined by the source of the water. It is with this in mind that the description of יָדוֹ takes on particular importance. In this occurrence, יָדוֹ is portrayed as an "ever-flowing stream", which is precisely what is necessary in order to keep יָדוֹ "tumbling down". In other words, the constancy and power of יָדוֹ are derived from יָדוֹ. This imagery of water makes it clear that יָדוֹ and יָדוֹ necessarily exist (or not) together. There cannot be יָדוֹ without a source, and likewise, if there is perennial יָדוֹ, it will, by its nature continue to flow. The absence of one presupposes the absence of the other, or at least affects its presence. It is no surprise therefore, that there is no instance in the Eighth Century prophets where the absence of יָדוֹ is denounced, but where יָדוֹ is present, or conversely, there is no occurrence which points to the fact that יָדוֹ is present but not יָדוֹ. While the use of יָדוֹ and יָדוֹ in Amos 5:24 indicates (from this discussion) a cause and effect relationship, it must be noted that this does not epitomise all occurrences of this word-pair. However, what it does epitomise is the necessity for the co-existence of יָדוֹ and יָדוֹ. [23]

C. Amos 6:12b

But you have turned justice (נָחָלָה) into poison and the fruit of righteousness (נָחָלָה) into wormwood.

This is perhaps the one instance in the Eighth Century prophets which gives the clearest indication of the relationship between נחלה and הַיִּשָּׁר. Even though both נחלה and הַיִּשָּׁר are used in this context, the prophet is primarily preoccupied with נחלה, the perversion of it. Amos 6:12a "Do horses run up on rocks? Does one plough the sea with oxen?", points to the dramatic transformation of Israelite society, for now even the impossible is possible. This theme is closely connected with Amos' criticism of the perversion of נחלה; once it appeared that this was impossible, but now it is. As he did in 5:7, Amos' primary concern is to indicate the extremity of the perversion and this is demonstrated poignantly through the use of "poison" and "wormwood". The first line of 6:12b voices the prophet's words regarding the radical transformation of נחלה. In essence, the second line of 6:12b is a repetition of the previous line. In this regard, it is necessary once again to reflect on the words of Amos 5:7. There, it is noted without being shrouded in imagery, that נחלה has been turned into wormwood. The parallel

23 See, Paul Ramsey, "Elements of a Biblical Political Theory", JR 29 (1949). On Amos 5:24, Ramsey concludes; "here plainly justice must be understood as the same thing as righteousness, expressed differently in poetic parallel lines". p. 275. Ramsey's view is untenable, as it overlooks the relationship between the two concepts and simply relegates their use together as poetic. There is no indication that Amos was interested in creating poetic parallelism.
between the two verses is revealing.

In 6:12b, רָעָה is used as a synonym for רָעָה, and thus Amos declares on both occasions that something has been turned into wormwood. It is clear from 6:12b that it is not רָעָה itself, but the fruit of רָעָה which is being corrupted.

Amos' use of רָעָה in 6:12b is entirely as a point of departure for recognising the corruption of רָעָה. In so doing however, he enables us to witness the integral relationship between רָעָה and רָעָה. Being described as "the fruit of רָעָה", it is manifestly apparent that רָעָה is not the prior element. Amos conceives of רָעָה as that which bears or gives rise to the possibility of רָעָה in the community, as prior.

D. Isaiah 28:17a

And I will make justice (צדק) the line, and righteousness (צדק) the plummet.

The use of צדֶק and צדֶק in this context presents us with conceivably the clearest example in Isaiah of what may be the relationship between these concepts. The architectural imagery [24] which is employed here is particularly useful in aiding the
determination of the relationship between מְקוֹם and הַמָּשָׁט. מְקוֹם is described as "the line" and הַמָּשָׁט as "the plummet" and both "line and plummet" are engaged in the establishing of equality. In order to do so, each has to function in its own right, yet together they constitute an intrinsic unity. The function of the "line" and the "plummet" illustrate, not only the basic purpose of מְקוֹם and הַמָּשָׁט, but also the relationship between the two. This reference in Isaiah 28:17a makes it clear that in order for there to be equity in a society, both מְקוֹם and הַמָּשָׁט must be in tandem and work together. The metaphors of "line" and "plummet" suggest that the presence of one without the other renders it impotent. They are both indispensable for the functioning of the other.

הַמָּשָׁט as the מְקוֹם, by its nature and function will determine the accuracy and correctness of what is to be allotted. When the מְקוֹם has completed its function, then the הַמָּשָׁט is able to allocate correctly. If the הַמָּשָׁט is used first or by itself, then the accuracy of the measurement may be in doubt. As the element which is responsible for correctness and accuracy, הַמָּשָׁט becomes the prior article. It is true that the imagery of מְקוֹם and הַמָּשָׁט creates a picture of rigidity, but this is not to suggest stagnancy and legalism but propriety and correctness.

The relationship between מְקוֹם and הַמָּשָׁט in this context also contains one additional element which compounds both the nature and importance of the relationship. Here מְקוֹם and הַמָּשָׁט

are woven into the elements associated with the covenant of Yahweh. In Isaiah 28:14ff, the prophet notes that the rulers have made a covenant with Sheol, which immediately presupposes the rejection of Yahweh's covenant. When Yahweh re-establishes בַּשָּׁא and הַשָּׁא among his people, the covenant with Sheol will be annulled. In order to restore Israel from their state of apostasy, the establishment of בַּשָּׁא and הַשָּׁא is essential. What is clear is that the restoration of Yahweh's covenant is inexorably connected to בַּשָּׁא and הַשָּׁא.

The discussion of these four instances, in which בַּשָּׁא and הַשָּׁא occur together provides evidence which indicates several factors about the relationship of these concepts. First, it is clear that there is a distinction between the use of the concepts, and they are not intended to be synonymous. Moreover, there is indeed a relationship between these concepts as they are used in the Eighth Century prophets. Second, the incontrovertible evidence suggests that neither בַּשָּׁא nor הַשָּׁא can exist without the other. Inevitably when הַשָּׁא disappears from the community, בַּשָּׁא follows, and restoration comes with the appearance of הַשָּׁא first, followed by בַּשָּׁא. Third, it has become evident that בַּשָּׁא is not a self-authenticating concept, but הַשָּׁא authenticates it. That is to say, הַשָּׁא is the element which bonds the individual, the community, the nation with Yahweh in a covenant relationship. Once this is established, then בַּשָּׁא follows, and there is no reason to be given for its presence and
its actions, for the presence of יד presupposes that יד will also be present and function in a manner which reflects its relationship to יד. In a sense, יד functions in a manner similar to that of a parent. Once an individual has become a parent, thus establishing a special relationship, there are expectations both from the parent and from the child. One may suggest that parent and child, now that they by nature and necessity live with each other, do not constantly ask whether a good deed, or thought should be bestowed on the other. The nature of the relationship precludes questions such as these. It is irrelevant to ask whether they should love each other. Likewise, once יד establishes the relationship, the question of יד is naturally assumed; it is never a relevant question which seeks to determine whether יד is engaged in the relationship. Regardless of the situation, it is יד that is the prior term and does the establishing of any relationship and יד follows, and sustains this relationship. This is seen most clearly in the covenant relationship between Yahweh and his people.

One final example will suffice here. In Isaiah 1:21, the prophet laments the fact that at one time יד lodged in Israel, [25] but now murderers have taken the place of יד. When יד was in Israel, there was יד , it was "full of יד ." However with the rejection of יד , יד also disappeared. Now instead of יד , there is מלחמה (murderers), and it is not surprising that the absence of יד also corresponds to מלחמה , that is יד (bloodshed) (Isaiah 5:7). The corresponding term here is
particularly helpful, precisely because there is something of a cause and effect relationship which is outlined. When there is "cause", there follows and likewise when there are "reasons", there follows, which is of course a natural consequence.

Before we go to the discussion of "cause" and "reason" with regards to social critique, let us look at the role and function of the Eighth Century prophets.

25 See, N.W. Porteous, "The Basis of the Ethical Teaching of the Prophets" in Studies in Old Testament Prophecy ed. H.H. Rowley. (Edinburgh: T and T Clark), 1950, pp. 143-156. Regarding the use of כַּעַס in this context Porteous notes that, "it is not inconceivable that the Hebrew conception of כַּעַס, so prominent in the prophetic oracles, bears some relation to the pre-Israelite cult of El-Elyon in Jerusalem, a deity who ... was probably regarded as a personification of כַּעַס. If this were so, there would be a special significance in the fact that Isaiah speaks of Jerusalem as the city in which righteousness once lodged and which may again becomes the city of righteousness." p. 155.
CHAPTER V

I. THE ROLE AND FUNCTION OF THE EIGHTH CENTURY PROPHETS

In the attempt to formulate the role and function of the Eighth Century prophets, it is essential that there be no concretized systematization of these prophets. Neither the prophets nor their message can be reduced to being the fulfillment of prescriptive norms or standards which have been designed retrospectively by contemporary scholars. There is clearly no indication in the words of the different prophets that their message was being moulded to fit particular norms. Even a perusal of the prophets' message would immediately testify to this. The prophets are not systematic theologians, if theologians at all, and hence their message cannot be perceived to be or studied as a systematic theology. Moreover, the category of "Eighth Century prophets" glosses over the many factors which effect the distinctiveness of the individual prophet. Certainly, the concern in this thesis is the similarity in message, but nevertheless the differences between the prophets point to the spontaneous and contextual nature of their message. While the prophets employ well known conventions, they can no more be classified as being adherents of a set standard and their message be understood from this point, than a poet who employs
the rhyming couplet, be called a protégé of Alexander Pope.

Further, it is immediately apparent that not all the words which are ascribed to the prophets are in fact legitimately theirs. This only serves to compound the problem, precisely because this system of refinement and redaction not only creates textual and redactional speculations but also leaves the message of the prophets in a manner which does not reflect coherency. This, however, may not necessarily be a setback, for in a way it underlines the premise that the prophets are not systematic theologians, but rather individuals who are called to preach a message, and who are not particularly interested in, or concerned about, theological reviews.

With this as a presupposition, it becomes evident that it is virtually impossible to place these prophets in prescribed categories. Categories such as "reformers", "revolutionaries", "traditionalists", "Yahwists", and "ethicists" have all been submitted as being appropriate. This wide range of possibilities in itself underlines the difficulty which exists. Clearly to posit the prophets as exclusively or even primarily one of these is to run the risk of overlooking significant textual evidence which might indicate an opposing notion. However, having said this, it is nevertheless necessary and important that an examination of the role of the prophets be undertaken. It is likely that this examination will serve at least two functions. First, it will demonstrate the multi-faceted nature of the prophets, and, second, it will endeavour to discount those arguments which reduce the prophets to being unilateral in their
prophetic orientation.

A. The Prophets as Social Reformers

The idea of the prophet as a social reformer is one which is linked directly with what is perceived to be the prophet's focus. However, this is a category which has evolved because of the notion that the prophet is primarily a voice which calls for social justice and in doing so is implicitly seeking the reform of society and its values. Involuntarily, the proponent of this view is encumbered with the presuppositions of contemporary or at least recent reformers. Several scholars, though with varying conditions, support the theory that the Eighth Century prophets are reformers.

Donald Williams subscribes to a position which advocates that the Eighth Century prophets do not inject any new element into their preaching, but rather that they are linked to the Ninth and Tenth Century prophets, precisely because the subject is the same, but the approach is different. Williams rejects the position which is commonly associated with the Wellhausen school, namely, that these Eighth Century prophets were "creators" of the faith of Israel. [1] Rather than this, Williams proposes that, "the eighth-century prophets are to be regarded more correctly as

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'reformers', attempting to bring Israel back to her theological heritage which was grounded in the Mosaic covenant. Amos is one of the first of these 'reformers'; however Amos is not a systematic theologian. ... Moreover, Amos speaks with the radical dictums of a reformer, not working out the logical conclusions of his theology". [2] Without indicating it specifically, what Williams is presupposing is the fact that Amos and the other Eighth Century prophets already have a theological and experiential foundation on which to establish their preaching. In effect, these prophets are not seen to have instituted anything new, but simply serve as prodding instruments of reform. The primary motivation then, of the prophets is the prostitution of traditions; the emphasis thus is on an element of life, that is, the individuals and their relationship to Yahweh and to each other. A position such as this, has as its underlying concern the importance of keeping alive the traditions of Israel. Williams remarks that, "while Amos does not quote the Decalogue, the interpreter of Amos immediately is cognizant of the fact that his strident denunciations find their source in Mosaic law". [4]  

This idea of reform also finds some expression in the words  

2 Donald Williams, art.cit., p. 393. See also, Ralph L. Smith, "The Theological Implications of the Prophecy of Amos" SWJT 9 (1966), pp. 49-56. Smith suggests that Amos is "a reformer, calling the people back to the faith of their fathers", p. 51.  

3 This is not to be understood as a "traditionalist approach" but rather a reform which may repair the damage to tradition. The "traditionalist approach" will be discussed later.  

4 Donald Williams, art.cit., p. 394.
of Arvid Kapelrud. Kapelrud does not develop the concept of reformer in the manner in which Williams does; however, his remarks concerning the function of Amos, allude to this. Kapelrud notes that Amos was not introducing new ideas into society and supports this view by pointing to certain examples. He observes that "the very important expressions 'good' tob and 'evil' ṭāḥ, are not explained at all; nor is 'justice'. Amos presupposes that these terms and what they imply are known to his audience. He could not have done so if he had intended to bring something new. ...What the prophet wanted, was to see the people live together in the way they had done...according to ancient principles. ..." [5] Kapelrud does not appear to demonstrate the same concerns as Williams, but nevertheless, the concerns notwithstanding, the prophets are still perceived to be proponents of reform, presupposing that there is something to which Israel must return.

Perhaps the scholar who has looked with the most discerning eye at the question of the prophets as social reformers, is John Lucal. [6] Lucal sees the words of the prophets against social injustices as indicative of their primary prophetic orientation, namely, preachers of reform. While Williams suggests that the prophets allude to the Decalogue, Lucal proposes that it is the


6 See, John A. Lucal, "God of Justice: the prophets as social reformers" TBT 32 (1967), pp. 2221-2228. See also, Joseph G. Bailey, "Amos: Preacher of Social Reform" TBT 19 (1961), pp. 306-313. Although Bailey does not discuss or even mention the principles of social reform, he nevertheless views Amos as a "social reformer".
social legislation of the Pentateuch which is foremost in the
Prophets' minds. In Lusal's view, the laws regarding the various
elements of life are perceived to be virtually salvatory in
nature. In essence, what has been destroyed is the regard for,
and demand of the laws; it is the re-establishment of these
legislative norms as an integral part of Israel's life which
occupy the prophets' attention. Lusal approaches his thesis by
intimating that on one hand, the legislation of the Pentateuch,
with its prohibition of alienation of land, the charge of
interest on loans, its prescription for the indigent to have the
remains of a harvest, a year for rest and remission of debts, and
the freeing of slaves after six years is incorporated into
Israel's society as measures which would sustain the balance
among the different categories of individuals. [7] According to
Lusal, "this program aimed at reducing inequalities of wealth and
relieving social distress, as well as preserving a bit of
democratic egalitarianism which Israel had known in the nomadic
period." [8] On the other hand, with the establishment and
presence of the monarchy, many of these legislations are
forgotten and monetary flow in the society creates a taste for
luxury, and this, coupled with the increasing separation of the
powerful from the powerless, lead to the inevitable gap between
the rich and poor, resulting in inequalities. It is, as Lusal
insists, "against the immoral cupidity of the upper class the
prophets protested with force and eloquence". [9] In effect,
Lusal sees the movement away from the Pentateuchal legislation

7 Ibid., p. 2222.

8 Ibid., p. 2222.
and the rise of the monarchy and subsequent class distinctions to be the elements which concern the prophets most of all. Precisely because the prophets already have a set of norms within which to formulate their preaching, they are regarded as reformers.

Moreover, Lucal reinforces his theory by indicating the far-reaching effects of the prophets' reformation. "That the prophets were social reformers is further attested to by the influence which their writings have had on Jewish thought ever since. It is a commonplace of American political history and sociology that the prophetic tradition has led the vast majority of American Jews to espouse programs of social legislation such as the New Deal." [10] Lucal's view may thus be perceived to be twofold: the re-establishment of the Pentateuchal legislation regarding social justice and the cross-historical influence of the reformation.

Lucal does in fact develop an elaborate thesis, but in a basic sense his primary argument is not in any great measure a shift from Donald Williams' position, hence, the conclusion reached is the same: the prophets are social reformers. Lucal does conclude his discussion by making a distinction between two kinds of reformers. He expresses this by noting that, "if social reformers are univocally equated with secularist and humanitarian liberals who have specific plans for social progress, then the prophets cannot be put into this category. ...At the other

9 Ibid., p. 2222.
10 Ibid., p. 2222.
extreme, if *social reformers* are only those who subordinate the social and political to the moral order and insist on the necessity for a supernatural regeneration of society before true justice can be achieved, then the prophets can be classified as social reformers, provided that no specific plan of progress be required." [11] In this regard, Lucal includes Popes in the latter category, as social reformers. [12]

Some observations are necessary at this point. The concept of reform, by its nature must encompass at least two presuppositions. First, reform may be the removal of abuses, but it could be that the object of reform has some background which has been departed from, in whatever measure. Thus, in the first instance a reform necessitates a return to this basis. Second, reform involves not only a return to what is the ideal, but also a program which invariably departs to some degree from the historical ideal. Thus a social reformer might be regarded as an individual with a program of reform who wishes to continue an existing institution in a corrected form. The Twentieth Century Church attests to this, for not only did the Reformers, such as Luther and Calvin, preach against the Church in their day, but while they sought the elements which once characterized it, they also implemented new ideals, which in essence set them apart from the established church of their day. As an example, the Lutheran Church of today has a liturgical service which shares many elements in common with the Roman Catholic Church, and the

11 Ibid., p. 2227.
12 Ibid., p. 2227.
Reformed Churches, yet which is quite distinct in many of its theological and ecclesiastical presuppositions. The point is that reformation by its nature involves elements both of the old and of the new.

Even when these contemporary presuppositions are applied there is no indication that the Eighth Century prophets are social reformers. James Luther Mays sums it up when he says, that, "there are in their sayings no solutions, no programs, no detailed approaches which can be directly appropriated and applied to our problems. In fact, of course, they themselves advocated no program of new laws or administrative correction. ...They were not social reformers..." [13] This view outlines clearly the shortcomings of the theory that the prophets are social reformers. In fact, some scholars go even further in their rejection of this concept of reform. Koch argues that, "the literary prophets looked upon their contemporary society as so rotten that it was in vain to reform it even by revolution. Kingdom, land ownership, sanctuaries must disappear. A foreign enemy will come and Israel's army, government, economy and cult would fall like a house of cards. Thereafter will God create a new society with other conditions." [14] The extremity of Koch's view can certainly be challenged, for it is arguable whether the

13 James Luther Mays, "Justice: Perspectives from the Prophetic Tradition" Interp 37 (1983), pp. 16-17. See also, H. Eberhard von Waldow, "Social Responsibility and Social Structure in Early Israel" OBO 32 (1970), pp. 182-204. Von Waldow notes, "the prophets do not proclaim a kind of new social reform program. Rather, they recognise the deteriorated social and economic situation of their present, and match it against the will of God..." p. 203.
prophets were preaching a total dissolution of all of Israel's institutions. However, that is immaterial to the discussion here, for what is clear is Koch's assertion that Israel was beyond reform and that that was not the function of the prophets in any event.

B. The Prophets as Revolutionaries

While the concept of "reform" would tend to link the tradition with a new program, the concept of revolution, by its nature, rejects existing institutions and replaces them with new ones or at least calls for their replacement. One scholar who has taken the view that the Eighth Century prophets are revolutionaries is Martin Cohen. \[15\] Cohen uses as his starting point in understanding the prophets, a "sociopolitical typology" which presupposes that the prophets are not loners in their approach to their task. In sustaining this theory, he postulates that the prophets are supported, if not maintained, by structures, implying some sort of following. Accordingly, he asserts that, "without the megaphone of structure, even the most cogent voices are regularly muffled. When such loners can be heard, they are regarded by the establishment as mere nuisances and shunted off unheeded into expedient oblivion. Rarely do

loners have an opportunity to deliver themselves of their ideas

\[14\] Klaus Koch, "Origin and Effect of Social Critique of the Pre-exilic Prophets" \textit{BTF} \textbf{11} (1979), p. 94.

at official public gatherings such as those in which Amos, Isaiah, Jeremiah and, also, almost certainly Hosea and Micah participated." [16] Implicit in Cohen's thesis is the fact that the prophets are capable and successful only insofar as they are supported by structures of some sort. This probably explains the reason why prophets such as Amos, Isaiah and Micah were not martyred, precisely because of their corporate and structural power.

With this as a basic presupposition, Cohen espouses the theory that the prophets are revolutionaries. According to him, that they are not religious leaders can be deduced from their role in both Temple and government. While the Temple represents the cultic aspect of life, and government the political aspect, they are not distinctive. "Among the Biblical Hebrews, Temple and government were merely different dimensions of a single organism of state, with the Temple serving as the major ceremonial center of the polity. Within the Temple, the cult was the quintessential sociopolitical symbol, the flag, so to speak, of the ideals and the hopes of the united society." [17] In effect then, a critique of one was essentially a critique of the other. The words of Amos (7:10-13) thus reflect what may be perceived as treason, but Cohen classifies them as words of a revolutionary. He encapsulates his argument thus:

...they were in fact revolutionaries. As such, they were interested not in the correction but in the overthrow of what they regarded to be a

16 Ibid., p. 16.
17 Ibid., p. 16.
corrupt government. If they were revolutionaries, their indictment of the cult was not objective but symbolic; that is, what they said of the cult, they meant for the national government. Since their plan for the national government was its dissolution, their symbolic articulation of this goal could have called for nothing less than the dissolution of the cult. [18]

Some observations are necessary at this point. Cohen's arguments are based entirely on the premise that the prophets are intent on the abolition of some of Israel's institutions. With this as a fundamental premise, it is then possible to see the direction of Cohen's development. Because revolutionaries traditionally have replaced existing institutions with new ones and in so doing invariably become a part of the new establishment, Cohen remarks that this is also the case with the prophets. For precisely that institution (namely the cult) which is criticised by the Eighth Century prophets becomes closely aligned with the post-exilic prophets. [19] To reduce both the pre-exilic and post-exilic prophets to being revolutionaries and members of the the establishment respectively misses the primary vocation of the prophetic office.

It is essential, in basing an argument on a particular premise, to ascertain and ensure the validity of the premise. Herein lies the fundamental weakness in Cohen's argument, for it is far from certain that abolition of the cult is the purpose of the prophets' preaching. Moreover, even if this were true, other elements in Cohen's presentation are based on speculations. His

18 Ibid., p. 16.
19 Ibid., p. 17.
major socio-political analysis of the prophets' need for structure underestimates the prophetic role, and even if one argues that the structure of the Eighth Century prophets consists primarily of those for whom they advocate, still his argument would not be enhanced. For even though this would be the most likely structural force, it is clearly improbable that the voice and force of the oppressed in and of itself would be much support. In effect, according to Cohen, the prophets are powerless in their own right, and if it were not for the structure which Amos had to support him, Amaziah would have had him executed (Amos 7:10ff). This view is clearly untenable, and Cohen's overall orientation is much too influenced and shaped by a methodology which is distinctively contemporary. Mays' conclusion, again, spotlights the major flaw in this argument. "They [the prophets] were not...political activists or revolutionaries. ... Their concentration on the demand for change in the lives of people and their trust in the work of God in overturning the old impossibilities to make way for the new was too unrelieved" [20] In essence, Cohen misses the ongoing nature of prophecy.

20 Mays, "Justice...", p. 17. See also, B. Alger, "The theology and social ethic of Amos" Scripture 17 (1965), pp. 109-116. Alger observes that, "The prophets were not... revolutionaries trying to overthrow the established order...", p.111, and Edmond Jacob, "The Biblical Prophets: Revolutionaries or Conservatives" Interp 19 (1965), pp. 45-57. Jacob notes that, "there are considerable differences between the revolutionary orators and the biblical prophets. The prophets do not call the crowds...to rise up against a tyrant or against an unjust social order", p. 49.
C. The Prophets as Traditionalists

The issue of the Prophets being traditionalists is one which is voiced and supported by several scholars. The primary concern in this view is to demonstrate that the prophets are in fact so intricately tied to the traditions of Israel that their message can only have credibility when seen as a call to renew the ancient traditions which have been forgotten. Thus, whatever the prophets say is seen in the light of the traditions. Hence, Albrektson suggests that, "the deepest motives underlying the political statements of the prophets were not political but religious, rooted in holy traditions which formed the religious foundation of the Israelite state." [21] In effect, according to Albrektson, whatever is said by these prophets can only be understood within the context of Israel's traditions. The Exodus tradition is referred to very often as a point of reference in showing the prophets' dependence. For example, in the case of Amos, he is seen to be dependent on the Exodus tradition through his reference to the saving power and providence of Yahweh (2:9-11), his reminder to Israel regarding Yahweh's elective grace (3:1b-2), and the impartiality to the nation, which Yahweh shows (9:7). References such as these are also found in Hosea, where the grace of Yahweh is noted (9:10; 11:1; 13:5), and a reference to the beginning of the relationship between Yahweh and Israel (12:10 [9]; 13:4). While Isaiah does not rely much on

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the Exodus tradition, Henton Davies asserts that Isaiah, "maintained a firmer contact with the traditional modes of thought and feeling than did either of his predecessors." [22]

What is certain from these indicators is the notion that the prophets are somehow held within certain traditional limitations or boundaries. Moreover, the use of and reference to tradition is perceived to be a dependence on tradition. The message of the prophets is then seen to be shaped, in varying degrees, by their dependence on tradition. The main concern in this school of thought is to trace the message of the prophets to its roots in the traditions of Israel. Thus Henton Davies notes that, "the presence in the J and E documents of ideas later to be found in these prophets, confirms the probability of their dependence upon the tradition." [23] However, the dependence which is perceived does not end with the realization that there are traces of traditional elements, but proceeds to assert that the message of the Eighth Century prophets is in fact shaped by a particular framework, namely Israel's tradition. Von Rad assumes, "that the eighth century prophets must already have fallen heir to a certain tradition, a heritage which furnished them with the subjects on which prophets spoke." [24] In effect, what von Rad is assuming is that the common elements in the message of Amos


23 Ibid., p. 44.

and Isaiah indicate that, to a great extent, the prophetic way of Isaiah was already paved for him by Amos. Likewise, the way for Amos is outlined by his predecessors, though of course of these there is no written record. In any event the Exodus tradition which is seen to have influenced Amos is a sufficient example of dependence on tradition.

This view of the role and function of the Eighth Century prophets exposes itself to strong criticisms. The problem with the positions expressed by von Rad and Henton Davies is that it subjects the prophets' words to a prescribed pattern. There are numerous examples in history (e.g. in literature and music) which indicate that certain original forms have become axiomatic. It would be an oversimplification to suggest that everyone who uses an established literary or musical form will be classified as being in debt to the initiator of that particular form. There is no doubt that the Eighth Century prophets preach on subjects which are not unfamiliar to the people; however, to say that they are "furnished with subjects" subordinates both their "call" and message to a prescribed form. A study of the Eighth Century prophets in the light of other Old Testament literature clearly disputes this. It is noteworthy that both Amos and Isaiah are particularly knowledgeable about the cult and monarchy respectively. In fact, Kapelrud believes that Amos was a part of the cult. [25] This assertion must be viewed within the context of the prophet's call. It appears to be highly improbable for Amos to be a part of the cult and then make a diametrical move which is very critical of Israel's cultic affairs. There is no
indication that the call of Amos to be a prophet of Yahweh is associated with a cleansing ritual as is the case with Isaiah (Isaiah 6:5-6). The prophetic call is probably dramatic enough.

The point is that the "call" of the prophet must be taken seriously and not be understood as a mere sanctioning of the status quo. The differences in the "call" experiences of the prophets indicate their distinctiveness and suggest that "cleansing" or not, may not be the decisive point in determining the prophets' involvement in, or abstention from the traditions. James Williams rightly contends that, "a position within or without any of the voluntary or involuntary associations of society, is no certain clue to one's self-understanding or ideology, or vice-versa." [26] One expects that as a prophet of Israel, there would be traditional elements in his preaching, but that is precisely because of his background and not an expression of his dependence.

This becomes apparent, for example, in Amos' critique of society; he is not particularly interested in being a preacher who is calling for the preservation of Ancient Israel's laws. There is no doubt that the laws outlined in Exodus 22-23 are often echoed in the words of Amos, but he is clearly not preaching as a defender of the law. The words of Amos against


social injustices are reflected in his concern for those who are the object of these injustices. The fact is, Amos never launches into a discussion of these laws; that is never his intention. That he is knowledgeable about the traditions is without question, but at best it can be said that he only makes sketchy reference to them or perhaps alludes to them. Amos' words point to his concern, indicating the awareness that the laws could become façades and serve as fortifications against acting in a way which is right. This is particularly evident in his critique of the cult, where the people are acting and worshipping in a manner which adhere to prescriptive practices, but this too is hollow and meaningless. The reality is that there is much that is new in the Eighth Century prophets' message. It is to be expected that elements of Israel's history would be reflected in the message, but it would be erroneous to suggest that the prophets are merely preaching the renewal of the practice of divine law. But it is not only the legal tradition which is in question here. Some scholars have argued that the wisdom tradition is the background and framework for much of the Eighth Century prophets' preaching. [27] This is clearly misleading. Koch, who opposes this view contends that, "the attitude of the sages of Israel towards the poor is ambiguous. The poor demands charity, but otherwise he is the cause of his own poverty and therefore deserves his destiny." [28] Koch's point spells out clearly the difficulty in insisting on a wisdom tradition as a

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28 Klaus Koch, "Origin and effect...", p. 97.
background for the prophetic message against social injustice.

One cannot overlook the use of traditional material, for in a real sense it serves to bring the prophet into touch with his audience. This is absolutely essential, not only for the recognition of the common heritage, but more importantly to jolt the people into the realization of their ways. Hence, many of the images which are used are well known, but the message is not a repetition of traditional axioms. [29] Porteous subscribes to this view and gives a probable reason why the prophets are regarded as traditionalists. He notes emphatically that the prophets, "were very much more than traditionalists. In fact to use that word of them at all is to run the risk of grave

29 See, Bernhard Lang, Monotheism and the Prophetic Minority SWBAS (Sheffield: The Almond Press), 1983. Lang points specifically to one element in the prophets' preaching to underline this point. He notes, "In imagining the Day of Yahweh the prophets create a counter-balance to the old retrospective traditions, such as the elections of the patriarchs and the Exodus from Egypt." p. 78. Also, the recalling of Israel's experience in Egypt is of course important for the remembering of the covenant relationship with Yahweh and Yahweh's deliverance. However, recalling this event is also significant as a point of irony; for those who were once slaves in Egypt have become enslavers and oppressors. The difference here is that the enslaved and oppressed are their own people. See also, von Rad, Theol. II, who observes correctly that "the prophets most decidedly took as their starting points the old traditions of Jahwism ... Thus as far as the old Jahwistic tradition was concerned the prophets and their hearers were on common ground: but they differed in their interpretations of these traditions, which the prophets believed were far from ensuring Israel's salvation." p. 179. Moreover, von Rad notes: "The old traditions said that Jahweh led Israel into her land, founded Zion, and established the throne of David, and this was sufficient. No prophet could any longer believe this; for between him and those founding acts hung a fiery curtain of dire judgments upon Israel, judgments which, in the prophets' opinion, had already begun; and this message of judgment had no basis in old Jahwistic tradition." p. 185.
misunderstanding. It has become necessary to emphasise the element of tradition in their teaching just because of the tendency to ignore or minimise it. The balance must now be restored by an equally emphatic insistence that they were men who had a tremendous personal experience of God." [30] Whether Porteous' reason for the shift to the "traditionalist category" for the prophets is entirely acceptable, is not the point of importance here. What is of value is his observation regarding the limitation of the title "traditionalist". While this category may have elements of necessity for a total understanding of the prophets, nevertheless it is no more acceptable by itself than the categories of the "prophet as revolutionary" or "prophet as social-reformer".

D. The Prophets as Yahwists

The primary motivation for the notion that the Eighth Century prophets are Yahwists exists in the belief that Israel was accommodating apostasy and syncretism of worship in its society. One of the prophets for whom this understanding is apt is Hosea. In Hosea, it is clear that both syncretistic religion and the rejection of Yahweh are prominent, but he is not the only prophet to be seen in this manner. Several scholars see the Eighth Century prophets as a group focusing their message on the revival of Yahwistic religion. A brief examination of some of

30 N.W. Porteous, "The Basis of the Ethical Teaching of the Prophets" p. 151.
these views will establish the fundamental premises. Lindblom notes:

In the light of the fundamental idea of the special relationship between Yahweh and His people, the new discovery of the pre-exilic prophets ... was that Israel had fallen away from Yahweh, her God, had been rejected as a nation and would be punished. This is the presupposition for a right understanding of the prophets. To begin with anything else (monotheistic doctrine, moral admonitions, or even 'messianic' promise) is to miss the way to a real understanding of pre-exilic prophecy." [31]

What Lindblom bases his argument on is the premise that Yahweh and his role in the life of Israel had been misused and abused by Israel by the time the Eighth Century arrived. The covenant relationship is broken and the aim of the prophets is to restore the elements necessary for a renewal of the relationship. Thus, the prophets' critique of the cult, oracles against foreign nations, criticism of social injustice must be seen as various expressions of the elements which have been instrumental in the demise of Yahwism. Lindblom's primary interest is in tracing the prophets' words and ultimately having them converge at a point which shows clearly Israel's apostasy against Yahweh.

The notion of the prophets as Yahwists is also pursued by Porteous. [32] Porteous places much emphasis on the prophets as advocates and proponents of Yahwism, in the light of the influence of Canaanite religion in Israel. He argues that the way of life of Israel is being conformed to elements which are

31 Lindblom, op.cit., p. 312.

foreign to Israel, elements which have resulted from compromises with Canaanite religious practices. Accordingly, Porteous notes that, "in the eighth century B.C. the situation had become more critical and, in the life and death struggle with Baalism, in which the prophets were Israel's chief protagonists these men came to an even deeper and more creative understanding of what the God-ordained Israelite way of life involved." [33] In essence then, the prophets are involved in a situation which concern the very survival of Israel, a survival which has its antagonist in the form of foreign religion. What is therefore of paramount importance is to cleanse the cultic life of Israel of its syncretism. The restoration of Yahwism is the primary reason for the preaching of the prophets; everything which is said and done by the prophets must either be regarded as secondary or deriving its importance from the prophets' Yahwistic insistence. [34]

This position is also espoused by an early position of James Luther Mays. Mays argues for the notion of the prophets as Yahwists on two considerations. First, in dismissing the idea

33 Ibid., p. 152.

34 For similar developments of the primacy of the prophets' message on Yahwism, see, N.H. Snaith, op.cit., pp. 59-60. As Snaith says, "God first, ethics second, was the order of their preaching", p. 60, and, E. Clinton Gardner, Biblical Faith and Social Ethics (New York: Harper and Brothers), 1960. Gardner notes, "Their ethical teaching, as important as it is, was almost incidental, for they were first of all religious prophets," p. 33. Cf. James L. Mays. "Words about the Words of Amos" Interp 13 (1959), pp. 259-272. Even though Mays' article is specifically oriented around Amos, nevertheless his remarks would be paradigmatic for the Eighth Century prophets - for those who argue for Yahwism. Mays notes, "the ethic of Amos is through and through religious; orthodox-Yahwism is the basis of his critique". p. 269.
that Amos is involved in the initiation of a new religion, he maintains that in fact Amos is engaged "in the radical revival of the ancient election/covenant theology and the application of it to the contemporary situation which Israel's social development and political history have created." [35] Mays is certainly cognizant of the importance of the prophet's political and social environment but, in any event, sees Yahwism as the core of the message, which is to repair the brokenness in society. Second, Mays notes that, "careful examination of the relevant texts seems to show that Amos denounced Israel's worship because it was syncretistic and abetted the social wrongs which he found so odious." [36] Mays points clearly to the element of Israel's cult as the underlying factor for Israel's demise.

The positions of these scholars invite critical observations. Lindblom's view regarding Israel's apostasy is a valid one, but this theory that the message of the pre-exilic prophets is one of judgements and doom, because of the apostasy, is inadequate. True, there are several expressions of rejection, [37] but these must be understood in the larger framework of the prophet's overall message. To reduce the entire message of the pre-exilic prophets to one of judgement and rejection is to negate other crucial elements in their preaching. Apostasy and punishment can no more be the fundamental presuppositions for an understanding of the prophets, than the theory of traditionalism.

35 James L. Mays, "Words...", p. 268.
36 Ibid., p. 270.
37 See, e.g., Hosea 9:1; Amos 8:2; Micah 3:12.
This position of Lindblom certainly raises a critical question. To suggest that apostasy and subsequent punishment is the starting point for the pre-exilic prophets immediately compels the question as to whether the breakdown in the demands for social justice is a result of apostasy or alternatively whether the absence of social justice lead inevitably to a fracture in the relationship with Yahweh. Lindblom's theory would appear to overlook the latter possibility as a viable option.

Porteous' thesis appears to reduce the entirety of the Eighth Century prophets' message to the struggle between Yahwism and Baalism. While it is clear that apostasy is a factor which features prominently in Israel's problems, it can hardly be ascertained that it is Baalism which leads to this apostasy, let alone prove that the entire structure of Israel's relationship is ridden with Baalism. As a factor, Baalism has to be seen alongside the severe internal problems Israel was experiencing at the time, problems which affected adversely the relationship among the citizens and inevitably the larger relationship with Yahweh.

Moreover, the view of Mays also misses the central point of Amos, for the latter clearly is not undertaking the task of preaching repentance; rather he is involved in religious and social polemics. Mays' theory would relegate this to a secondary position and focus on Amos' apparent concern for the revival of election theology. The brokenness of the covenant relationship is one of the consequences, clearly the primary one, of the prevalent social injustices. It is not the prior brokenness of
the covenant relationship which leads to the social injustices, but the reverse. Further, there is really no indication that syncretism is the point of contention in the polemics against the cult in Amos; [38] this is a weak premise on which to build one's argument. Whether it is an entire rejection of the cult that Amos seeks or whether he criticises its shallowness, the point remains that Amos is denouncing the unfounded belief that sacrifices in and of themselves are sufficient for a proper relationship with Yahweh. It can be submitted that Yahwism as a basis is inadequate as a point of understanding the prophets.

E. The Prophets as Ethicists

This is perhaps the most obvious starting point in an attempt to understand the Eighth Century prophets, the reason being that they appear to be conceived of primarily in relation to the absence of social justice and its various expressions. From the discussion in the previous pages, it is evident that many scholars regard the prophets as something other than ethicists. This is seen in part to be associated with the fact that prophets in Israel are individuals who are called by Yahweh to be prophets. The true prophetic role thus presupposes an

alignment with, if not a source in Yahweh. On the other hand, to call the prophets "ethicists" does not necessarily signify their secular or religious association. In fact, it is often assumed that an ethicist need not have any association with God, precisely because the theory of ethics is not based in the religious realm. Thus the title of "ethicists" for the prophets is regarded as incomplete and does not allude to the essential function of the prophets. Hence Norman Snaith can say, "religion first, ethics second" [39] as a way of ordering the function of the prophets. The element of ethics in the prophets' message is perceived to be a reflection of the nature of Yahweh's covenantal expectations and not simply the preaching of sound humanitarian values. In this manner, rather than calling the prophets "ethicists", as a reflection of their message, what is generally done is to indicate the ethical nature of the prophets' message. Despite these pieces [40] this is not a category that has found much favour; in other words, the message of the prophets may be ethical in nature, but the prophets themselves are not ethicists.

The discussion of these categories has indicated the

39 See above, note 34.

40 For example there are articles and studies with titles such as the following: John Barton, "Ethics in Isaiah of Jerusalem" JTS (1981), pp. 1-18; E.W. Davies, Prophecy and Ethics: Isaiah and the ethical Traditions of Israel, JSOTS 16 (Sheffield: JSOT), 1981; N.W. Porteous, "The Basis of the Ethical Teaching of the Prophets"; E. Hammershalm, "On the ethics of the Old Testament Prophets", and F.B. Huey, "The Ethical Teaching of Amos, its content and relevance", SWJT 9 (1966), pp. 57-67.
limitations which each has in turn. It has become evident that the Eighth Century prophets do not conform blindly to any of the prescriptive norms which were available at the time. If then, the prophets are not reformers, revolutionaries, traditionalists, Yahwists or ethicists, then the question must be asked, "Who are they?" Many of the personalities in the Old Testament are often categorised, and, while there may be some debate, there are certain basic elements on which there is generally agreement. For example, the דים and their role is an unresolved question, but, as is pointed out in Chapter 2, there are basic criteria on which their functioning might be ascertained. Similarly, the category of "elders" or "kings" or "priests" all appear to have some consensus regarding their respective roles. However, the same cannot be said for the prophets. There is no doubt that there are sharp differences in approaches, messages and contexts between the pre-exilic and the post-exilic prophets. What this indicates is that a categorisation of these prophets serves no positive purpose, but, rather, it overlooks their distinctiveness.

It is commonly assumed that the Eighth Century prophets are tied together by their time and message. Even though there are essential elements (such as the corruption of רֶשׁ and לֹפֶד) which link them, nevertheless they are clearly individuals. Isaiah, for example, is from the city. He is interested in world politics; he spends much effort on his oracles against foreign nations; he sees world politics as being an integral part of Yahweh's larger scheme of things; there are distinct traits
which indicate his interest in the monarchy and in fact he looks for a new king who will be the epitome of ות and דל. Still in the Northern Kingdom, Hosea comes from a farming background, and in fact he would appear to be in opposition to anything which is monarchical. His particular interest is in the purifying of the sacred tradition of Israel; he is intent on cleansing the cult of its irregularities and restoring it to its patriarchal orientation. Unlike Isaiah, he has no great desire to concern himself with world affairs and world politics.

In the Northern Kingdom, Amos, the sheep-herder from Tekoa, shows clearly that he is more than a country rustic. He inveighs strongly against the social injustices expressed in society; he is critical of cultic institution, though syncretism is not his primary concern (as it is Hosea's) and does not devote any time to the alliances which Judah strikes up with foreign nations, a concern which is evident in Isaiah. Micah, like Amos, does most of his preaching in the Northern Kingdom (though he too, like Amos, is from the South), and shares many of his concerns. His invectives against the rulers, the affluent and the wealthy landowners show a striking similarity to the critique by Amos. Micah, however, unlike Isaiah, appears to be certain about the annihilation of Jerusalem and its subsequent disappearance from the pages of history. [41]

What this brief and general comparison demonstrates is the distinctiveness of each prophet, even though all are prophesying within the same framework. Thus to subject any or all of these

prophets to one specific category would be grossly inadequate. In other words, the prophets cannot be conceived of as anything other than prophets. The categories of "reformers", "revolutionaries", "traditionalists", "Yahwists" and "ethicists" all include elements which are germane to the prophetic office, but the prophets fit exclusively into none of these categories, yet encompass all of them. What perhaps might be helpful would be an understanding of the prophetic office. The distinctiveness of the prophets indicates clearly that factors such as "call", "experience", and contextual situations must be considered. The prophets of the Eighth Century, therefore, are individuals who respond to the prophetic call. Because of the nature of Israelite prophecy, it is to be expected that they are part of Israel's religious tradition, and that they are familiar with institutions of Israel. Tradition must therefore be viewed as a presupposition, but not necessarily a rigid framework. Moreover, that the prophets are prophets of Yahweh, presupposes that they will take as their point of departure for their message, Yahweh's will. In other words, it is unnecessary to attempt to justify or verify the prophets' Yahwistic inclination; this must be seen as a presupposition for the prophetic call. What is significant is the direction of the message, the elements focused on and the intrinsic tie these elements have to Yahweh's relationship with his people. Hence an attempt to explain why Isaiah hopes for a new Jerusalem and why Micah predicts its destruction might lead to elements unique to the prophetic office and in a sense not germane to our understanding of prophecy. Thus there may be elements of the prophet's message which colour him as a reformer,
or a revolutionary, or a traditionalist, or a Yahwist, or an ethicist, but in fact the prophets fit exclusively in none of these categories, but rather use elements of all. [42]

[42] See, Walther Zimmerli, "Das Gottesrecht bei den Propheten Amos, Hosea und Jesaja" in Werden und Wirken des Altes Testaments eds. Rainer Albertz, Hans-Peter Müller, Hans Walter Wolff and Walther Zimmerli (Göttingen: Vandenhoeck and Ruprecht) 1980, pp. 216-235. Speaking specifically about Amos, Zimmerli suggests that Amos does not look exclusively to one institution or to one code, rather he utilizes all the traditions which are at his disposal and adapts them to suit his message, pp. 218-220. See also, Kapelrud, "New Ideas...", who says that Amos, "was neither a founder of a new ethical religion, nor just a bearer of ancient traditions. He was something in-between. He was an intelligent man, devoted to the service of God, and well versed in the ancient traditions of his people and in its way of living. ...He combined old and new points of view and drew up lines, which came to be determining for the religion of Israel in saecula to ome," p. 206. Kapelrud's view here is a change from that expressed in Central Ideas.
CHAPTER VI

I. פּוֹאֶז , דִּבְרֵי, AND THE SOCIAL CRITIQUE OF THE EIGHTH CENTURY PROPHETS

The incidence of פּוֹאֶז and דִּבְרֵי in the Eighth Century prophets is in itself indicative of the importance of these terms to the prophets. As was pointed out earlier, the prophets, though prophesying within the framework of Israel, are nevertheless individuals and in many ways quite distinctive. Even though their starting points might be different, they do have one factor in common (with the apparent exception of Hosea) [1], and that is their piercing critique of social injustice. In their message the unacceptability of social injustice is seen alongside Yahweh's expectation of דִּבְרֵי and פּוֹאֶז. The starting point of the prophets' social proclamation is acutely tied to the need for דִּבְרֵי and פּוֹאֶז. [2] Isaiah, in being strongly critical of the injustices in Israel, notes on several occasions that either דִּבְרֵי and פּוֹאֶז are missing or that they are necessary. In 1:21, he deplores the state of Jerusalem by noting the way in which דִּבְרֵי and פּוֹאֶז are corrupted and erased from the society.

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1 Because there is no difference between cultic and social critique, Hosea's critique of the cult may be understood as a social critique, though superficially, it is not apparent. See later discussion.
In 1:27, where he indicates what is necessary for the restoration of Jerusalem, two elements feature prominently, בְּרֵאשִׁית and פְּרִי. The absence of בְּרֵאשִׁית and פְּרִי in society is directly related to the injustices which are prevalent. This is an obvious cause and effect relationship, effectively expressed in 1:21-23. It is because of the lack of בְּרֵאשִׁית and פְּרִי that everything has become adulterated in society, and those with the primary responsibility for the caring of the poor and disenfranchised are the ones who appear to be most corrupted. This connection between פְּרִי and בְּרֵאשִׁית and social justice is further underlined poignantly in Isaiah's "Parable of the Vineyard". The absence of פְּרִי and בְּרֵאשִׁית in Israel (5:7) is directly related to the decay of societal values and uninhibited greed (5:8).

This association is also developed in Amos. The connection between 5:7, where the corruption of פְּרִי and בְּרֵאשִׁית is strikingly described, and 5:10-12, where the various expressions of social injustice are inveighed against, is unmistakable. Those who have corrupted פְּרִי and בְּרֵאשִׁית are the ones who are actively involved in establishing social injustices. Moreover, in Amos, פְּרִי and בְּרֵאשִׁית are found in contexts in which the cult is criticised. In Amos 5:21-24, the façade of cultic activity as it is found in Amos' society is seen to be in sharp contrast to

It is clearly a distinct possibility that these words of Amos against the cult are tied to his critique of social injustices. As is evident throughout Amos, those involved in cultic matters are also the ones using this sanctity as a means of self-indulgence.

Even though בָּשֵׂס and בֶּבֶשׁ occur only once together in Hosea, it is a pivotal occurrence. In 2:21 Yahweh says that the relationship with Israel will be re-established in בָּשֵׂס and בֶּבֶשׁ. The importance of this use is reflected in the immediate juxtaposition with the reference to Baalism. However, בָּשֵׂס and בֶּבֶשׁ must also be regarded as affecting all other elements of Israel's life. Like Hosea, בָּשֵׂס and בֶּבֶשׁ occur together only once in Micah and in this particular instance (7:9) it does not refer to social critique. However, the different forms of

3 This unit will be discussed in greater detail in the section "Religiosity and the Cult" in section III, 2, of this chapter.

4 Against this view, see, Philip Hyatt, "The translation and meaning of Amos 5:23-24" ZAW 67-68 (1955-56), pp. 17-24. Hyatt suggests that in Amos 5:23-24, the use of בָּשֵׂס and בֶּבֶשׁ does not have any reference to ethics or social justice. He attempts to justify this assertion by alluding to the many different uses of בָּשֵׂס and בֶּבֶשׁ in Deutero-Isaiah, which are in reference to "salvation", "deliverance", originating in Yahweh, pp. 19-20. Hyatt's methodological principle is, at this point, suspect. It is certainly unwise to determine the meaning of a concept in one context by pointing to the way it is used in another, overlooking the political, social, and religious circumstances at the time. See also, Klaus Koch, The Prophets I. Regarding the use of בָּשֵׂס and בֶּבֶשׁ in this context, and in fact generally in Amos, Koch remarks, "it is already noticeable that the phrase is used in the context of the cult and not in connection with social criticism." p. 58. Koch's statement overlooks the connection between 5:4-6 and 5:10-15, where בָּשֵׂס and בֶּבֶשׁ are clearly related to the social critique of the prophets. To say that בָּשֵׂס and בֶּבֶשׁ are only used in the critique of the cult, is neglecting a fundamental insight of Amos.
injustices which are denounced by Micah are almost identical to those of his counterpart Amos. Oppression by the affluent (2:1ff), the irresponsibility and corruption of the leaders (3:1ff) and the cult (6:6-8) all appear in Amos in similar forms and associated with פֹּני and פֹּּסֵי. פֹּני in fact occurs in every context in which Micah calls for justice in society. Micah 3:1 indicates the need for the leaders to know פֹּני; 3:9 continues this theme, while 3:11 points to the corruption of פֹּני in the avenues of power. The occurrence of פֹּני in 6:8 may be regarded as a part of the prototype of Yahweh's expectations. What is clear from these examples is the fact that פֹּני is that element which is expected from the people as a response to Yahweh's relationship and of course that which is necessary to keep others in a right relationship.

These occurrences indicate clearly that the emphasis on פֹּני and פֹּני is there precisely because of its association with the subject of social justice. The prophets are obviously aware of the number of times that these terms are being used and clearly intend them to be viewed in the light of their message. Even though not every use appears to correspond specifically to every context, and in Micah's case פֹּני does not appear with פֹּני in contexts denouncing social injustices, nevertheless, there is little doubt about the connection. [5]

5 See above Chapter I, note 128, where it is pointed out that even though פֹּני is only found twice in the Eighth Century prophets with reference to Yahweh's covenant, still it would be an error to conclude that these prophets are uninterested in the concept of פֹּני. The parallel here with the presence of פֹּני and פֹּני in every context, is self-evident.
II. THE INTERTWINING OF SOCIO-ECONOMIC AND CULTIC EXPECTATIONS

The relationship between the social and religious polemics of the Eighth Century prophets has often been seen as two distinct areas. The most recent work to adopt this stance is by Werner Schmidt. [6] He makes something of an absolute distinction between cultic and social criticism. Commenting on these themes in Amos, he notes:

When we describe Amos as a prophet of social justice, we put our finger on the principal but not the only theme of his arraignment. There is also ... a criticism of the cult. ... Like the later prophets, he makes the special idiom of the priests his own for polemical purposes and attacks the sacrifices and feasts (4:4f; 5:21ff; 8:10; cf. 2:8). Like his criticism of society, his criticism of the cult cannot be left in isolation; it is integrated into his message regarding the future (5:5, 27; 8:10) and thus into his prophetic understanding of God. For this reason, we may ask whether the motto Justice and Ethics instead of Cult is not in the final analysis, inadequate, even though it does capture part of his message. [7]

The motto "Justice and Ethics" would be inadequate only in so far as the criticism of the cult is seen as being entirely divorced from the realm of social justice and ethics. Schmidt's distinction [8] at this point surely misses the close integration


7 Ibid., p. 199.

8 Also Koch, The Prophets I, points to one important distinction: "Criticism of religious practices and criticism of social conditions are not on the same level. Whereas Amos uses the genre of prophecy for the latter, religious criticism is expressed more seldom and then through texts that are priestly in character." p. 51. This, however, is a distinction which has to do with genre and form and not with thematic association.
of different elements of the prophets' message. On a superficial level, it would appear that the cult has little to do with social justice, but the words of Amos certainly link them together, not necessarily in a "cause and effect" relationship but nevertheless in a manner in which one affects, and is affected by, the other.

The separation of social justice from the cult is also alluded to by Hyatt, in specific reference to Amos 5:23-24. Even though he does not create as sharp a distinction as Schmidt does, nevertheless implicit in his view, is the notion that Amos 5:23-24 is entirely in reference to the cult and Yahweh's relationship. He contends that, "the prophet is saying to the Israelites that they must cease their preoccupation with feasts, festal gatherings, offerings, etc., in order that Yahweh may cause to flow down upon them His deliverance and salvation. Their elaborate ceremonialism is a barrier to God's salvation. When his mishpat and segag come upon them, there will be 'social justice'". [9] Hyatt's argument posits a theory of cult and social justice which is indicative of a general misunderstanding of the theology of Amos and specifically of 5:23-24. There is no indication that Amos' critique of the cult is tied to Yahweh's deliverance and salvation. In fact, it is abundantly clear that the ideas of "deliverance and salvation" are not preoccupations of Amos. There is no doubt that "deliverance and salvation" coming from Yahweh to Israel is preached in other contexts, such as Deutero-Isaiah, but it is certainly not in Amos. The ceremonialism is not a barrier to their reception of Yahweh's

deliverance, but it is a barrier to the presence of פַּרְזָי and the flow of נֶגֶב to members of the community.

Rather than the position of Schmidt and Hyatt, it must be reckoned that the denunciation of the cult cannot be separated from the overall denunciation of the attitude of the whole people. The cult and its orientation become for the prophets a microcosmic expression of the larger problem of brokenness and anthropocentric idealism. There is no material difference in the decay of the society, both the social and cultic aspects. [10] "The cult must be viewed within the wider cadre of everyday life of the people exactly because the cult was moulded by 'popular theology'." [11] In essence, the prophets seek to emphasise that the cult has become so much of a human oriented institution and is being used to satisfy misguided and selfish feelings, that its theocentric nature ceases to function. What is absent from the cult is precisely that which is absent from the society as a whole, namely פַּרְזָי and נֶגֶב. Everything which transpires in Israel is intricately connected with the people and thus even the cult, that which is meant to bring the individual into communion with Yahweh, becomes no more than a personal achievement. It is no surprise therefore that Amos, in many of his invectives,


11 C.J. Labuschagne, "Amos' conception of God and the popular theology of his time" in Studies on the Books of Hosea and Amos, 7th and 8th meetings of OTWSA, 1964-65, p. 130. Labuschagne's definition of popular theology is that it "considered Yahweh to be there for the sake of the people, serving them unconditionally. Naturally his conception of God was an opiate to the people, causing them to relax, to feel secure; no one could touch them - not even God", p. 128. See also, Kapelrud, Central Ideas, p. 76.
points to the anthropocentric nature of the cultic practices. Hence his language is self-explanatory: your tithes, your sacrifices (4:4), your feasts, your solemn assemblies, your burnt offerings, your fatted beasts, your songs, your harps (5:21-23 cf. 8:10). This turning of cultic events into moments of self-gratification [12] indicates clearly the implicit need which these worshippers see as important. The cult becomes a means of sanctioning their activities in social life.

This connection between the social and cultic aspects of Israel's life may be illustrated with two specific examples. The gift of the land to the people by Yahweh, was implemented through "salvation history"; [13] it is this gift of the land which is associated with cultic places. Bethel and Gilgal, places where cultic festivals occur, have become sites for the expression of injustices. The land, at least parts of it, has become locations of cultic events, and the land is also that element which is essential for the poor; it is their only means of surviving. Koch notes, "the inherited land is central to the remarks about the situation of the dâlîm; it is the condition that makes a free life possible." [14] Moreover, Koch raises the question as to whether the land issue is connected with fixed ideas about the significance of cultic places. He observes that, "the fruitful


earth had its 'centre' in the temple at Bethel. ... What took place there spread out like ripples over the whole area. It is therefore hardly by chance that the social criticism often culminates in the accusation that holy places and seasons are being violated in the course of these outrages". [15] The imagery of the "fruitful earth" having its centre in the Temple is apposite in the light of the steady disappearance of land from those who need it most of all, the poor. Now, the "fruitful earth" is no longer providing for the poor, the "people of the land", but is taken over by the powerful. The Temple, as the centre of the "fruitful earth", has become the haven for those who continue to view it in its traditional relationship to the land, precisely because the worshippers are the ones who own the land. The land, as a gift from Yahweh and as an element which is the right of every Israelite, now becomes the exclusive property of the rich, and the cultic activities are directly shaped by this new ownership and come to be understood in the light of this development.

Another example, which in some ways focuses sharply on the relationship between cult and social justice, is in Amos 2:8. This is a particularly important verse in that it combines three elements, all essential for a complete understanding of the prophet's social critique. First, there is the question of pledges and their use by creditors; in this regard, it is clear that Amos looks to the law codes as his guide. In Exodus 22:25

15 Koch, The Prophets I, p. 50. Even though Koch concludes that קורא and שָׁפָר only refer to the cult, (see above n. 4) nevertheless he sees the connection between the cult and social justice.
[26]ff, it is clearly stated that a garment which is taken in pledge must be returned 'before the sun goes down' for the individual needs it to cover himself when he sleeps. [16] There are certain items which are prohibited from being taken in pledges, for these are regarded as essential for sustaining the people and are not allowed to be used as collaterals. This must have been on the mind of Amos as he reproaches those who impugn this element of covenant responsibility. Even though Amos does not point specifically to the disregard for the law code, it must be concluded, with Mays that "the use of the pledged garments for couches at the shrine, seems to presuppose its violation". [17]

Second, there is the sharp irony in the fact that it is the דירש, the דילג, and the דילג who are the ones that need the beds on which to lie and the garments to wear. While they are being deprived of these, the rich and powerful people use the items as superfluous trimmings for their feasting. Third, and most importantly, there is the combination of social and economic injustice on the one hand and cultic indulgence on the other. The irony in the prophet's words is apposite: "They lay themselves down beside every altar upon garments taken in pledge; in the house of their God they drink the wine of those who have been mulcted." Amos not only denounces this blatant expression of injustice, but also the false notion of communion with Yahweh. This striking portrayal of the excesses of social and economic

16 See also, Deuteronomy 24:6.

17 Mays, Amos, p. 47. For a different view, see M. Dahood, "To pawn one's garment" Bibliq 42 (1961), pp. 359-366. Dahood suggests that, "Amos is here condemning the practice of sacril prostitution", p. 365.
injustices "shows that these worshippers felt no incongruity between what they did in the legal economic realm and the God worshipped with feasting and sacrifice." [18] This is surely an expression of ignorance, for outside of their inappropriate behaviour in a Temple, they also believe that their cultic association will keep them in good stead with Yahweh. Amos' interest in underlining the connection between socio-economic affairs and cultic practices is clearly spelled out here. What Amos evokes here is not unique to him but rather epitomises the message of the Eighth Century prophets. Whatever happens in the everyday routine of life cannot be separated from the cultic events. [19]

The discussion on the relationship between פְּרָע and עֵמֶנָה in the Eighth Century prophets and the use of these concepts within the framework of the prophets' social critique now set the stage for a discussion of the various contexts in which פְּרָע and עֵמֶנָה are seen to be absent, neglected or corrupted. Moreover, the brief examination of the role of the Eighth Century prophets endeavours to show the unique approach of these prophets, to the task of prophesying. The elements which together make up their message clearly set them apart from any prior existing institutions or traditions. The verification of this is seen amply in their attitude to the societal values and expectations.

18 Mays, Amos, p. 47.
III. ELEMENTS OF SOCIAL CRITIQUE

The critique by the Eighth Century prophets covers several aspects of the social, economic and cultic life of Israel, all of which are intricately tied together. One of the crucial elements which must be noted right at the outset is the fact that the basis of the brokenness within society can be traced to a brokenness in the people's relationship with Yahweh.

A. The Rejection of Yahweh - Isaiah 5:1-7

Isaiah's "Song of the Vineyard" has long been recognised as one of his most moving and well-known denunciations of Israel. For the discussion to follow, it will be helpful to examine 5:1-7 and use it as a paradigm of the Israelites' movement away from Yahweh and consequently from each other. It is important that this unit be seen as a parable and not as an allegory, that is, that the many items pointed to in the story be not viewed as corresponding to historical events in Israel. [20] Essentially, this parable contains three characters, a friend, and two other characters who are the central features of the parable. [21] The importance of rendering יִּשְׂעָרָה as "friend" is seen in the fact that the song is being sung by a third party on his friend's

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20 Against, Otto Kaiser, Isaiah 1-12, OTL (London: SCM Press), 1983. Kaiser sees the "Song of the Vineyard" as being said in retrospect, thus denoting what has been done to Israel rather than what is to be done. He sees it as a "theology of salvation history", p. 93. The inadequacy of Kaiser's view is that it moves subtly into the framework of an allegory. See also, Gale E. Yee, "The Form-Critical Study of Is. 5:1-7 as a Song and Juridical Parable" QJ 43 (1981), pp. 30-40. Yee sees this "Song of the Vineyard" as both "a song and a juridical parable", p. 40.
behalf, hence it is a song about love, rather than a love-song in the traditional sense.

This "Song of Love" consists of three important and inseparable elements. First, there is a graphic description of the care which is given to the vineyard. In verse 2a, "digging", "clearing", "planting", "building a tower" all indicate the systematic care with which the vinedresser has tended the vineyard. In fact, only choice vines are planted, once more suggesting that only the best is reserved for the vineyard. Yahweh, the vinedresser, has given all that is necessary for a proper response from the vineyard Israel, and now it is the latter's turn to respond in a manner which is commensurate with the care applied. Second, the expected response by Yahweh and the actual response by Israel is encapsulated in one sentence. "He looked for it to yield grapes, but it yielded sour grapes."

21 The word which is translated "beloved" in the RSV and "loved one" by G.B. Gray in The Book of Isaiah 1-39, ICC (Edinburgh: T and T Clark), 1912, p. 82, is יִתְנַהֲלָה; it is preferably translated "friend". This fits the context better, since it is a "friend" and not a "beloved" on whose behalf the speaker tells the story. See, Clements, Isaiah 1-39, p. 58 and Kaiser, Isaiah 1-12, p. 93, also Heschel, The Prophets, p. 84.

22 The RSV uses the term "wild grapes". So also, Kaiser, Isaiah 1-12, p. 89. Gray, ICC also incorrectly, renders it as "wildlings", p. 82. On the other hand, Clements, Isaiah 1-39, p. 58, says that "bad grapes" is a more suitable rendering. Heschel opts for "sour grapes", The Prophets, p. 84. It is perhaps Driver who makes the most pointed distinction. See, G.R. Driver, "Difficult Words in the Hebrew Prophets" in Studies in Old Testament Prophecy ed. H.H. Rowley (Edinburgh: T and T Clark), 1950, pp. 52-72. According to Driver it is "not 'wild grapes' since a cultivated plant cannot produce wild fruit,...but 'bad, diseased grapes', i.e. spoiled by anthracnose which makes the cluster disgusting to the eye and inedible...", p. 53.
vinedresser's expectations that the best grapes would be yielded. What is in the question here is not the wrong species, as "wild grapes" would suggest, but a very poor quality of grapes. Israel as the vineyard has not responded in a manner which reflects the care and special providence which are given to her. Rather, in a way, the yielding of sour grapes suggests that Israel has done that which is contrary to the qualities inherent in her. This rejection by Israel is clearly spelled out in 5:7b where the nature of Yahweh's expectations is specified. In the care which Yahweh gives to Israel he expects in return פד and וּדָע. These two elements set the pattern for the prophet's entire social critique, for it is the absence of פד and וּדָע which has affected all of Israel's society. In substituting פד [23] and וּדָע [24], Israel has overturned everything which is invested in her. The righteous God has been replaced by those who are murderers (cf. 1:21) with the likely outcome. Rather than פד which binds Israel in relationship with Yahweh, now there is יִרָע, outrage; the reflection of פד is missing, the fruit of פד has been turned into a cry from the oppressed. Once again it is the element which binds Israel and Yahweh in relationship which is missing and which subsequently leads to "cry" by the oppressed. [25]

23 In his translation of פד, Kaiser renders it "injustice". While this encompasses the entire gamut of brokenness, it misses the verbal similarity with 1:21. There is no reason to assume that פד is not meant to be "bloodshed", something specific in the mind of the prophet. See, Kaiser Isaiah 1-12, p. 90.

Third, there are the consequences which follow naturally from such a rejection of Yahweh and the nurtured relationship which he provides. Even so, Yahweh does not immediately abandon Israel; he calls on the people to decide for themselves who is at fault. The rhetorical question in verse 4a underlines the completeness of Yahweh's case and at the same time presupposes that the answer from the people is in Yahweh's favour. Verses 5-6 describe graphically the extent of the punishment inflicted on Israel and have an implicit reference to the military siege which will come upon Israel. The elements of protection (hedge, wall) will disappear, and the care which is spelled out in verse 2a will be reversed (verse 6a). The one element which is fundamental for the vineyard's survival, namely rain (verse 6b), will be stopped. Even though there is no indication that Israel will be decimated entirely, still the punishment described shows some degree of extremity.

While the three points discussed here are all integral for a full understanding of the "Song of the Vineyard", for the purposes of this thesis, it is not so much the punishment by Yahweh which is of interest, as it is the caring act by Yahweh and the contrary reaction by Israel. In this regard, it is verse 7b which is of paramount importance, for here, there is outlined clearly what Yahweh expects ( שְׁלֹשׁ , יָמִים ) and that with which Israel responds ( יָשׁוּב , חַיְיוֹתָיו ). This expectation and response is the basis for the prophetic critique of Israel's society. [26]

B. Religiosity and the Cult

The cult has traditionally been the core of Israel's existence and as such is central to an understanding of Israel's life, both religious and social. In the Eighth Century prophets the cult can be perceived to be the centre of the prophets' criticism of injustices, precisely because it is the hub of whatever transpires in daily existence. Unlike the traditional view of the cult, where cultic practices and rituals are clearly outlined and shown to be important, in the Eighth Century prophets it is precisely these practices which are inveighed against. The primary reason for the prophets' criticism of the cult may perhaps be expressed in Rooy's observation, "grave social crimes cannot be remedied by grand cultic ceremonies".

[27] It is this separation of cultic ceremonies from social responsibilities which incite the prophets to hurl invectives against the cult and its practices. It is as Hyatt correctly concludes, "much of the prophetic criticism of the worship of their time can be summed up in the statement that they objected to its failure to proclaim the moral demands of a sovereign God who wished to be worshipped by the whole of Israel's life and not

26 See, William Creighton Graham, "Notes on the Interpretation of Isaiah 5:1-14" AJSL 45 (1928/9), pp. 167-178. Commenting on 5:7 where Isaiah laments the absence of ἀδοκίμα and ἀδικία, Graham notes that "it is doubtless the allusion to the ἀδοκίμα[sic] and ἀδικία which characterize the social order of the day, which leads the prophet in verse 8,9, into the economic aspect of his theme." p. 171. Even though Graham is implying a distinction between the social and economic aspects of the prophet's critique, he nevertheless observes the clear connection between 5:7 and what is to follow. Kaiser, Isaiah 1-12 notes also that 5:7 is closely tied to the seven prophetic woes, p. 58.

27 Rooy, art.cit., p. 272.
simply by that which took place within the formal cult." [28]

It is important to note that even though each of the Eighth Century prophets is critical in some way of Israel's cultic practices, it is not to be assumed that they merely repeat each other or that their perspectives and pronouncements are identical. As was noted earlier, there is no doubt that there are common elements which are fundamental to their critique, but this is not a reason or basis for the dismissal of their distinctiveness. It is with this understanding that each of the Eighth Century prophets will be discussed in turn, focusing on the critique of the cult.

1. Isaiah 1:10-17

This unit in Isaiah serves as a paradigm of his critique of cultic practices during his time. The prophet singles out the rulers (יְשַׁעַר) for ridicule, though people in general are spoken to. However the "people" who concern the prophet at this stage are the rulers, and they are those of Sodom and Gomorrah, here, referring to Jerusalem. [29] To align Jerusalem with Sodom and Gomorrah is to give a clear indication of the sinful nature of Jerusalem. The rulers and ruling classes in Jerusalem are perceived to be in a similar situation to their counterparts in Sodom and Gomorrah, namely that there are few that are righteous.


In this instance, the lack of righteousness is reflected in their cultic practices. It is the elaborate and sophisticated worship practices of these leaders which are being criticised. The prophet's words in verses 11-15 outline clearly the many aspects of the cultic practices which are being adhered to rigorously by these leaders, and these are precisely the elements which come under criticism. It is a misguided belief which suggests that "formal observance of ritual and cultic duty would suffice to maintain the people in a state of blessedness". [30] The prophet makes it clear that sacrifices, offerings, incense, assemblies are all useless to Yahweh and will make no impact on him. The formality of "right times" in terms of the moon are of no significance, and even the special feasts and prayers are despicable. The irony here is that these leaders are doing exactly what is prescribed for proper cultic practices, yet they are overlooking the fundamental issue which is crucial for a proper relationship with Yahweh. Isaiah makes it clear that this kind of ritualising is not only inefficacious, but downright distasteful to Yahweh. Every element which is a part of the cultic practice has been rejected by Yahweh. It is the juxtaposition of hands which pray and make offerings and which are at the same time "full of blood" that is crucial here. [31] The underlying message here is that Yahweh will not accept any element of worship which is done by "hands full of blood".

It is in verses 16-17 that the prophet provides the solution both for "hands full of blood" and for expectations of Yahweh.

30 Clements, Isaiah 1-39, p. 32.
These rulers are to wash themselves clean, and this is to be understood precisely in relation to "hands full of blood". The imagery of "washing" has most naturally to do with the act of cleansing, and this in itself involves a sense of newness, removing that which is unnatural (e.g. dirt). In this instance, in order to be in a proper and natural relationship with Yahweh and with each other, it is a time of cleansing that is necessary and this means a dramatic turning around. In other words, on the one hand, cease what is being done, and on the other, do justice, correct oppression, care for the orphan, plead for the widow, (verse 17). The crucial element here is the "blood", for in this is expressed the sin committed by the rulers and inherent in the idea of "washing" is the return and re-establishment of שָׂם. The worthlessness of the cultic practices appears to be tied to the fact that the participants have blood on their hands. [32]

The words of Isaiah in verses 16b-17 on what is expected, pose the question as to the relationship between these words and the cult. James Williams suggests that, "however we may

31 The reference to "hands full of blood" may have two possible explanations. Both of these involve worship and those who participate there. First, it may refer to the rulers as the ones held responsible for the suffering and oppression of many. The latter may be the group against whom crimes and injustices have been committed. It is interesting to note that the blood imagery is also alluded to in Isaiah 1:21 and referred to in 5:7. Second, and in some ways the most obvious reference is to the blood of animals which have been killed for sacrificial purposes; it is in this possibility that the irony lies. These fatted animals are being fed, only to be slaughtered, all to no avail, meanwhile the poor are being starved.

interpret this oracle, we must agree that Isaiah does not even hint in his closing exhortation to combine moral uprightness and cultic faithfulness. Here as elsewhere, he simply presents in hortatory form, the wisdom known not only in Israelite culture, but among all peoples: 'wash! clean up!'." [33] Williams' view does not include the co-existing of cult and ḫmēr, but sees the idea of washing as being done in ḫmēr. This presupposes a distinction between ḫmēr and the cult and suggests that together they are conflicting forces. Whether Williams' view is entirely tenable will be discussed later, but what is clear is the idea that "washing" occurs in the seeking of ḫmēr. [34] There is no doubt about Isaiah's disputation regarding the legitimacy and efficacy of Israel's cultic practices, but in 1:17 where the prophet outlines that which is essential, there is no indication that it is being said in opposition to the cultic practices. That is to say, for example, 1:17 does not begin with an adversative ḫmēr. [35] In essence, there is no clear polarization between cultic practices and the need to do ḫmēr. Clearly the underlying theme is the importance of doing ḫmēr, but the question as to whether it must be done instead of cultic practices is not made entirely clear by Isaiah. What is made clear in Isaiah 1:10-17 is that the prevailing cultic practices by the rulers are useless, implying no salvific validity. From this criticism the prophet indicates what is needed, namely ḫmēr.

33 James Williams, "The Social Location...", p. 162.

34 Ibid., p. 162.

35 Contrast, Amos 5:24.
2. Hosea 6:6

The expression of Yahweh's demand in Hosea 6:6 serves as a paradigm for the ingredients of a proper relationship with Yahweh. It is clear that Hosea's critique of the cult involves the matter of syncretism primarily, but these words in 6:6 reflect the demand of Yahweh, regardless of whether the cult is being corrupted through Baalism or social injustice within Israel. Two elements in Hosea 6:6 which are also involved in the criticism of the other Eighth Century prophets, are "offerings" and "sacrifice" and whether or not they are being offered according to the prescribed way of the Israelite tradition or according to Canaanite religious practice does not make a material difference here. While וְעָבְדוּ and פֵּרָה do not occur in Hosea, within the context of his critique of the cultic practices, nevertheless 6:6 includes the ingredients which parallel the critique of the other Eighth Century prophets. Both "sacrifice" and "offerings" are set in opposition to הָעֵד and הָעֵד. הָעֵד and הָעֵד as used here, are clearly meant to be in contradiction to the sacrifices and offerings which are presented to Yahweh as elements to sustain the covenant relationship. [36] At least in this way Hosea's words can be understood to be parallel to those of his contemporaries. What is certain is that the cult in Hosea's estimation, is being used in a manner which departs from its traditional efficacious use.

It is as Ward notes, that "Hosea’s climactic line [6:6], which contrasts the efficacy of hesed with that of burnt offerings, implies that the cult has been distorted into a mechanism for exploiting God’s power. As such, it fails not only to achieve its objective, but actually jeopardizes the faith and moral integrity of the participants." [37] Thus, what is evident is that ṭōw and ṣāw involve the element of morality while sustaining the integrity of the presenter, and this is precisely what is missing.

3. Amos 4:4-5; 5:4-5, 5:21-24

The sharp critique by Amos against the cultic practices in Israel has traditionally been seen as paradigmatic of the critique of the Eighth Century prophets in general. However, there are elements in Amos which are unique to Amos and hence must be examined separately. The sarcasm in 4:4-5 demonstrates the disgust which Amos has for cultic practices. Amos takes a traditional call to worship and reverses its use and intent in order to provide for Israel a clear indication of the extent of their sinning. While coming to a centre of worship originally meant an occasion for adhering to Yahweh’s expectations, here, "tithing", "sacrifices", "offerings" have all become elements of self-satisfaction. This prophetic intrusion by Amos is certainly meant to overturn all expectations, and the declaratory formula in verse 5, "...for so you love to do, 0 people of Israel" is also a sharp contrast to the usual declaration that the ritual is for

Yahweh. In effect, what Amos is saying is that, "the sacrificial cult has nothing to do with Yahweh. It is not the Lord, but the self of Israel which is the ground of their worship." [38] The increased frequency of the rituals only serves to increase their transgressions on the one hand and satisfy their personal quest on the other.

Amos 5:4-5 must be understood within the context of this fulfillment of the religious needs of the self in separation from Yahweh. The worship centers of Bethel and Gilgal are denounced, and Amos indicates that in order to "live", Israel must seek Yahweh, a command which implies clearly that the many cultic activities of 4:4-5 have failed to match up to Yahweh's expectations. It would appear that it is impossible to "live" through the cult, but it is unclear as to whether the cult is irrelevant for "life". Yahweh's admonition of "seek me and live" in 5:4 suggests the need for a change, once again placing this in opposition to the cultic centers. The alternatives are clear, namely, "Seek (יָשָׁר) Yahweh" or "Seek (שָׁרוֹל) Bethel", the former will give life while the latter will "come to nought". It may be as Mays notes, that "to seek Yahweh" involves "holding on to Yahweh" as a way of life. [39] The juxtaposition of 4:4-5 and 5:4-5 points clearly to the fact that Israel is merely proceeding through the motions in a manner which is divorced from the

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38 Mays, Amos, p. 75. See also, Norman K. Gottwald, A Light to the Nations (New York: Harper and Row), 1959. Gottwald suggests that what Amos attacks is "the irreligion of the religious, that coarse religious utilitarianism in which the greedy and frothy-minded simply see their own powers magnified and validated by the gods they worship", p. 289.

39 Mays, Amos, p. 87.
expectations of Yahweh's covenant. Brueggemann correctly observes that Israel is involved in "renewal without genuine encounter with the Lord of covenant. ...Israel is indicted for careful adherence to the motions of covenant-making without substance in them." [40]

While the words of 4:4-5 and 5:4-5 are indicative of Amos' sharp opposition to the cultic practices, it is perhaps in 5:21-24, where there is the most powerful condemnation of these practices. In this context, he makes clear the connection between the cultic ceremonies and the need for 'דָּבָק and יִתְשָׁר. This is the only instance in the Eighth Century prophets where combined polemical language such as "I hate, I despise..." is used as a form of denunciation. These words leave no doubt about Amos' rejection of the cultic practices. In this critique, Yahweh's pronouncement attacks all the elements of Israel's worship, for it is not only the feasts or assemblies or offerings or songs that smack of hypocrisy, but everything within the cult. [41]

This denunciation of the cultic practices here is unequivocal, however its connection with 'דָּבָק and יִתְשָׁר is quite different from that of Isaiah 1:10-17. In Amos 5:21-24, the transition between the critique of the cult and verse 24 is

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[40] W. Brueggemann, "Amos IV:4-13 and Israel's Covenant Worship" VT 15 (1965), p. 9. See also, B. Alger, "The Theology and Social Ethic of Amos", who notes that, "The requirements of God's justice were that within the covenantal framework there should be right behaviour and this involved more than externalism in religion. It demanded a right way of living together with one's neighbours," p. 113.
through the use of an adversative *waw*. To translate this *waw* as "and" would be to miss the impact and intent of Amos' words (the LXX uses *καί* in this instance). Amos intends to show a sharp contrast between that which is thought to be efficacious and that which is important and essential. Whether this adversative *waw* connotes "instead of" or "in addition to" will be discussed later. Wolff notes that this critique cannot be separated from the references in 5:7 and 6:12 where *כִּים* is turned into wormwood and poison. This *כִּים* "was meant to effect blessing and prosperity among the people, just as the streams and rivers of a land bring the gift of fertility and life". [42] The presence of *כָּלֹם* and *נֶפֶשׁ* in 5:24 serve as a clear reminder of the elements which are necessary for life, seen alongside the emptiness of the cultic rituals. "One could not worship God truly without an active commitment to the welfare of others". [43] It is precisely this failure which is being criticised in 5:21-24.

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41 In Amos 5:22, even the so-called "peace offerings" are rejected. This is particularly important precisely because the term used for "peace offerings" here is *כִּים* (which is also the term used in Leviticus 3 [כִּים]). The significance of this lies in its root meaning, the sense of wholeness. See, Helmer Ringgren, *Israelite Religion*, translated by David Green (London: SPCK), 1966. Ringgren points out that the nature of the *כִּים* offering is that it establishes communion with God, or rather, this is the intended purpose, pp. 170-171. The significance of this is that it denotes clearly the rejection of that sacrifice which is ultimately meant to bring the individual in communion with God, precisely because it is divorced from social justice.

42 Wolff, Joel and Amos, p. 264.
Micah 6:1-8 is a perfectly self-contained example of the mistakenness of Israel's priorities. The unit begins with 6:1-5, which can be regarded as a court scene, with two witnesses (the mountains and the hills), together with Yahweh and Israel. Micah summons the people to hear what Yahweh has to say and then breaks the news to them that Yahweh is involved in a lawsuit and Israel is the defendant. The speech by Yahweh is not a polemical and abrasive one but a lamenting, reflective one which outlines the positive elements that have brought Yahweh and Israel closer together in the past. Moreover, these are all occasions in which Yahweh was the deliverer and saviour, and Israel, the delivered, the recipient of saving action. With this reflective tone, this unit is not unlike Isaiah 1:2ff, which even though it too is a court scene, nevertheless is not harsh but has a tone of lamentation. Yahweh (in verses 3-5) clearly sets the scene for the response of the people in verses 6-7. Even though the recapitulation by Yahweh of his acts of deliverance does not focus particularly on cultic events, it is precisely the latter that are perceived by the people to be the main element in the court of law, while ḥayim involves the norm of right living," Diss., p. 96. Mariottini's view creates a severe limitation on the scope of ḥayim and ḥayim in this context and in so doing misses the overall direction of Amos' message.

43 James M. Ward, Amos and Isaiah (Nashville: Abingdon Press), 1969, p. 71. For a different understanding of Amos 5:24, see Mariottini, who suggests that, "The word ḥayim involves the juridical right of the individual in the court of law, while ḥayim involves the norm of right living," Diss., p. 96. Mariottini's view creates a severe limitation on the scope of ḥayim and ḥayim in this context and in so doing misses the overall direction of Amos' message.

In the people's response in verses 6-7, it is evident that they have misunderstood the words of Yahweh. From the words of Yahweh, it is clear that something has gone awry in the relationship with Israel and that it is the fault of the latter. Israel realises this, and both this realisation and the desire to restore the relationship lead the people to offer a catalogue of cultic possibilities, attesting to their belief that this is the necessary constituent for the relationship. The question which begins verse 6 illustrates clearly the disposition of the questioner. He assumes, in a tone which suggests some degree of dissatisfaction, that Yahweh is displeased because of the quantity and quality of his cultic practices. There is a sense of desperation by the worshipper, for he does not appear to know exactly what it is that Yahweh wants. The question loses its genuine quest for answers from Yahweh by having the questioner propose a list of possible answers, moving from the commonly used, to the most unlikely, that of the offering of a first born. What is immediately apparent in the answer of the questioner is the fact that he sees all the possibilities as being associated with some form of offering.

45 See, J. T. Willis, "Review of Th. Lescow, Micha 6, 6-8" VT 18 (1968), pp. 273-278. Regarding the link between vv 1-5 and vv 6-7, Willis believes, "that a good case can be made in favor of the idea that vv 6-7 represent a spontaneous response of Micah's hearers to his gerechtrade in vv 1-5 in the form of a "Torliturgie" with which they had become so familiar in the Jerusalem cult. This would explain the 'breathless' emotional character of these questions", p. 277.
This response is intricately associated with Yahweh's ἀγαθὸν against Israel. It might be said that in verses 3-5, it is Yahweh who is presenting his side of the ἀγαθὸν while the people respond in verses 6-7. The people are obviously attuned to a tradition which presupposes that brokenness in the relationship with Yahweh is repaired through the offering of sacrifices. Hence, the people ponder whether it is the quantity (thousands of rams; ten thousands of rivers of oil) or the quality (a first-born child) of the offering which is in question. [47]

There are two implications here. First, as was noted earlier, the words of Yahweh in verses 3-5 are perceived to refer to the inadequacy of the cultic practices. Second, there is, inherent in the people’s response the belief that the sacrificial system is a panacea for all the brokenness in their relationship with Yahweh. It appears only to be a question of quality and

46 See Hans Walter Wolff, Micah the Prophet trans. Ralph D. Gehrke, (Philadelphia: Fortress Press), 1981. Regarding the use of the singular "I" in verses 6,7 and ἡμιν in verse 8, Wolff says, "every individual must gain clarity about what is good for humanity." p. 105. This is an important observation, for the individual here represents more than himself; he is an expression of all people. The fact that it is an individual who is being addressed makes the words of Yahweh pointed and seeks to show the essence of the message as it applies to every person. Perhaps, to have spoken to "his people" or "my people" might have blunted some of the sharpness of the words. See also, James L. Mays, Micah OTL (London: SCM Press), 1976. On the use of ἡμιν in 6:8, Mays notes that this "reflects the generalizing and paradigmatic intention of the saying as a whole; its teaching is meant for any man in Israel", p. 141. This is also reflected in Barstad's notion that, "these words of Micah do not seem to stand in any particular context or to be addressed to any particular audience. They are rather to be regarded as a general theological statement of the prophet," op. cit., p. 114.

47 It may be true as Mays notes, that the worshipper wishes to humble himself before Yahweh, but it still remains that "self-humiliation" and submission to Yahweh are seen only in terms of cultic offerings, Micah, p. 139.
quantity. Israel however, is not allowed to continue in this misguided belief that it is through the sacrificial cult that a proper relationship with Yahweh can be maintained. [48] The requirement of Yahweh is pronounced in verse 8. This requirement is not only concretely outlined, but it appears to reject every iota of the worshipper's suggestions. The second half of verse 8 has the underlying implication that outside of אֵדֹו and תֹומ, nothing else is required. There is no indication however whether verse 8b is meant to be "instead of" or "a part of" the cultic practices of verses 6-7.

The discussion to this point has focused on the critique of the cult and the alternative expectation pronounced by the prophets. While the invectives and denunciations are sharp, there is no word of punishment. In this regard, Amos 8:3a is helpful. It may be translated as "The Songs of the temple shall become wailings in that day...." [49] Mays notes that, "the hymns of the temple were songs of exuberant joy and hope in Yahweh, but under the lash of Yahweh's wrath the sound of wailing, the howling chants of lamentation, would replace them." [50] This is the crucial point here, for that which was once held to be an element of joy and communion with Yahweh will become no more than a funerary lament. The judgement entails a total reversal of expectations. This is the matter which is the focus of the next section.

5. The Cult: Cleansing or Abolition?

It has become increasingly clear from this discussion that the prophets' social critique involves an extensive attack on the cult. All of the Eighth Century prophets have shown that, "the participants in the sacrificial rites follow the rules laid down for cultic celebrations, but they do not follow the rules laid down by Yahweh for moral and social behaviour. Able to bring offerings, they are at the same time unable to do justice towards the weaker ones among their fellow citizens." [51] The people see

This is from the RSV. See, also, Mays, Amos, who translates it, "they shall wail the hymns of the temple in that day...", p. 140. However, Wolff, Joel and Amos translates it, "then the songstresses of the palace will wail." p. 317. There are two important points to note here. Wolff emends the text at this point, so instead of נְָ֫֫יִּוֹ (nīyō), the text now reads נְָ֫֫יִּוֹ (nīyō). This, of course, is translated as "songstresses", and given this emendation, "palace" is a natural translation of הֹוכַל (hōḵal). Wolff assumes that נְָ֫֫יִּוֹ (nīyō) is a scribal error and that the original word was נְָ֫֫יִּוֹ (nīyō). One reason given for this conclusion is that נְָ֫֫יִּוֹ (nīyō) is unlikely to be the subject of "wail" (p. 317).

However, there is no other reference in Amos where נְָ֫֫יִּוֹ (nīyō) is used and there is certainly no other occurrence of נְָ֫֫יִּוֹ (nīyō) in Amos which may be used to support Wolff's argument. As such, there is no reason to depart from the use of נְָ֫֫יִּוֹ (nīyō) in the MT. Moreover, נְָ֫֫יִּוֹ (nīyō) can be translated either as "temple" or "palace". There are six occurrences of הֹוכַל (hōḵal) in the Eighth Century prophets and on three occasions (Isaiah 6:1; Amos 8:3; Micah 1:2) the contexts demand the translation of "temple" and the other three occurrences (Isaiah 13:22, 39:7; Hosea 8:14) call for "palace" as the likely translation. Using only this external evidence, there is no reason why נְָ֫֫יִּוֹ (nīyō) should particularly be translated as "palace" in 8:3. What is essential in determining the most likely meaning, is the context.

When 8:3 is understood in the light of Amos' overall condemnation of cultic practices, then it is clear that נְָ֫֫יִּוֹ (nīyō) must be upheld and rendered as "songs" as an expression of worship and הֹוכַל (hōḵal) as "temple" in order to correspond to the meaning of the text. "The songs of the temple shall become wailings in that day."

50 Mays, Amos, p. 141.
the cultic rituals as being sufficient for a continued relationship with Yahweh and for the securing of his goodwill.

The people who are being criticised for their cultic practices without מְצֹאָה and פֶּרֶס are the ones who are affluent and powerful, and it is their affluence and power which suggest to these people that they are enjoying Yahweh's favour. Their prosperity has allowed them to secure great offerings (Micah 6:6-7), but, as Waterman observes, "in their zeal to secure the means for costly offerings the people were not concerned about any principle of economic justice involved in getting them; as a result ruthlessness was condoned in everyday life while its direct antagonism to true religion was not even suspected." [52]

It is this discontinuity between the cultic practices and the social life of the people which is the primary concern of the prophets' critique. However, in this critique of the cult because of the absence of מְצֹאָה and פֶּרֶס it is not entirely clear whether the prophets are calling for an abolition of the cult or a re-ordering of its priorities.

Scholars who argue that the prophets are preaching an abolition of the cult generally look to Amos and Isaiah as their point d'appui. James Williams suggests that Amos' anticultic polemic is more than a denunciation of the cult in its present form, that is, only ritual faithfulness and no social justice. Rather, he contends that Amos 5:21-24 is directly dependent on 5:25. Amos' rhetorical question regarding the bringing of

51 Barstad, op.cit., p. 115.

52 Leroy Waterman, "The ethical clarity of the Prophets" JBL 64 (1945), p. 299.
sacrifices in the wilderness implies the answer "No". Williams uses this argument to arrive at the conclusion that Amos is saying, "sacrifices are completely invalid now, whether they are offered by morally blameless hand or not." [53] The use of Amos 5:25 as support for the thesis that sacrifices and offerings were not originally a part of Israel's response to Yahweh's covenant is also supported by Lindblom. He sees Amos 5:25 as indicative of the fact that, "the entire cult, as it was celebrated at the sanctuaries, was alien to the genuine Yahweh religion and detested by Yahweh." [54] In effect, the cult not only fails to affect Yahweh, which is what it is meant to do, but it stands in the way of a relationship with Yahweh. The rhetorical question in verse 25 suggests implicitly that Yahweh's care and provision for the Israelites while they were in the wilderness were not effected by the cultic practices of Israel. Hence, it is unnecessary now, particularly since it prevents the essential elements of the relationship. What is argued here is that Yahweh does not need sacrifices and offerings, and that these, have no covenantal validity. [55] With this presupposition, Amos 5:24 is seen not in conjunction, but in contradistinction to 5:21-23. In this regard the way which begins 5:24 is seen as meaning "instead", rather than "in addition".

53 James Williams, "Social Location...", p. 160.

54 Lindblom, op.cit., p. 353.

55 See, Irving M. Zeitlin, Ancient Judaism (Cambridge: Polity Press), 1984, p. 221. See also, John Skinner, Prophecy and Religion (Cambridge: Cambridge University Press), 1922. Skinner argues that, "Not only is sacrifice of no avail as a substitute for righteous conduct, but a perfect religious relationship is possible without sacrifice at all", p. 181.
Similarly, Isaiah's criticism of the cult is understood to be a complete rejection of it. Ward argues that the critique in Isaiah 1:10-17 "cannot be mitigated by appealing to Isa. 6... Chapter 6 does indeed prove the importance of the temple and formal acts of atonement in Isaiah's own experience and faith, but it does not constitute an endorsement of animal sacrifices." [56] Ward thus sees the presence of the temple in Isaiah 6 as being distinct from the critique of the cult. This is further supported by the fact that within the critique of the cult, there appears to be no question of the purification of the cult. Ward holds that, "ritual modes of access to God are wholly rejected ... and the active pursuit of justice is upheld as the sole legitimate means of appropriating God's blessing." [57] The question here is not whether sacrifices, pilgrimages, festivals and prayers are rejected in principle; to pursue this is to miss the point. It is not the principle which is in question, but that they are modes of access to God. [58] In other words, the intrinsic validity of these rituals is in question. Scholars who pursue this view, see the cult on the one hand, and Hosea and Amos on the other, as being antithetical. [59]

The lack of consensus on the question of the critique of the cult is reflected in the sharply divided positions held by scholars. The idea that the prophets preach for a retention of

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56 Ward, Hosea, p. 122.
57 Ward, Amos and Isaiah, p. 233.
58 Ibid., p. 235. See also, Zeitlin, op.cit., p. 226.
59 For a brief word on the abolition of the cult in Micah and Hosea, see Glueck, op.cit., p. 61.
the cult, once cleansed, is also held by many scholars. The basic point in this position suggests that the prophets are calling not so much for the abolition of the cult, as for יִשְׂרָאֵל and פַּרְעֹה to be reflected in cultic practices. One of the early proponents of this position was William Harper. [60] In his introductory section on Amos, Harper notes, "to have opposed sacrifice in itself would have meant opposition to the only method yet known to humanity of entering into communion with deity, in a word the abolition of all tangible worship. ...It was therefore, not sacrifice in general that Amos opposed." [61] The argument is that Amos is not interested in abolishing worship or sacrifices, for if he had been interested in doing so, he would have indicated this plainly. As Kapelrud suggests, what is clear is that the prophet is critical of the form of the cult of Yahweh: "It has become a rich temple cult, dominated by sacrifices and feasts which overshadowed other important features, first and foremost the ethical demands." [62] It is this element of "ethical demands" which is seen to be the point of interest, rather than the cult itself. What is necessary is a renewal of the relationship with Yahweh which will bring a corresponding response to other individuals within the framework of social justice and which in turn, will bring meaning to the sacrifices and worship. The hollowness of the cult and its separation from social justice is precisely what makes it


61 Harper, Amos and Hosea, p. cxix.
ineffective and unacceptable. However, as Rowley suggests, "there is no reason to suppose that they [the pre-exilic prophets] held that no other sacrifices could be offered by men whose hearts were right with God." [63] Inherent in being "right with God" is "being right" with one another.

This school of thought does not believe that the cult is in tension with social justice, but that they are intended to be interrelated. Thus when the cult becomes an act unrelated to the society and its needs, then a critique of the cult is legitimate. The fact that the cult, which is the central location for communion between God and the individual, can become "a carnival of human activity" [64] attests to the absence of Yahweh and the futility of the rituals. The automatic and self-contained nature of the cult is precisely the action which results in a breakdown

62 Kapelrud, Central Ideas, pp. 75-76. See, also, R.E. Clements, Prophecy and Covenant SBT (London: SCM Press), 1965, who notes, "We must understand the prophetic criticism of the cult, therefore, not as signifying that the prophets themselves desired a new kind of non-cultic religion on Israel's part. If we may conjecture what kind of reforms they would have sought to introduce, they would not have introduced the abolition of all cult, but its transformation to become a vehicle of a more ethical and responsible attitude toward Yahweh. ... The condemnation of the cult lay not in the fact of its existence but in the fact that it had abandoned the covenant tradition of Israel's past," p. 100. See also, Ivan Engnell, "Prophets and Prophecy in the Old Testament" in Critical Essays on the Old Testament translated by John T. Willis (London: SPCK), 1970, pp. 123-179, who suggests that, "these so-called anti-cultic sayings refer to special cases: they are directed either against certain definite forms of the cult... or against a cult whose advocates are incriminated in one way or another, especially in their inferior ethical and social practices," p. 139.


in relationship with God and the other person. It is under these circumstances that the cult is seen to be under criticism, for the value of the cult can be gauged only from its effect on the participant to pursue social justice. Thus it is claimed that a cleansing of the cult is what is necessary. [65]

Certain observations are necessary at this point. It is clear that the matter of social justice and the cult are closely intertwined; both schools of thought at least agree on this fundamental point. Those who argue that the prophets are seeking an abolition of the cult are in fact implying that these prophets are revolutionaries. An individual who seeks to bring to an end an institution which is basic to the religious needs of the people and which traditionally has served positively within the lives of the people, can only be seen as a revolutionary. There is no need to believe that the actual abolition of the cult would be of any use. To pursue this line of thought may in fact lead one to overlook the main interest of the prophets. The prophets are concerned about the relationship between the cult and social justice, and they see this relationship in a proper form as being an integral part of Israel's life. To have abolished the cult would, in a different manner, also ruin the relationship. "Cult

65 Reflecting on Hosea's critique of the cult in 6:4-6, Barstad, op.cit., notes that, "Hosea simply states that there are certain qualities which Yahweh wants from the Israelites other than the cultic ones. ...It is more appropriate to say that this prophet makes the value of the cult relative than to claim that he rejects it." p. 113. Also, Engnell, "Prophets and Prophetism", who notes that "the demand for righteousness is a demand involving cultic responsibilities. In fact it includes a demand for cult, for a right cult, of Yahweh, a genuine Yahwistic cult, unmixed with foreign elements and combined with ethical and social blamelessness," p. 138.
in itself was not sufficient, it had to be combined with ethics."
[66] The reverse is equally unacceptable, for ethics divorced from the cult transforms the former into human-oriented actions. In essence, both are necessary for Israel.

The argument for the retention of the cult together with עֵשָׁבָא and פַּרְשָׁה is a valid one. What needs to be understood in this position is that, "the value of true worship is beyond estimate, as the source of power and direction for all of life."
[67] The fundamental nature of "true worship" is that it is rooted in Yahweh, a connection which has consequent implications for the well-being of the society. In holding to this position, two observations may be made by way of comparison.

One aspect of Israel's life which comes under attack by Isaiah in particular is the monarchy. It is clear from Isaiah's words that the monarchy is involved both in internal and external matters which do not reflect Israel's relationship with Yahweh. The critique of the monarchy is relevant to the discussion here, in that, with all its faults, the prophets do not seek the abolition of the monarchy. Rather, they seek a just and loyal

66 Kapelrud, Central Ideas, p. 76. See also, Edmond Jacob, "The Biblical Prophets..." who suggests that, "whenever formalism...succeeded in installing itself in the cult, when it became a system at the disposal of man which he felt to be sufficient to put right with God, then it became dangerous. For once settled in the interior of a system, man closes his eyes to reality and no longer sees that the divine presence goes infinitely beyond the cultic framework," p. 53. Also Engnell, "Prophets and Prophetism", "The prophets do not demand righteousness instead of the cult, but righteousness and cult, right cult. ...", p. 138.

king. This can be understood at two levels. First, there is the prophetic oracle of 11:1-4 which is messianic in orientation and refers to the coming of the Messiah rather than to an earthly king of Israel. Second, there are the references in 9:6-7 [68]; 16:5; 32:1, 16-17 which point clearly to future kings [69] in Israel. It is also of great importance that each of these four occurrences includes the fact that the king will rule in פִּתֵּחַ and בָּשָׂם. The significance of the prophecy is that these kings will not merely rule, but rule with פִּתֵּחַ and בָּשָׂם. This makes for a particularly interesting comparison with the critique of the cult. Like the monarchy, the cult also comes under attack, but while scholars do not argue for the abolition of the monarchy, the cult does not enjoy a similar position. However, in many respects the critiques are similar; like the monarchy, the cult needs the essential elements which enable it to function properly.

The second observation regards the parallel with the prophets' critique of the "judicial system". This aspect of judicial functioning is an essential part of Israelite life; qualification to participate as a judge here is closely related to one's status in society. This inbuilt structure is a channel

68 The Christian Church has taken 9:6-7 as a prophetic oracle, referring to the coming of the Messiah. However, historically it was meant to refer to an earthly king. See, e.g., Clements, Isaiah 1-39, p. 104 and Kaiser, Isaiah 1-12, p. 204ff.

69 In 16:5, פִּתֵּחַ is not used, but clearly the implication is there through the use of מִשְׁלָה. In 32:1, פִּתֵּחַ is used together with בָּשָׂם, and these words are the source for the description in 32:16-17. There will be פִּתֵּחַ and בָּשָׂם once there is a פִּתֵּחַ who reigns with פִּתֵּחַ and בָּשָׂם.
for the many expressions of social injustice and, like the cult, comes under severe attack from the prophets (Isaiah 5:23; Amos 5:12). While the prophets are disgusted by the corruption in this aspect of the judicial system, it would be an oversimplification to suggest that they are seeking an abolition of the judicial system. Despite the inherent problems, this system is necessary, and, as in the case of the cult, the prophets' attack focus on the element of cleansing, not abolition.

The cult being the centre of Israel's life is by its nature theocentric, and this is exactly the point which is made by Amos in 5:21-24. The פֶּלַג is missing from the cult, and this immediately indicates that the element which brings Israel into relationship with Yahweh and sustains this relationship is absent. This has a twofold effect. First, with the absence of פֶּלַג, the cult becomes strictly anthropocentric, and the values which emanate from it are expressions of humanism rather than of the covenant with Yahweh. Second, it is impossible for פֶּלַג to be reflected in the lives of these people, precisely because פֶּלַג has its source in פֶּלַג. Hence, the critique of the cult is one which calls for the cleansing of the cult, and this can be accomplished only through the restoration of the relationship with Yahweh.
C. Affluence at the Poor's Expense


The prophets' critique of the luxury of some in Israel is closely tied to the punishment of these individuals by Yahweh. The crass over-indulgence and the extravagance are seen as wholly unacceptable in the light of the poor and oppressed, those from whom the affluent can afford their luxurious living. As Bernhard Lang notes, Amos, "does not only attack wealth, but also la dolce vita"; [70] it is this whole lifestyle which comes under attack. In examining the prophets' critique of affluence and luxury, it must be understood that the prophets are not members of a particular economic class at odds against another. It is certainly not the case that the prophets are placing the poor on a pedestal and proclaiming the advantages of being poor. Moreover, they are not ideologically against wealth, but they are opposed to certain ways of procuring riches and maintaining affluence. As Mays explains, "if [wealth] fostered conspicuous consumption at a level of luxury that was enjoyed in heedless unconcern for the needs of others, it was wrong. If it was gained by the violation of the rules of righteousness which set the value of personal relations above profit, it was iniquitous. If wealth became the dominant motivation of those responsible for social well-being, because they held power, that was sin." [71] It is the acquisition of wealth at the expense of the poor and the maligning of the poor which come under attack.


The scene for this discussion is set with the detailed outline of the fine jewelry and luxurious ornaments which are a part of the superfluous needs of the rich (verses 18-23). [72] In this context, it is the women who are being criticized, but the critique is clearly an extension from verse 13. The theme of verses 14-15 cannot be separated from the critique of verses 18-23. The punishment outlined in verse 24 clearly corresponds to the critique of Isaiah, for those who have perpetuated for themselves great luxury at the expense of the poor, will now be made to live in the manner of the poor. [73]

This denunciation by Isaiah is one which has a distinct similarity to Amos 4:1 ff, [74] but in the latter's case there is the sharp juxtaposition between the "cows of Bashan" on the one hand and "the poor" on the other. Because of this explicit contrast, an examination of this context would be appropriate for this discussion. Bashan in Transjordan is a region traditionally noted for its fine cattle and rich and fertile land. [75] Bashan stands out as a place of quality, and the products of Bashan are

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72 Most scholars agree that verses 18-23 is an interpolation. See, e.g., Clements Isaiah 1-39, p. 50; Kaiser, Isaiah 1-12, p. 79; Wildberger, Jesaja 1-12, p. 140. However, even though these verses may not be Isaianic in origin, they are nevertheless in the spirit of verses 16-17, 24.

73 Kaiser, Isaiah 1-12 says that, "it is not clear that the prophetic critic has anything but feminine variety and delight in jewelry in mind; this, along with an exaggerated self-consciousness, causes him offence", p. 79. Kaiser, in this view overlooks the larger connection between this luxury and the corresponding poor.

74 Kaiser, Isaiah 1-12 notes that the critique of Isaiah does not have the same social slant as Amos does, p. 79. However it must be stated that there is a reference to trampling of the poor in Isaiah's critique of the affluent. See later discussion of Isaiah 3:12-15.
generally superior. It is therefore no surprise that these women whose primary interest is in luxury and drink are described as "cows of Bashan", for they are out to secure the best for themselves. It is clear that these "cows of Bashan" are upper-class "women of the elite social stratum of the capital city". [76] This notwithstanding, Amos is clearly not interested in dwelling on the quality of the women, lest it be surmised that he is viewing them in a complimentary way. The use of "cows" [77] must be conceived of in reference to the animals of Bashan and it is this image which is superimposed on the women. So traditionally, while it is the cattle of Bashan which are seen as the most well-fed, and of good size, now it is the women of Samaria who fit this description. Bashan probably still has good land and fine cattle, but the excessiveness of the women's desires has overshadowed this traditional point of reference. These women have become like the fat well-bred cows and "like replete cattle, they wilfully trample down their pastures, the lower classes of the people, on whom their existence in fact depends." [78]

If the over-eating and over-drinking is particularly repugnant in these women, still worse is the fact that this kind

75 See, e.g. Deuteronomy 32:14; Psalm 22:12; Ezekiel 39:18; Micah 7:14.

76 Wolff, Joel and Amos, p. 205.

77 Mays suggests that "cow" is not a derogatory name for women in the Ancient Near East, for here the women are referred to as "cows" in a complimentary manner, "Justice...", p. 72. See also, Jean-Luc Vesco, who suggests, "'vaches de Basan' souligne leur prospérité ...", art. cit., p. 496.

78 Koch, The Prophets I, p. 46.
of revelry is made at the expense of the poor and defenseless who are exploited mercilessly. [79] The women of Samaria are able to continue in the luxury and excess in which they live only through this exploitation of the poor. The attitude of the women to their husbands is also quite revealing, for the women's demands are so constant that the husbands have no choice but to procure enough wealth to sustain their drinking.

As in Isaiah 3:24 the punishment in Amos 4:2f. is quite appropriate. Even though the terms המָזוֹן and חַנְיָה are not clear in their meaning, the generally accepted renderings of "hooks" and "fishhooks" respectively fit the context well. What is of essence here is the extremity of the punishment, which corresponds with the actions of the recipients.

Outside of the particularity of the "cows of Bashan" and the luxury of the women, there is also a general and larger expression of the affluence within society. In Amos 3:14-15, the juxtaposition of the cult and the affluence of some, is once again a clear commentary on the connection between these two aspects of life. Punishment is meted out both to the cult and to the affluent. The outlining of the different kinds of houses in verse 15 is indicative of the great wealth which is being enjoyed at the expense of the poor. This relationship between the oppression of the poor and the corresponding increase in affluence of the powerful is clearly spelled out in Amos 5:11. It is only because the דִּשְׁנֹת are trampled upon that the economic

extravagances of the powerful can be afforded. The building of "houses of hewn stone" (of. 3:15) and the planting of pleasant vineyards are directly related to an economic trampling of the poor. However the judgement of Yahweh will ensure that the luxuries of these affluent people will never be enjoyed. They will be deprived of the pleasures which are expected from their wealth. Even those who have begun to bask in their luxurious living will not enjoy it forever. The stark contrast between the "ruin of Joseph" and the affluent is particularly poignant in Amos 6:4-6, where there is the reference to "beds of ivory" and the eating of lambs and calves, the choicest and most tender meat, excessive drinking and the lavishness of finest oils. The extent of this kind of luxury and living is seen only in the light of the life of the poor. While the wealthy are living in excesses, the poor have their garments taken away in pledges (2:8). The poor lose the source of their livelihood (5:11) while the rich eat and drink in excessive amounts.

It is therefore no surprise that on every occasion where there is a description of the affluence of Israel, there is a corresponding indictment and judgement. The procuring of wealth, with a disregard for the condition of the poor, is seen as a direct affront to the relationship with Yahweh and to the inherent expectations.
D. Monetary Economy, Merchants and Rich Landowners

Isaiah 3:12-15, 5:8; Amos 2:6-7, 5:11, 8:4-6; Micah 2:1-2

The ever-widening gap between the rich and the poor, is for the Eighth Century prophets a major concern. In some ways, it is the most crucial aspect of their message, for it involves at its very core the question of economics. This in turn is connected with the cult and also with the legal assembly. The main economic factor which affects the poor is the lack of land. The importance of land and property cannot be overemphasised, for it is the landowning citizens who constitute the legal assembly of the towns. In order to be counted as a member of a particular community, a person has to be a propertied citizen of that community. [80] The difficulty of the poor person is self-evident, for in having no property or land, his membership in the community is nullified as is his opportunity to be a member of the assembly. Thus, the non-propertied individual is caught in a web which sets him on the periphery of society. This, however, is but one difficulty, for there are others which are fundamentally associated with the covenant with Yahweh.

1. Early Exploitation

The international, external indicators of success during the Eighth Century show that Israel was a successful nation and much of this was based on the exploitative orientation of Israelite society. What in effect was transpiring, judged by apparent

80 See, e.g., Genesis 23 and the situation of Abraham. Also, Lang, Monotheism, p. 126.
success, was a growing division within the society, separating those who were the small family landowners from the wealthy entrepreneurs. Moreover, as Kaiser points out, "as a result of Uzziah's foreign policy, the tributes of neighbouring countries and the latifundia economy practised by the king brought ready money into the country". [81] With this economy built on a readily available flow of money, the wealthy and the great landowners are the ones who are capable of procuring greater assets, primarily land from the poor at the latter's expense. The small landowners find that they cannot support themselves from the resources of their land and thus become increasingly dependent on the wealthier landowners who take advantage of their situation. It is a system which thrives on the flow of capital and in the long term creates a damaging rift in the society. The pursuit of power and affluence blind these entrepreneurs to the ills which are becoming widespread, directly as a consequence of their actions. The poor landowners become ready preys for quick investment, and the responsibility for the poor and powerless is neglected as are the expectations of the covenant relationship with Yahweh.

However, not only do these actions against the poor contradict the expectations of the covenant, but the securing of land from the poor, for financial gain is fundamentally contrary to Israel's existence. The prophets' opposition to this attitude of land-grabbing by the wealthy landowners clearly presupposes, "the ancient tribal concept of political and economic life, in

81 Kaiser, Isaiah 1-12, p. 65.
which distribution of property was more equitable. ..." [82]

During the period of the tribal system in Israel's history, property, including land and means of sustenance, was considered to be inalienable for everyone. The customs by which the people lived involved caring for each other. [83] These are the elements which are now absent from Israelite society. The right to ownership of land appear as myth, and the obligations which are a part of tribal customs are forgotten.

Some scholars view the rise of the monarchy as the primary catalyst for this sharp division in Israelite society. De Vaux, for example, argues that the advent of the monarchy and its firm establishment in the life of Israel has within it the elements which spark off a monetary economy involving the rich and poor. According to him, with the centralisation of the monarchy, "the play of economic life, business deals and the sale of land, destroyed the equality between families, some of whom became very rich, while others sank in poverty". [84] Archeological evidence has verified this division. Whereas, excavation of Tenth Century Israelite towns has shown that all the houses are of the same size and arranged in a similar manner, "the contrast is striking when we pass to the eighth century houses on the same site: the


rich houses are bigger and better built and in a different
quarter from that where the poor houses are huddled together".
[85] Such is the situation which prompt the prophets to hurl
invectives against the rich landowners.

In this discussion regarding the rich and the poor and the
widening division between the two, it must be noted that it is
84 Roland de Vaux, Ancient Israel: Its Life and Institutions
1961, p. 68, and Siegfried Herrmann, A History of Israel
in Old Testament Times, trans. John Bowden (London: SCM),
1981, p. 236. Also, Robert B. Coote, Amos Among the
argues that the plight of the poor in the Eighth Century
was due to two main factors. First, there was "the shift
from the predominance of patrimonial domain to prebendal
domain and [second], the role of the ruling elite in
encouraging and profiting from this shift." p. 26.

What, in essence Coote is noting, is the movement away
from the inalienable rights to land, towards its
commercialization. Coote proceeds to note that, "the way
the ruling elite of Israel exercised prebendal domain has
been called rent capitalism. The peasant occupiers of the
prebendal estates had not only to pay tribute for the use
of the land, but also rent for the various means, or
factors, of production like water, seed, work animals,
tools, human labor for assistance...", p. 29. See also,
Leslie C. Allen, "Amos, Prophet of Solidarity" Vox Ev 6
(1969), pp. 42-53; who notes that, "The bonds of the old
tribal amphictyony had been loosened with the result that
the traditional norm of social justice had collapsed. An
economic boom caused by territorial expansion and new
fields of commerce was enjoyed by certain sectors of the
people. There developed a two-tier society, comprising an
elite class of unscrupulous and irresponsible opportunists
and the lower classes, exploited by the barons of commerce
and agriculture," p. 46.

85 De Vaux, Ancient Israel, pp. 72-73. See also, Neufeld,
"The Emergence..." who notes that, "houses of wealthy
townsmen had carved wooden ornaments representing human
figures, there were winter houses and large summer houses
made of ashlar or ceder or panelled with ceder wood,
decorated with artistic panels made of ivory and painted
with vermillion. This growing love of luxury,
pretentiousness and ostentatiousness was in striking
contrast to the simple unsophisticated and natural life
traditional to the old pre-monarchical Israel and still
fully maintained in the villages." p. 44.
not only the economic question which is of great importance, but also the religious one. The gift of the land harks back to Israel's deliverance from Egypt. In a fundamental sense, the amassing of land is not only a blatant injustice against the other person, but it is an act which usurps the position of Yahweh as the ultimate landowner. It is Yahweh who promises Israel the land, and it is Yahweh who guides them to it. Hence, the land belongs to all of Israel as a gift from Yahweh and to use this gift as an instrument of oppression against others not only defeats the original intent, but defies Yahweh's own action. The land cannot be presumed to be under the ownership of any individual or be under the governing auspices of a particular group. "The land shall not be sold in perpetuity, for the land is mine; for you are strangers and sojourners with me" (Leviticus 25:23). To secure land from the poor is therefore not only an unethical breach of the responsibilities of the rich, but is a blatant usurpation of that which is Yahweh's. Because the land belongs to Yahweh, it can neither be bought nor sold. "The prohibition of the sale of land was meant to keep in being the sound economic and social structure of the people." [86] In addition, however, the land is a symbol of Yahweh's promise to and presence with Israel; it is an element involved in the covenant relationship. The land, as it is intended to be, serves

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86 Kaiser, Isaiah 1-12, p. 66. See also, Herrmann, op.cit., who notes, "that in Israel the land really belongs to Yahweh: every free Israelite who had land of his own administered it as the gift of Yahweh to himself and his family." p. 236 and A. Alt, "Der Anteil des Königtums an der sozialen Entwicklung in den Reichen Israel und Juda", in Grundfragen der Geschichte des Volkes Israel (München), 1979, pp. 367ff.
as a unifying factor between Yahweh and Israel and then one section of the people and another. Thus the force of an exploitative ideology which has enveloped Israelite society, in addition to creating an unnatural rift within society, is simultaneously rejecting the covenantal demands of Yahweh and the ideals of Israel's existence. It is clear that the exploitation, practised by the rich landowners is alien to Israel's economic and social life.

2. Loans, Debtors and Usury.

The use of loans by rich landowners have become, for them, the single most effective way of procuring land while simultaneously oppressing the poor. Because of various circumstances the poor landowner is often compelled to borrow money in order to continue his work on the land, and the source of the loan is invariably the rich landowners. This is the point at which the small landowner's problems begin. To be a small landowner is to be in a state of oppression, precisely because of the difficulty of providing for one's family with such limited means. However, once the small landowner becomes a debtor and is in the firm grasp of his wealthy counterpart, that is the point at which oppression of a different nature begins.

This is the first step towards the possible acquisition of the poor person's land, and in this first step are involved two major factors. First, there is the unscrupulous nature of the transactions of the wealthy landowners. The primary motivational force behind their transactions with the poor landowners is
concern not for the latter's welfare, but for their own self-interest. The wealthy landowners are determined to create an oligopoly of land, and the people who are the prime targets for insolvency are the small landowners. Second, there is nothing illegal about this kind of transaction, and in fact there are laws which cover contingencies of this nature. Leviticus 25:39-40 makes it clear that self-enslavement or debt slavery carries with it protection by the creditor; the debtor has to be treated at least as a hired servant or a sojourner. This law may be understood as giving legitimacy to the procuring of land from the poor. Thus, what the prophet is critical of is not the breaking of the law, but something much more fundamental, namely the lack of care and concern for the poor person. The wealthy landowner is driven by his own greed to have more for himself, regardless of the consequences to the poor. These entrepreneurs can only be content when "there is no more room" (Isaiah 5:8). It is conceivable that most of the laws regarding the protection of the small farmer who takes out a loan, are kept, but there are clearly occasions in which the keeping of the law on the one hand and its avoidance on the other lead to the demise of the Israelite small landowner.

The laws regarding the giving of loans allow for the seizure of goods and property from the debtor. This is perhaps the single most important factor which is responsible for the landless state of the poor. When the debtor is unable to repay a loan, then his property and other possessions become targets for seizure. Legally there is nothing untoward here, but, once
again, it is not the legality which is being questioned. In fact, the extent to which the possessions of the debtor are at the disposal of the creditor is spelled out in the words of Deuteronomy 24:10-17. The clear implication here is that virtually everything owned by the debtor is within conforming limits as far as repayment is concerned. That the creditor is forbidden to take a widow's garment in pledge is indicative of the extremes. The widow is a classic example of poverty, and a garment represents the last of the basic essentials. Even if the garment is not taken, still the plight of the poor is not particularly enhanced. Certainly when the law is viewed in this light, it is evident that its protective powers are minimal. It still depends heavily on the humanity of the creditor. Invariably, there is a lack of humaneness in the transactions between rich and poor, and there is no escape once the small landowner is in the snare of his wealthy counterpart. This, however, is not a sad commentary on the misguidance and ill-judgement of the poor, for they have no choice. Not to borrow from the wealthy landowner, particularly in the wake of a poor crop or a crop failure, would be a sure expression of hopelessness and destruction.

However, it is not the taking out of the loan which is entirely responsible for the oppression of the small landowners. It is noteworthy that there is only one instance in the Eighth Century prophets against usury, and this is a disputed one (Isaiah 3:12). This, perhaps, may be taken to mean that at least there is some respect for the laws against usury. [87] After
all, Israel departs from the traditions of the neighbouring nations by condemning and disapproving of interest on loans. On the other hand however, it may be that the crimes against the poor are so overwhelming that details such as exorbitant interest rates are not singled out for criticism. [88] It is certainly difficult to envisage a wealthy landowner loaning money without interest, particularly since the pressure is on the small landowner to borrow, not the wealthy landowner to lend. The difference in the socio-political climate between the time when the laws were created and the Eighth Century is clearly noted by Hillel Gamoran:

Part of the explanation...as to why Israel had a law against interest...is that Israel's laws were formed during a period of less developed political and economic life. ...When Israel created its laws against interest, the only loans that were given were loans to the poor and hungry. There was no demand among the Israelites for commercial loans. ...A more advanced economy required loans for business purposes and not merely to alleviate poverty. [89]

Without doing so directly, Gamoran's idea points to the change in Israel's society, for no longer are the people involved as a

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87 See, e.g. Exodus 22:24 [25]; Leviticus 25:35-38; Deuteronomy 23:20-21 [19-20]. It is interesting to note that in the prohibition against interest, money is the one common element in all three references.

88 For an alternative suggestion, see, Eryl Davies, Prophecy and Ethics, who says that "it is possible...that the creditors of Isaiah's day had designed other methods of deriving benefits from their loans - methods which would have provided them with an incentive to lend money without resorting to the prohibited practice of usury", p. 68.

pastoral community, but, rather, the new economy distinguishes between the rich farmers and landowners on the one hand, and the peasant farmers on the other. [90] With this distinction there also emerges business pursuits, which mean that loans are not being given as aid to the poor but as a business transaction.

Even so, it must be noted that there is nothing inherently immoral or unethical about interest charged on loans. Rather, it is the interest which is charged against those persons with whom the lender supposedly shares a special relationship, grounded in Yahweh, that is in question. This is implicit in the Exodus and Leviticus references, and it is made explicit in Deuteronomy 23:20-21 [19-20]. Interest may be charged against persons from other nations, but not against other Israelites. [91] The prohibition as stated in Deuteronomy in not specifying a particular economic class, allows for a better understanding of the importance of the relationship which is to exist among the

90 See, Neufeld, "The Emergence..." who notes that the fertile lowlands were inhabited and owned by the rich while the rocky highlands were inhabited by the poor, thus adding to the economic divisions, p. 44.

91 There is an important distinction to be made between נקר and הל. The ונקר is "the foreigner who came to the land for a limited period of time and the הער the alien who permanently settled among the Israelites." Gamoran, art.cit., p. 130. The term which is used in Deuteronomy is נקר. See, also, Edward Neufeld, "The prohibitions against Loans at Interest in Ancient Hebrew Laws", HUCA 26 (1955), pp. 355-412. Neufeld notes that, "the pokri stood in no relation to the tribe and could claim no legal rights; he was not included in the human laws in Deuteronomy for the protection of the poor and needy; he had neither home nor right in Israel", p. 389. Thus the pokri could be charged interest on loans precisely because the ונקר is not presumed to be under Israelite law and even more important, because the ונקר is clearly not a member of the covenant relationship with Yahweh.
Israelites. It is apparent in Leviticus 25:35-38 and in Exodus 22:24 [25] that the primary concern is for the poor, but in Deuteronomy 23:20 [19], the concern is for all Israel; the intrinsic element of care which accompanies the covenant relationship is evident. [92]

What appears certain from this discussion is the realization that the rich landowners are sinning legally. The small landowners are enmeshed in a situation which results in their loss either way. If they borrow money from their wealthier counterparts, their agony is only prolonged, and if they refuse to take a loan, the end is swift. This is the nature of the law when approached in a detached and objective manner. [93] This is the point at which the prophets become sharply critical, for while the "letter of the law" might be adhered to, there is no ḫayim and ḥalal. In other words, the elements which are essential for the sustaining of the relationship between Israelites on the one hand, and between Yahweh and Israel on the other, are absent.

92 In other biblical references, it is clear that "interest" is frowned upon. See, e.g., Ezekiel 22:12 and Psalm 15:5, both of which suggest that the taking of interest on a loan is tantamount to the acceptance of a ḫalal.

93 See, Eryl Davies, Prophecy and Ethics, who notes that in the Naboth incident (I Kings 21:1-16) all of the necessary legal elements are present. Naboth is placed on trial by the monarch; two witnesses are found; Naboth's answer may be construed as blasphemy and the penalty of blasphemy is death by stoning. In addition to this, execution outside the wall is legal, p. 78. Yet with all of this, Naboth is innocent!
3. Isaiah 3:12-15; 5:8

It is still undecided among scholars as to whether Isaiah 3:12-15 is a unit. Some scholars [94] have suggested that 3:12 is a lament and forms a transition between the preceding verses and 3:13-15. Others, view verses 12-15 as a unit. [95] For the purposes of this discussion 3:12-15 will be taken as a unit, the significance of which will become apparent. In some ways, verse 12a holds the key to this unit. Scholarship regarding the meaning of this section of verse 12 is still in a state of flux. Most English translations [96] follow the MT; however, the three textual variants [97] which are mentioned in the BHS on this verse are followed instead by the NEE.

Money-lenders strip my people bare,
and usurers lord it over them. [98]

This rendering of verse 12a not only provides a perfect

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94 See e.g., Clements, Isaiah 1-39, p. 49 and Wildberger, Jesaja 1-12, p. 129.

95 See e.g., Kaiser, Isaiah 1-12, p. 74.

96 See e.g., the RSV and KJV.

97 One of the key words in this verse is לְעַבְּדָה - to exhort (BDB). The MT reads לְעַבְּדָה which misses the essence of the verse and certainly does not fit in the overall context. On the other hand, the variant לְעַבְּדָה in the BHS is a much more sensible choice. In this regard, see, G.R. Driver, "Linguistic and Textual Problem: Isaiah I-XXXIX", JTS 38 (1937), pp. 36-50, who suggests that the sense of the verse is only discovered with the use of לְעַבְּדָה, p. 38. See also, the LXX which uses πράκτορες, "tax-collectors". With the use of לְעַבְּדָה, then it follows that לְעַבְּדָה should be seen to come from לְעַבְּדָה and not לְעַבְּדָה as is commonly done. The use of לְעַבְּדָה makes it clear that the context has to do with "exacting more than is just" and "imposing a burden". See, G.R. Driver, p. 38. Finally, the use of לְעַבְּדָה as opposed to MT's לְעַבְּדָה brings out the complete sense of the sentence. Both the Targum and the LXX prefer לְעַבְּדָה (usurers) to לְעַבְּדָה (women).
unity with 12b, but shows clearly the connection with verses 13-15. In this unit, verses 12-15, several categories of those in power and authority are specified, money-lenders, usurers, leaders, elders and princes. What in fact is clear from these verses is the prophet's criticism of those who have responsibility to the poor and powerless, inherent in their office (leaders, elders and princes) and those who use the other citizens to further their own ambitions (money-lenders and usurers). In any event, it is evident that the poor are exploited and oppressed in order that the wealthy and powerful might continue to expand their monetary horizons. The unit makes it clear that the "poor" are Yahweh's people. This is seen in the presence of יָד three times and יָד twice [99] and used twice in parallel to these, is יָד. The idea of "crushing", "grinding", "misleading" points to the extremity of the poor's plight.

Woe to those who join house to house,
who add field to field,
until there is no more small landowning (םֶרֶפֶן) [100]
and you are made to dwell [101] alone
in the midst of the land.

98 See also, Kaiser, "My people - everyone of their governors is a plunderer, and usurers rule them", Isaiah 1-12, p. 74, and Wildberger, "Uch mein Volt! seine Zwingherren sind 'Leuteschinder', und 'Oppresser' herrschen über es", Jesaja 1-12, p. 129.

99 יָד is the textual variant in verse 13; this fits the context better (cf. LXX τὸν λαὸν αὐτοῦ). The MT reads יָד .

Isaiah 5:8 points clearly to the exploitation in Israel, where the wealthy continue to expand and the poor are left isolated with little in terms of property. Miller notes that the result of the "rapid expansion of one's wealth by acquiring more and more houses and land...was a breakdown in the order of Israelite society, increasing discrepancy between rich and poor and a fundamental violation of Yahweh's intention for the relationship between people and land." [102] What Israel is guilty of is both direct and indirect impugnment of Yahweh's role in Israel's life. By appropriating what is not inherently theirs, the rich are turning the poor into slaves and thus creating an indirect affront to Yahweh. By seeking to secure the land for themselves, the wealthy landowners are directly rejecting Yahweh's ownership of the land.

It may be that the connection between 5:8 and 10:1 is evident here. The connection between these two texts is widely recognised by scholars. [103] Thus, the reference in 5:8 to the joining of "house to house" and the adding of "field to field"

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101 See, Norman K. Gottwald, *The Tribes of Yahweh* (Maryknoll, New York: Orbis Books), 1979. In this volume, Gottwald has an extensive study on the use of יִדּוּ and its derivatives in the MT (pp. 511-535). He suggests that יִדּוּ means "to rule" and is generally used in a negative sense, e.g. "ruling abusively" or "ruling oppressively", p. 531. It would appear therefore that יִדּוּה in Isaiah 5:8 connotes more than "you are made to dwell"; rather, it points to a more oppressive act of forcing the small landowner to function without land.


may be closely tied to the iniquitous decrees of 10:1-4, which are denounced by Isaiah. By having decrees which are inherently unjust and unethical and which are targeted against the poor, the rich and powerful are able to obtain more properties, while simultaneously making the poor into persons of no importance. Even if a reasonable price were to be paid for the property (and this is improbable) still the basic covenantal principle is in question, for in taking the property of the poor, the rich inevitably succeed in taking the only source of income and livelihood of the small landowner. With the monopolising of land and property the poor and powerless become marginalised members of society. [104]

4. Amos 2:6-8; 5:11; 8:4-6

In these three passages, the prophet Amos graphically describes the manner in which the affluent members of society oppress the poor, for their own gain. In each instance, the poor are described as being trampled upon for the economic interests of the rich. Particularly in 2:6-8 and 8:4-6, there is evidence of the schism in the relationship between creditor and debtor. In these contexts also, the judgement of Yahweh is firmly expressed against those who oppress the poor. [106] It is precisely the prostitution of this gift of the land, by the rich

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landowners which is criticized. [107] The one element which is singled out here by Amos is "debt-slavery". Though this terminology is not used, the end result is the same. The poor peasant farmers are forced into business transactions with their wealthier counterparts and inevitably become indebted. While

105 In Amos 2:7 and 5:11, the term used for "the poor" is נורויאא while in 8:4 "the needy" who are trampled are the סלדויא. The economic references in these texts indicate clearly that the סלדויא are the poor in an economic sense. That the סלדויא are peasant farmers is attested to in II Kings 24:14. The סלדויא are those in need of help. This term connotes a lack of "physical and material necessities", essential for one's livelihood. See, G. Johannes Botterweck, "הנורויאא", pp. 31-32. Also, Julius Bewer, "Critical Notes on Amos 2:7 and 8:4" AJSL 19 (1903), pp. 116-117. For a different interpretation of the meaning in Amos 5:11 (cf. 2:7), see, P.E. Dion, "Le message moral du prophète Amos s'inspirait-il du 'droit de l'alliance'?" Sol Esprit 27 (1975), pp. 5-34. Dion suggests that the opening line of 5:11 should read, "parce que vous dépouillez l'enfant du pauvre". One of the factors which has influenced this position is the parallel which Dion notes in the legend of King Keret. According to Dion, Keret condemns "Leux qui dépouillent l'enfant du pauvre," p. 25. See also, H.H. Schmid, Gerechtigkeit, who suggests that פירס in 2:6 is used in the "traditional juridical sense," p. 112. Also, Premnath, who says that 2:6b-8 has to do with a corrupt judicial system and in particular פירס, "has a legal connotation: the 'righteous' one who is declared 'innocent' from the legal point of view", Diss., pp. 139-140.

106 Koch, The Prophets vol. I, who uses derek to mean "the unity of a person's conduct and the course of his life", p. 45, says, "for [Amos'] derek anthropology, the ties between human beings and the God who confers salvation are inextricably linked with the economic freedom given by possession of one's own land. Derek on one's own land, given to the patriarchs by God, counts as the pre-condition which makes a successful and harmonious life possible," p. 46.

107 This prostitution is most vividly expressed in Amos 2:8, where the items seized from peasant debtors become a part of their festivities within the cult. The last line does not refer to the seizure of land, but as, Coote, op.cit., observes, the wealthy are drinking wine from those who have been mulcted. He suggests that 'mulct' "means to seize patrimonial lands for prebendal estates through the oppressive use of interest and fines," p. 32.
Amos does not specify the reasons, it is possible that indebtedness takes either the form of a loan or the incurring of debts, owed to merchants and graindealers who have used false scales and balances in order to cheat the poor and lead them into debts which they are unable to repay. Another possibility is involvement in the web of rent-capitalism. As Coote notes, under rent capitalism rent is paid out to one or several owners of the various factors of production, and inevitably the cost of production escalates and thus places the peasant farmer in great debt, which in turn leads to servitude and slavery. [108]

These are the two most likely possibilities, and it is conceivable that in certain situations the peasant farmer is involved with both. In any event the result is the same for the peasant farmer is sold, and so is the innocent person, because of debt. Amos makes it clear, both in 2:6 and 8:6 that it is the legal transaction between the two parties which brings this about. The handing over of a "pair of sandals" or a "pair of shoes" is indicative of a legal transaction. De Vaux points out that, "in the early days the transfer of property was verified by a symbolic action. ... One of the parties removed his sandal and gave it to the other. This action, performed before witnesses, signified the abandonment of a right." [109] The wealthy landowners use this as a means of selling the peasant farmers into slavery. In this manner, the peasant farmers are removed

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108 Coote, op.cit., p. 29. This point is also pursued by Lang, Monotheism, who sees the peasant-landlord relationship in three possible ways. 1) patronage 2) partnership 3) exploitation. It is the third option which is exercised by the landowners, p. 118.
and the land becomes the property of the rich. The extremity of the situation as described by Amos, revolves around the state of the peasant farmer. Without the pressures of loans, and large debts to grain dealers, and rent capitalism, the peasant farmer is still only peripherally within an acceptable economic position. However, by the time he is being sold for lack of payment and obligation to a legal transaction, he is not only a debtor but a slave. He is being sold into debt-slavery (See II Kings 4:1-7). Not only is the public humiliation evident, but the most potent consequence is the separation of the members of the family. Since the family is incapable of purchasing him, he becomes the property of another wealthy owner. However, an even more cruel element in the "debt-slavery" situation is that the peasant farmer can be sold abroad. When this occurs, the chance of being free again is remote. [110]

One final point will suffice here. Amos 8:5 combines several elements which express clearly the corruption of those

109 De Vaux, Ancient Israel, p. 169. See also, Lang, Monotheism, who notes that, "the hebrew word 'na'alayim' 'a pair of sandals' acquired the meaning of 'bond'. Applied to our passage of Amos: the poor man is being 'bought' [and sold] because of a bond or obligation", p. 125. Also, Harper, Amos and Hosea, p. 49. and Mays, Amos, p. 45. However, against this view is Erling Hammershaimb, The Books of Amos trans. John Sturdy, (Oxford: Blackwell), 1970. Hammershaimb notes that, "the creditors have been so hard-hearted that they have sold their debtors, because they were in arrears for as little as a pair of sandals," p. 47. Hammershaimb's understanding of the debtor's dilemma proves to be in the right direction but his reduction of "a pair of sandals" to mean "small sum" overlooks the transactional element which is traditionally associated with this concept. It is not that Hammershaimb is ignorant of this idea, but he summarily dismisses it as improbable. See also, Kapelrud, Central Ideas, p. 64; Kipper, art.cit., p. 314 and Barstad, op.cit., p. 14. See Ruth 4:7; Psalm 60:10 [8] (108:10 [9]).
with economic power. The lack of religious integrity is underlined by the grain dealers' impatience with the period of the Sabbath and the New Moon. They are unable to wait for the end of Sabbath, a time for rest, when normal work is prohibited. Their question suggests that they are inconvenienced by the occurrence of the Sabbath and the New Moon. What is even more remarkable is the fact that the work which they are anxious about revolves around unscrupulous dealings in their grain trade. Not only do they not see fit to keep the holiness of the Sabbath, but their impatience points to the fact that they are willing to break the Sabbath laws for dishonest monetary gains. [111] The poor, who perhaps need the Sabbath to rest and survive another day, are viewed only as preys for the deceits of the grain dealers. Not only do the falsifying of the weights and measures aid in the corruption of the economic order, [112] but the incessant

110 See, Bernhard Lang, "Sklaven und Unfreie im Buch Amos (2:6, 8:6)" VT 31 (1981), pp. 482-486. See also, Koch, "Origin and effect..." who notes that with the sale of the debtor into slavery, "the way of the poor is turned aside" (2:7). Koch suggests that this means, "his existence disappears," p. 95.


112 See, Wolff, Joel and Amos, p. 327. See also, Kipper, art.cit., who describes the perversion of weights and measures as "adultery". This term generally evokes sexual unfaithfulness, and in this instance it points clearly to foreign elements which are brought within an established relationship and which have negative implications and consequences, p. 317.
striving against the poor also utterly destroy any semblance of community between the two groups.

5. Micah 2:1-2

The words of Micah like his counterparts Amos and Isaiah, reflect strong criticism of those who have seized land and property from the poor. [113] There is a similarity between Micah 2:2 and Isaiah 5:8. The rich landowners are intent on seizing for themselves the land and property which are rightfully the personal means of livelihood for the poor. [114] Schmidt perceptively notes that, "when Micah criticizes the economy based on large estates and the greed of the upper classes for houses and property, he seems to be giving concrete form to the tenth commandment." [115] While both Amos and Isaiah are critical of

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113 See, Hans Walter Wolff, "Micah the Moreshite - The Prophet and His Background" in Israelite Wisdom: Theological and Literary Essays in Honor of Samuel Terrien ed. John G. Gammie, et.al. (Montana: Scholars Press), 1978, pp. 77-84. Wolff observes that, "it is striking that Micah never once calls his tormented compatriots poor (יָמָךְ), helpless (יַיִן), or oppressed (יָיִן), as is often done by Amos...and not infrequently by Isaiah...although Micah sees, just as those prophets, that they are being overpowered and punished to the point of bleeding," p. 81.

114 Commenting on the use of רָע in Micah 2:2, James Luther Mays, Micah says, "the contexts in which רָע appears...show that the verb specifically means taking something away from another through an advantage of position or power. For those who lost their property, the result involved more than simple economic impoverishment. In Israel's social order a man's identity and status in the community rested on his household or family, dwelling place, and land. His inheritance in his father's family was his 'portion' in the family. Lose it and he lost all the rights which were based on its possession; he had no 'place' in the community and had left only the life of a wage-labourer or a slave. His life passed into the hands of others," pp. 63-64. See also, von Rad, Theol. II, p. 150, note 5.
the unscrupulousness of the wealthy landowner, Micah is the only Eighth Century prophet who implies that this attitude is in contradiction to the Tenth Commandment. [116] What is evident here is the fact that the wealthy landowners are breaching one of Israel's foundational elements. Hillers correctly observes that, "their actions constitute some thing more reprehensible than mere greed, for they are an assault on the basic structure of the people of God." [117]

In addition to his use of "covetousness", the reference to the landowners working "evil upon their beds" is also unique to Micah. When an individual retires to bed, it is generally assumed that he does so for rest, for sleep. However, those to whom Micah refers in 2:1 cannot spare the time for that, for even though their lives are full of oppressive acts, there is an insatiable need for more, hence the necessity of planning evil when they should be resting. [118] The description of "evil upon their beds" perhaps leans on the idea of the prostitution of oneself. While this is clearly not in reference to sexual


116 While Micah does not make this contradiction explicit, the word he uses to mean "covet" is יִתְנָה , which is the term used in Exodus 20:17.

117 Hillers, Micah, p. 33.

118 It is interesting to note the similarity here with Amos 8:5. While Amos is criticizing the breaking of the Sabbath laws only to cheat the poor, Micah is referring to the more mundane, though necessary, element of sleep. What both Amos and Micah have in common at this point is their critique of those who plan ways of oppressing the poor when they should be resting.
immorality, nevertheless there is a sense of baseness, where the individual is seen to desecrate both himself and the idea of rest, which in Israel's tradition is conspicuously distinguished as a time to cease the routine work. As Wolff notes, "the crime of the officers and officials which Micah's hórjy condemns begins, most significantly, with the secret dreams they cherish as they lie on their beds." [119]

However, the words of Micah do not appear to create any change in attitude by the rich landowners. Rather, the latter show indignation against Micah for preaching against the social and economic ills of the society (2:6). There is the implication that Micah has overstepped the bounds of religious etiquette; that is, there are certain topics which must not be subjects for preaching. This is a classic example of self-righteousness and the feeling of standing securely (in their own eyes) under the pervasive protection of their theological presuppositions. There is, in these verses, a sense of incredulity on the part of Micah's audience. It is precisely because they see themselves as shrouded in holiness and in Yahweh's protection that social irresponsibility and oppression occur. They are simply unable to look at themselves with a discerning and critical eye. However, Micah is undaunted by the reaction of the audience, and his movement from "those", "their", "they" in verses 1-2, to "you" in verse 8, points to a dramatic confrontation.

119 Wolff, Micah the Prophet, p. 52. See, also, Allen, Joel, Obadiah, Jonah and Micah, who notes that, "one's bed is the place in which to indulge in private thoughts and aspirations for which the bustle of daily life leaves little opportunity," p. 287.
E. Justice in the Gate

Isaiah 5:23; Amos 5:12

Both Isaiah and Amos preach against the corruption of "justice in the gate". The judiciary is the one institution in the land which is meant to epitomise justice, and it is when this institution fails in its fundamental raison d'être that a society reaches abysmal depths of social malaise. When the judiciary fails to give attention to the state of the oppressed and conversely favours the wealthy and powerful, society is in a state of disarray.

The local judicial system has become an occasion for the powerful in society to defend their own way of life by not allowing the poor to become a part of the judiciary. The privilege of serving as a judicial functionary "in the gate" comes with one's status in the community, and as long as the individual is economically depressed then the opportunity to serve in this capacity does not arise. Decision-making is being shaped by power and wealth and not by the circumstances and evidence of the case. Thus the lack of ָרָה in the gate is seen to be closely tied to the economic unscrupulousness of the rich. What these powerful and rich judicial functionaries do, is thus not merely pronounce verdicts against the ָרָה but, rather, use the procedure as a means of trampling on the poor, linking this with their overall discrimination. Mays suggests that, "the old institution of the court in the gate is being undermined to make way for the economic exploitation of the weak". [120]
What is clear is that נַעֲרָה becomes a commercial element, and the act of giving judgment takes on a meaning which is inherently alien to "justice in the gate". As Mays notes, "the courts were not immune to the circumstances they were being used to create. As wealth grew and the difference between the rich and the rest became more pronounced, it happened that those who were rich could afford more justice than the others." [121] What in effect the prophets are criticizing is the entire judicial system, not only the external improprieties in the behavior, but the absence of אָכַל and the absence of that נַעֲרָה which unites the judicial functionaries with Yahweh. Accordingly, it is the fundamentals of executing נַעֲרָה which need changing. The presence of evil and the absence of good is reflected in the monopolizing of the judicial role by the powerful, and the corresponding oppression of the poor in order to exclude them from being an integral part of the community.

1. Isaiah 5:23

The term נַעֲרָה which occurs in Isaiah 5:23 is generally rendered as "bribe" in the Old Testament, and this is often interpreted in a narrow sense. Eryl Davies, for example,

120 Mays, Amos, p. 94. See also, Ludwig Köhler, Hebrew Man, trans. Peter Ackroyd (London: SCM Press), 1956, who notes that, "the oral and public nature of its conduct of affairs presupposes that each assessor can speak what he thinks right, independently of others. But fear of those who have economic power and who can do real harm in the narrow common life of the village, makes men subservient and lacking in independence," p. 166.

believes that ולע is generally used to refer to any sum of money which is given to a judge, with the sole intent of influencing his decision particularly in favour of the briber.

[122] The use of ולע in this sense presupposes that the subject is always a briber, one who is guilty and one who seeks acquittal by the judge. There is no doubt that there are occurrences of ולע which have a forensic overtone and others which refer specifically to judicial functionaries and to parties involved in a lawsuit. However, this is only one use, and to reduce entirely the presence of ולע in the Old Testament to a forensic use, is an oversimplified conclusion. This is not the place for a detailed study of ולע in the Old Testament, however, a brief résumé of its use in the Eighth Century prophets, will give some indication of its varied use while also indicating that there is in fact only one instance in Isaiah where there is a clear reference to injustice "in the gate". There are four occurrences of ולע in the Eighth Century prophets, Isaiah 1:23, 5:23, 33:15 and Micah 3:11.

In Isaiah 1:23, the prophet rebukes the people and says:

Your princes are rebels and companions of thieves. Everyone loves a bribe ( ולע ) and runs after gifts. They do not 'care for' the fatherless, and the widow's concern does not come to them.

וلع in this context does not have a forensic overtone, for it does not refer to a bribe taken by a judicial functionary. Rather, as Isaiah says, "everyone" sets himself up for hire, the primary motivation being monetary. With this incentive and

insatiable appetite for wealth, there is no time for, or interest in, the welfare of those for whom they are particularly responsible. In this sense, it is not the judicial functionaries who are singled out for criticism, it is everyone in power, for they are willing to carry out their respective functions for a nw.

In Isaiah 5:23, nw is used within the context of a series of "woe" oracles. "[Woe to those] who acquit (�) the guilty for a bribe (路演) and deprive the innocent (טועים) [123] of his right (��)." This "woe" is clearly pointed against those who are responsible for the administration of nw and fail in their responsibility; in this instance nw is used in a legal sense. Here, it is the judicial functionaries who are being criticised, for they are the ones who accept monetary bribes from the rich and, by implication, from the guilty. Here, the קירז is referred to as "innocent". In this context, the acceptance of a nw creates an ironical situation. Not only is the guilty party in the wrong, but in accepting a nw, the judicial functionary is declaring him to be innocent, which in effect makes him a קירז. Thus, even though the context does not specify that the true קירז is declared guilty, nevertheless the implication is apparent. Not only is the guilty party declared קירז (by being acquitted, which in this context means the declaration of being "in the right"), but the true קירז is thereby further deprived and carries the label of "guilty".

123 There is a textual question involved here. מִשְׁרֵיהַ is plural but מְשִׁימָה is singular. There are some manuscripts and versional support for reading מִשְׁרֵיהַ. See BHK and BHS.
Clearly יְנֵּ֥שׁ in this sense is forensic and is different from its use in Isaiah 1:23.

The third use of יְנֵ֥שׁ in Isaiah occurs in 33:15.

He who walks righteously (פָּרַע) and speaks uprightly, who despises the gain of oppressions, who shakes his hands, lest they hold a bribe (יְנֵ֥שׁ), who stops his ears from hearing of bloodshed and shuts his eyes from looking upon evil.

These words are spoken within a clearly defined context. Clements notes that the unit 33:14-16 may be classified as a "Torah-liturgy". [124] This classification would make it highly unlikely that יְנֵ֥שׁ in this context refers to the acceptance of money by a judge. The notions of "hearing of bloodshed" or "looking upon evil" are not in regard to the ignoring of acts of this nature, but rather they refer to the refusal to participate in any such acts. [125] This use of יְנֵ֥שׁ probably relates closely to the occurrence of יְנֵ֥שׁ in Psalm 26:10. In this instance, the psalmist declares his great love for the temple and asks not to be swept away with bloodthirsty men, men with evil devices, and men with bribes. The imagery here is similar to Isaiah 33:15.

The fourth occurrence of יְנֵ֥שׁ in the Eighth Century prophets is in Micah 3:11.

Its heads rule with a bribe (יְנֵ֥שׁ) [126]
its priests teach for hire,
its prophets divine for money;
yet they lean upon Yahweh and say,

124 Clements, Isaiah 1-39, p. 266. Clements notes also that this passage may be an exilic redaction. This, however, does not interfere with the question at hand.
"Is not Yahweh in the midst of us? No evil shall come upon us."

In this occurrence, יהוה is an element which epitomises the rule of the leaders. That is to say, whatever acts or decisions are made, they are made entirely for reasons of יהוה. There is a clear indication that at the heart of the rule of the leaders there is corruption. Those responsible for the welfare of the people are concerned more with receiving a reward expressly with the intent of overlooking perversion, grievances, oppression, injustices, all for a price, monetary or otherwise.

125 According to Clements, these statements have to do with a refusal "to take part in plots and schemes which intend or may involve violence against other people...[and] a refusal to contemplate becoming involved in an evil plan," ibid., p. 268.

126 The translation of the first line of Micah 3:11 ... ויהוה היאנָא הָאֲבָטָהּ is generally, "Its heads give judgement for a bribe." This is the translation which is found in the RSV and many scholars follow similarly. Leslie C. Allen, Books of Joel, Obadiah, Jonah and Micah, translates it as, "The city heads may be bribed to give a verdict", p. 316. Mays, Micah, translates it as, "The Chief's render decisions for a bribe", p. 86. Ralph L. Smith, Micah - Malachi WBC (Waco, Texas: Word Books) 1984, translates it as "Her heads judge for a bribe", p. 34. Wolff, Micah the Prophet, translates it as, "Her leaders give judgement for a bribe", p. 86. Also, Hans Walter Wolff, Micha, translates it, "Ihre Häupter entscheiden nach Bestechung", p. 60.

Mays, Smith and Wolff give translations which are based closely on the Hebrew, but Allen's rendering is much more of an interpretation than a translation. The grammatical structure does not allow for Allen's translation. What is common though, among these scholars, is the view that this sentence must be characterized as judicial. Thus, יהוה is to be understood in reference to "verdict" (Allen), "decision" (Mays), "judge" (Smith), "judgement" and "entscheiden" (Wolff). However, there is no concrete indication that the context merits a judicial overtone. In the earlier discussion of the root יהוה, it was concluded that the general meaning may be taken to be "rule" rather than "judge". "Rule" in this instance would be a better choice as it includes the judicial sphere and corresponds with the presence of יהוה.
Two observations may be made at this point. First, it is clear, that at least in the Eighth Century prophets, is not used exclusively within a judicial context, as Eryl Davies contends. Second, Isaiah 5:23 speaks unequivocally of injustice in a judicial context. While this is the only clear example of a critique of injustice in Isaiah, it is, nevertheless, an essential part of Isaiah's overall social critique. Isaiah's critique of the judicial procedure focuses primarily on the acceptance of a monetary, at the expense of impartiality.

2. Amos 5:12

For I know how many are your transgressions, and how great are your sins - you who afflict the righteous ( ), who take a bribe ( ), and turn aside the needy in the gate.

This is the only instance in Amos in which the prophet speaks out against bribery "in the gate". This criticism of bribery in the judiciary must be related to Amos' admonition in 5:15, where he says, "establish justice in the gate" and to his more general critique in 5:7, where is subverted. [127]

While both Amos and Isaiah are critical of the judicial procedure "in the gate", and both speak against bribery there, their primary interests are not identical. While the bribery of which Isaiah speaks is , Amos speaks of in the

127 See, Wolff, Joel and Amos, who notes that, the statement in 5:12b "is an illustration of the general reproach in v.7", p. 248.
Old Testament generally means "ransom" [128], though as Wolff points out, רָוָץ means literally, "that which is to cover up something" hence perhaps 'hush-money". [129] In addition to this, Eryl Davies suggests, "the purpose of the payment of קֶפֶר was to restore equilibrium between two parties which had been disturbed by the wrongful act of one of them. The punishment was assessed in monetary terms, and the amount of damages awarded would no doubt have been related quantitatively to the extent of the loss." [130] It is clear from Amos' criticism of the judicial procedure that the manner in which רָוָץ was used "in the gate" was unsatisfactory. Eryl Davies speculates that perhaps, "Amos' condemnation of the legal assemblies for their acceptance of קֶפֶר was based on the fact that these authorities were now allowing more serious offences (such as murder) to be expiated by the payment of money instead of ensuring that the proper penalty for such offences be duly carried." [131] This view of Davies misses an essential element in the understanding of רָוָץ. It is true, that the payment of a ransom in lieu of the death penalty is one element, and certainly fits the general meaning of רָוָץ. However, in this instance, Amos is not only employing the general meaning of "ransom" but also the literal meaning, "cover". Thus


130 Eryl Davies, *Prophecy and Ethics*, p. 109. Whether or not Davies' contention that "monetary terms" is essential for an understanding of רָוָץ is dubious. However, his main point regarding the use of רָוָץ as an element of restoration is not arguable.

131 Ibid., p. 109.
the criticism of the judicial functionaries is to be understood at two levels. The criticism in Amos 5:12 includes the acceptance of a רומ in order that they might overlook the seriousness of the crimes against the לזרע and simply settle for a ransom by the guilty. This understanding takes into account both the literal and the derived meanings of רומ.

The criticism of the judicial system in the Eighth Century prophets includes "bribery" of two sorts. While there is little doubt that both Isaiah and Amos are strongly opposed to the corruption of רומ "in the gate", they see this corruption at different levels. Isaiah suggests that רומ is used in the judicial system as a means of showing partiality in the executing of רומ, while Amos indicates that רומ in the judicial system is being used instead of the respective penalty to which the guilty party is sentenced.

F. Corruption by Rulers and Leaders

Isaiah 1:23; 10:1-2; Micah 3:1-3, 9-11

The discussion in Chapter I of the use of רומ in the Old Testament indicates that the subjects most often associated with the term are rulers and leaders (inclusive of judicial functionaries). It is clear that these are the people who are the most powerful and also who are in a position to care for the people, particularly the poor. When there is corruption of רומ at this level, then those who suffer most are the poor.
In the Old Testament, it is not so much a question of the abstract "poverty and oppression" as it is of the "poor and oppressed"; that is, there is a sense of the particular rather than the general. Augustin George observes that, "in the biblical mind, the poor person is less one who is indigent and more one who is oppressed...it is a social idea." [132] This oppression is in great measure due to the corruption and unscrupulousness of the leaders and rulers.

1. Isaiah 1:23; 10:1-2

The leaders in Israel as Isaiah describes them are caught up in the corruption of the society and are seen to be responsible for the oppression of the poor. They are perceived to be the ones from whom oppressive decisions and actions come. As was pointed out earlier (page 407), the leaders (Isaiah 1:23) associate themselves with the basest elements of society, the thieves and rebels, and moreover they accept 🅿️. Because of this, those for whom they are particularly responsible become the victims of their oppression.

This is clearly evident in Isaiah 10:1-2. In this instance, it is the leaders who pronounce decrees which serve to oppress the poor and powerless. The fact that these officials do not consider the moral and ethical effect of the decrees is clear, but the decrees are not necessarily illegal in a strictly legalistic sense. [133] This is particularly important precisely

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because it indicates that it is not the welfare of the powerless which is foremost in their minds when the decrees are given. The decrees may not be illegal, but they certainly miss the spirit of the covenant relationship. In essence, the poor and powerless find themselves in an impossible situation where they become the periphery of an ever-increasing circle. In order to be a part of the legal assembly they need to have both power and financial recognition within the society. Because of the iniquitous decrees, the poor are relieved of whatever earnings they might have. As such, they not only lose their source of livelihood, but also, their chances of joining the legal assembly recede still further. Hence, the passing of iniquitous decrees reduce the poor and powerless to persons of no importance.

In both 1:23 and 10:2 the two groups who are singled out as powerless are the "fatherless" and the "widows". [134] It is perhaps the specifying of these two groups which demonstrates the destructive force of these decrees, for these are two groups who have none to care for them and depend on the community led by responsible leaders. Though Isaiah speaks of the "fatherless" and the "widows", it is the plight of the latter that is most significant, for the "fatherless" are in fact dependent on the "widows". Generally, in Ancient Israel, the widow possessed no

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133 See, Clements, Isaiah 1-39, p. 61.

134 Isaiah is the only Eighth Century prophet who shows specific concern for the בָּאָרוּ and the נְפָרִים. While the question of oppression of the poor is clearly a hallmark of all the Eighth Century prophets, nevertheless it is only Isaiah who refers to the "widow and orphan". The word נְפָרִים does appear in Hosea 14:4 [3] but its use there is not germane to this discussion.
property of her own. Even though there is a law which gives some protection to the widow through the possibility of marriage to the brother-in-law (Deuteronomy 25:5-10), nevertheless this arrangement is far from satisfactory, for it is still a situation in which the widow has no control over her own destiny. As a wife, her power, her ownership of property, her survival all depend on her husband and when he dies, then she is dependent on a kin who often proves to be unreliable. The position of the widow thus becomes dependent on charity. She becomes a figure whose survival depends entirely on the benevolence of those in power. The critique of Isaiah, placing the widow in the context of the leaders as the object of the latter's corruption, shows the extent of that corruption. The harsh criticism of the rulers is best expressed in 28:14f where "scoffers" is the term used to designate those who rule the people. The fact that they show no concern for the poor and powerless is indicated there in terms of the rejection of Yahweh's covenant for a covenant with Sheol.


Both 3:1 and 3:9 indicate clearly that Micah is concentrating his remarks against the rulers of Israel. There appears to be a consensus regarding the meaning of וָקַר and לִשְׂפָּה, suggesting that in these contexts, they both refer to judicial functionaries. [135] There is no reason why these terms should have a judicial overtone, for they are not associated primarily with the judiciary. It is true that the וָקַר and לִשְׂפָּה may include the judicial function in their role, but at
best it can be only one element in their overall responsibility. The contexts clearly allude to leaders of various sorts, and the point of discussion here involves the general corruption and perversion of קָרָא . The one element which is in part used to support the theory that these contexts are forensic is the presence of קָרָא . Some scholars assume that the call for קָרָא by Micah is a call for proper judgement in the legal order.

[136] However, for these rulers to "know קָרָא " is not a reference to their knowledge of the law but rather it refers to their responsibility to know what is essential for a right and proper relationship between Israelites. Inherent in the phrase קָרָא - נֵכַר נֶבַע is the idea that it is imperative for the rulers to be cognizant of this and live accordingly, particularly since they are the ones to whom the nation and, specifically, the poor look to for קָרָא .

The description of the perversion in 3:1-3 and 3:9-11 is

135 See, Hillers, Micah, who translates קָרָא as "judges" thus making his interpretation self-evident, p. 42. The translation of קָרָא as "judges" is unsatisfactory for in fact, there is no explicit idea of judicial activity in Micah. See above, note 117 for a brief discussion of 3:11, a verse which is generally held to be forensic in connotation. Also, Mays Micah, who says that, "the leaders of Israel preside over an administration of injustice in the courts for which they are responsible," p. 77. Cf. Allen, Books of Joel, Obadiah, Jonah and Micah, p. 305; Davies, Prophecy and Ethics, p. 99 and Hammershaimb, "Some Leading Ideas...", p. 33.

136 See, e.g. Wolff, Micah the Prophet, who says that קָרָא in 3:1 refers to binding legal order, p. 67. Also, Mays, Micah, who says that "to know קָרָא " means an acquaintance with the legal traditions, p. 70, and Hammershaimb, "Some Leading Ideas..." who says that "to know קָרָא " means "to know the law", p. 33. See also, Premnath, who notes that, "The crime of the leaders was the rejection of קָרָא , i.e., the established values and norms safeguarding the rights and interests of the innocent in the legal context," Diss., p. 196.
indicative of the extent of the rulers' sin. [137] While the words of Micah here can hardly be taken literally, nevertheless the imagery of extreme suffering and pain is quite vivid. The irony here is startling, for those who were once appointed with the responsibility to care for the powerless have themselves become subjects of corruption.

It is clear that the care of the powerless is not a priority for the rulers, for, as 3:11 points out, everything is for sale, even those things which were once thought to be sacred. As Hillers notes, "judges...priests, and prophets sit in Jerusalem and sell their wares; justice, religious teaching and the inspired word of God are all for sale." [138] Self-interest has replaced covenantal responsibilities, and personal concerns have taken the place of societal demands. Even the material structure of Jerusalem, with its reflections of affluence, is at the expense of the poor. These external niceties have shrouded the reality of stark injustices which are prevalent; Israel is not unlike a tomb, concealing by its external brightness, the

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137 Kipper, art. cit., p. 333. See also, Wolff, Confrontations, who notes that, "The people who are supposed to see that justice is done enjoy life at the expense of the ill-treated. This is the cannibalism of prosperity, and it has spread in Jerusalem to an unheard-of extent," p. 41.

138 Hillers, Micah, p. 44. However, as Mays, Micah, notes, "it is not necessary to suppose that these civic and religious leaders were always openly and crudely corrupt. In a culture fascinated by wealth and its acquisition the morality of good business has a compelling power to influence decisions and attitudes in subtle and indirect ways," p. 89. In some ways, it is the subtlety of the corruption which is so devastating, for the powerless continue to place their confidence in these leaders, ignorant of the latter's self-interest.
rotteness which it covers. Contrary to what the leaders may think, all is not well in Israel.

G. The "Day of Yahweh" and the Social Critique

The use of the "Day of Yahweh" by Amos and Isaiah serves further as a means of inveighing against the lifestyle of those who live comfortably. While it is generally accepted among scholars that the concept of the "Day of Yahweh" was known in the Eighth Century, what is still in a state of dispute is the nature of this day and the expectations associated with it. There are four possible explanations of the origin of the "Day of Yahweh" and its use in the Eighth Century prophets, which have been proposed by scholars. First, there is the view that this concept is associated entirely with the tradition of holy wars in Ancient Israel, in which Yahweh personally destroys the enemy of Israel. [139]

Second, and perhaps the most commonly held view, is that the "Day of Yahweh" is associated with Israel's cult, with the Autumn festival. This view holds that the "Day of Yahweh" is

139 See, Gerhard von Rad, "The Origin of the concept of the Day of Yahweh" JSS 4 (1959), pp. 97-108. Von Rad argues that, "...the Day of Yahweh encompasses a pure event of war, the rise of Yahweh against his enemies, his battle and his victory," p. 103. In supporting this view, von Rad suggests that the "Day of Yahweh" is used by Amos, only in a casual manner and in fact Amos could have used any other traditional element and reverse or change the accustomed association. See also, Simon Cohen, "The Political Background of the Words of Amos" HUCA 36 (1965), pp. 153-160, especially p. 157, and, Waldemar Janzen, Mourning Cry and Woe Oracle BZAW 125 (Berlin: Walter de Gruyter), 1972, pp. 49f. For an extensive critique of von Rad's view, see, Meir Weiss "The Origin of the 'Day of the Lord' Reconsidered", HUCA 37 (1966), pp. 29-72.
traditionally a festal occasion and is so used by the prophets. Regarding its use in Amos 5:18ff, Kapelrud notes that "After having mentioned the Day of Yahweh Amos goes immediately over to speak of cultic feasts, assemblies, burnt offerings, cereal offerings and peace offerings. ... The Day of Yahweh is mentioned in the same passage, which makes it evident that this day was also a cultic event."[140] Third, there is the view that the "Day of Yahweh" is an eschatological event. This view suggests that the judgement which is spoken of by the prophets is one which will be executed in the "end-time". Traditionally, this view suggests that the "Day of Yahweh" is associated with the epiphany of Yahweh in the Autumn festival, but in an eschatological perspective. [141] The fourth position has its main proponent in Fensham. He notes that the "Day of Yahweh" prophecies do refer to "holy-war" in some instances (e.g. Jeremiah 46:10; Zephaniah 1:16). However, he suggests that this cannot be the sole


referent to the "Day of Yahweh" precisely because in the majority of cases, the prophecy is against Israel. Thus, he argues, the "Day of Yahweh" is both a "day of battle" and a "day of judgement". [142]

This fourth position appears to be the most likely and suitable for an understanding of the use of the "Day of Yahweh" in the Eighth Century prophets. Not only is there an implication of war and destruction as several passages in Isaiah would attest [143] but also a day of judgement (opposed to a day of festival); the latter fits the context of Amos' words better. [144] In Isaiah's case, Israel desires Yahweh's presence against the foreign nations, and in this instance von Rad's thesis that the "Day of Yahweh" is in reference to "holy-war" might have some legitimacy. There is no evidence that the "Day of Yahweh" in Isaiah refers to a festival occasion. Instead of aligning himself with Israel, Yahweh will reverse this expectation and rather use the occasion to punish Israel. Instead of defeating the enemy, Isaiah says, "Your men shall fall by the sword and your mighty men in battle" (3:25).

Amos, on the other hand clearly uses the expectations associated with the festal occasion as a point of departure for his attack. He is the only prophet who combines the use of "ז"וע


143 See, e.g., Isaiah 13:6, 9; 34:8.

144 See, e.g. Amos 5:18-20; 8:3,9.
with the "Day of Yahweh". This adds to his words a strong element of judgement. As Janzen notes, "Amos is fully conscious of the mourning function of אַשֶּׁר, but employs it in anticipation of that particular mourning and wailing which will be called for by the Day of the Lord." [145] Amos' words regarding the "Day of Yahweh" while they are clearly pronounced in 5:18-20, are not separate and distinct from the larger context of his critique of the cult. There is a logical connection between 5:18-20 and 5:21-24. [146] This connection between the "Day of Yahweh" and cultic practice is also underlined clearly in 8:9-10.

In both of these instances there is the dramatic picture of the effect of the "Day of Yahweh", for the "Day of Yahweh" will not bring light, but rather darkness. Amos here is not alluding to a physical phenomenon when he speaks of the concept of darkness. Weiss notes that, "Amos himself gives us an idea of what he took this darkness to be by the simile 'As if a man did flee from a lion'. ...Here a disaster is depicted from which there is no escape. From a methodological point of view one must assume, at least to begin with, that the simile constitutes an organic element in this prophecy. Now this can be so only if "darkness" is recognized as the common stereotyped metaphor it has proved to be, denoting distress and disaster." [147]

145 Janzen, Mourning Cry, p. 49. It is interesting, that while 8:9-10 does not begin with ויוה, nevertheless Amos makes it clear that the feasts will be mourning, which is precisely the intent of ויוה in 5:18.

146 See, Hammershaimb, Amos, p. 80. Hammershaimb suggests that the unit is 5:18-27.

147 Weiss, art.cit., p. 38.
to say, the "light-darkness" imagery is not in reference to eclipses; it is certain that Amos is not suggesting an eclipse will coincide with the "Day of Yahweh". An eclipse occurs naturally, but it is the unnatural events of the "Day of Yahweh" which are being referred to here.

What is clear from the use of the "Day of Yahweh" in both Amos and Isaiah is the fact that the people have traditionally associated something inherently positive with the "Day of Yahweh". It is the occasion which serves to reaffirm Yahweh's relationship with Israel. Donald Williams suggests that the primary purpose of the "Day of Yahweh" is "to foster the covenantal relationship between Yahweh and Israel, a covenant which offered Yahweh's protection to his chosen people and a guarantee of peace and security upon the land." [148] These prophets speak of the "Day of Yahweh" in a way which points clearly to the fact that Israel has broken the covenant relationship and thus the expectations associated with this "day" are reversed. [149]

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148 Donald Williams, "The Theology of Amos", p. 397.

149 See, H. Wheeler Robinson, *Inspiration and Revelation in the Old Testament* (Oxford: Clarendon Press), 1946. Robinson notes that, "From the prophetic point of view it is immaterial whether the divine act be wrought through physical phenomena, such as earthquake and storm, or through human agency...or through some mysterious means beyond man's knowledge and previous range of experience. The characteristic feature of the day is that God acts, and that he is thereby decisively revealed as the God of effective action, the living God, the God who will be that which He will be, in deed and not simply in word. ...Moreover, such action is from without, transcendent and not immanent, though God may act from within either Nature or man in the achievement of His purpose," p. 145.
This entire chapter has dealt in detail with the question of the prophetic critique and, in doing so, has examined the different contexts in which social justice is absent. It has, I hope, become clear from the discussion that the social critique of the prophets involve all of Israel's life and not only the so-called secular aspects. Both the cultic and the economic elements are inseparably intertwined. Thus, the nature of this cultic activity is not only a source of social injustice, but serves, in a pivotal way, to express the brokenness in Israelite society. In the cultic practices, it is evident that the cult has become an avenue for satisfying the religious whims of the upper classes and not an occasion for the renewal of faith in Yahweh's covenant relationship. All of the Eighth Century prophets see this as the major flaw in Israel's behaviour. The cult is seen alongside the daily social and economic activities of the people and the influence of one on the other becomes commonplace. Once הָעֵד between Yahweh and Israel disappears, then everything in Israel is affected. Israel's very existence is grounded in Yahweh, thus the absence of הָעֵד adversely affectsтки in all areas of Israel's life. The discussion of the various contexts where injustice is present attests this. Thus, James Luther Mays' belief that most of the occurrences of וֹֽגָֽנֵת in the Eighth Century prophets refer to social injustice in the judicial area, is inadequate. It is clearly more than the judiciary which is in question here.
The unbridled affluence of the upper classes and the rich landowners is in sharp contrast to the conditions of those who are struggling to survive. The land, which is to be the source of livelihood for all families, and which belongs to Yahweh, is being usurped by those with economic ambition. It is perhaps this situation which is most appalling in the eyes of the prophets, for there is a clear expression of Yahweh's relationship with Israel, and of the relationship amongst Israelites. From the leaders, who are elected to serve and protect the people and who are ultimately responsible for the welfare of the poor and powerless and the upholding of Torah, to the local members of the community who sit in the gate, corruption is rampant. Every phase of life is touched by injustice, and the question of personal affluence at the expense of the other person is dominant. Indeed, Israel has changed from what is typically Israelite to a society which appears to contain no semblance of relational values. Perhaps it is as Herrmann suggests, "In terms of the conditions obtaining in the early period, the old system could be termed genuinely Israelite, whereas the new approach was essentially an economic one. It was not just concerned with the tilling of Yahweh's land; it also set out to create a way of tending it which furthered the well-being of the court and the apparatus of the state." [150] Greed and the new economic order have taken the place of Torah, and the poor and powerless have become pawns, being sold and traded as items. Yet in all of this, many merchants, wealthy landowners and the upper classes do not perceive themselves to be

150 Herrmann, op.cit., p. 236.
in conflict with Yahweh, for offerings and worship continue to flow in excess.
CONCLUSION

The investigation undertaken by this study leads to several conclusions, based primarily on three areas, namely פֶּרֶה, שְׁמוֹם and the aspects of social injustice in the Eighth Century prophets where these two concepts are used together. It has become clear from this examination that in order to trace the development in meaning and the nuances of פֶּרֶה and שְׁמוֹם in the Old Testament, these concepts must be studied and understood in the wider context of the Ancient Near East. While this does not determine the primary way in which the terms are used in the Old Testament, it does give a vital background against which the Old Testament usage may be clearly seen.

The Ancient Near Eastern use of שְׁמוֹם indicates that its primary use is forensic, while the examples in which שְׁמוֹם is associated with deity suggests also a religious use, with it also being used, on occasion, in an ethical sense. Perhaps even more important than these three aspects is the fact that שְׁמוֹם is used in many instances in "relationship" contexts in the Ancient Near East. This point serves as a major transition in the study of this term as "relationship" oriented, in the Old Testament. The importance and relevance of this background study of this term are seen in the similarity of uses which are found in the Old Testament. This similarity must, however, be kept in perspective, as the Old Testament introduces elements which are both distinct from those current in the Ancient Near East and unique to the Old Testament. In this regard, the presence of
Yahweh, the election of Israel and Yahweh's covenant relationship with Israel are all new elements which shape the meaning of בִּנְיָמִין in the Old Testament.

As in the case of בִּנְיָמִין, an examination of בְּנֵי in the Ancient Near Eastern context establishes its fundamental meaning there, and this in turn presents an essential orientation for the study of בְּנֵי in the Old Testament. What is evident from such an examination is its contextual relation with authority. While there are many occurrences of בְּנֵי which have forensic overtones, it can hardly be said that it is fundamentally a judicial term. Moreover, the examination of בְּנֵי in the Old Testament suggests that even with the different contexts and the different cultural and religious milieux, its Israelite usage remains similar to its use in the Ancient Near East. It is a concept which has its primary orientation in authority. Additionally, בְּנֵי in the Old Testament incorporates one other element in its general meaning, which is not apparent in the Ancient Near Eastern use, namely its use, too, as a term of relationship.

The connection between בִּנְיָמִין and בְּנֵי in the Ancient Near East and בִּנְיָמִין and בְּנֵי in the Old Testament is not merely a nominal one but one of substance.

The discussion of בִּנְיָמִין and בְּנֵי in the Old Testament reveals that both of these terms are based fundamentally within the confines of "relationship". This, in effect, departs from the commonly held views of these concepts. In the case of בִּנְיָמִין it refutes the views of Diestel, Kautzsch, Nötscher, Fahlgren,
functions primarily as a norm. The study of דָּרַע has made it clear that this concept is not primarily a forensic one, though this is certainly an element in its use, but that, like דָּרַע, it is a term of "relationship". In this respect, the examination of דָּרַע in this thesis also departs from the consensus regarding its meaning. In the course of this study, we have seen that דָּרַע can be used in "forensic", "ethical" and "religious" contexts, but we have also seen that דָּרַע can be understood as "relationship". Thus, Yahweh's involvement with Israel even if punitive in terms of judgement, may be regarded as an element of his relationship with Israel.

It is clear that the idea of "relationship" in terms of דָּרַע and דָּרַע, is fundamental to a correct understanding of the relationship between Yahweh and Israel on the one hand, and between members of the Israelite community on the other.

The essence of this understanding of relationship is seen in the use of דָּרַע and דָּרַע in the Eighth Century prophets. It is the perversion of such relationship that is attested to by the many expressions of injustice in the Eighth Century. The fundamental factor in this regard is the corruption of Israel's cult. It is clear that this corrupt cult and all that it implies cannot be divorced from the elements and agents of injustice in society, for cult epitomises Israel's relationship with Yahweh. Whether it is religious, as in the cult, economic, as in the

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1 It must be noted here that Fahlgren attempts to incorporate the idea of "relationship" within a norm.
monetary and latifundia economy, social, as in the judicial system, every aspect by its very nature, affects the existing relationships.

Outside of the linguistic study of פִּיתא and נְבֹאָה, the use of these concepts within the gamut of Israel's life in the Eighth Century confirms their fundamental function as terms of relationship. The fact that פִּיתא and נְבֹאָה are distinguished in terms of priority and function by the Eighth Century prophets indicates the prophets' interest in פִּיתא and נְבֹאָה respectively for the restoration of the people's broken relationship with Yahweh and with each other. It can be concluded from this study that פִּיתא and נְבֹאָה are not only primarily terms of relationship but that they are so used by the Eighth Century prophets in the latter's preaching against the many expressions of social injustice. The detailed study of the many passages from these prophets shows conclusively the indelible connection between the religious, the economic and the social aspects of Israel's life, all of which belong ideally together and can so belong only if they are firmly based on a true application of פִּיתא and נְבֹאָה.

Finally, while this study has focused on a subject which may be classified broadly as a theological one, the conclusions provide certain implications which are not only theological, but also socio-economic. The understanding of the connection between cultic, economic and social expectations as expressed by this study will, I hope, assist in the use of the Old Testament as a whole, and the context of the Eighth Century prophets in
particular, as a starting point for the relating of contemporary questions to the biblical message. In this regard, I believe that the results of this study could have practical implications for a theological appraisal of the structure and function of society especially in the "third world".
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