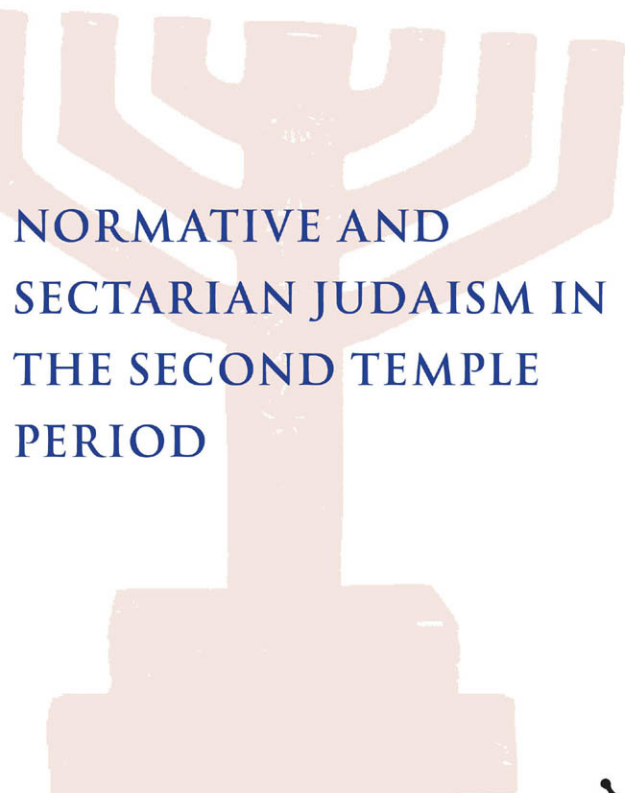


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NORMATIVE AND
SECTARIAN JUDAISM IN
THE SECOND TEMPLE
PERIOD

MOSHE WEINFELD



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54

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Normative and Sectarian Judaism in the Second Temple Period

Moshe Weinfeld



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ABBREVIATIONS

AASOR	Annual of the American Schools of Oriental Research
AB	Anchor Bible
ADD	C.H.W. Jones, <i>Assyrian Deeds and Documents Recording the Transfer of Property</i> (Cambridge, 1901)
AfO	<i>Archiv für Orientforschung</i>
Arch. D.Hist.d.Droit Orient	<i>Archives d'histoire de droit orientale</i>
AHw	Wolfram von Soden, <i>Akkadisches Handwörterbuch</i> (Wiesbaden: Harrassowitz, 1959–81)
ANET	James B. Pritchard (ed.), <i>Ancient Near Eastern Texts Relating to the Old Testament</i> (Princeton: Princeton University Press, 1950)
AOAT	Alter Orient und Altes Testament
AP	<i>Aramaic Papyri of the Fifth century B.C.</i> (edited with translation and notes by A. Cowley; Oxford, 1923)
ARM	Archives royales de Mari
ARN	<i>'Abot de Rabbi Nathan</i>
ARW	<i>Archiv für Religionswissenschaft</i>
AT	D.J. Wiseman, <i>The Alalah Tablets</i> (London, 1954)
ATD	Das Alte Testament Deutsch
BAR	<i>Biblical Archaeology Review</i>
BASOR	<i>Bulletin of the American Schools of Oriental Research</i>
BBS ^t	L.W. King, <i>Babylonian Boundary Stones</i> (London, 1912)
BKAT	Biblischer Kommentar: Altes Testament
BO	<i>Bibliotheca orientalis</i>
BWL	W.G. Lambert, <i>Babylonian Wisdom Literature</i> (Oxford, 1960)
BZAW	Beihefte zur ZAW
CAD	Ignace I. Gelb <i>et al.</i> (eds.), <i>The Assyrian Dictionary of the Oriental Institute of the University of Chicago</i> (Chicago: Oriental Institute, 1964–)
CBQ	<i>Catholic Biblical Quarterly</i>
CH	<i>Codex Hammurabi</i>
CIL	<i>Corpus inscriptionum latinarum</i>
CT	<i>Cuneiform Texts from Babylonian Tablets in the British Museum</i>
CTA	A. Herdner (ed.), <i>Corpus des tablettes en cunéiformes alphabétiques découvertes à Ras Shamra-Ugarit de 1929 à 1939</i> (Paris: Imprimerie nationale Geuthner, 1963)
DDS	M. Weinfeld, <i>Deuteronomy and the Deuteronomistic School</i> (Oxford, 1972)
DJD	<i>Discoveries in the Judaean Desert</i>
EA	<i>El Amarna Letters</i> : J.A. Knudtzon, <i>Die El-Amarna Tafeln</i> (Leipzig, 1915)
EI	<i>Eretz Israel</i>

<i>EJ</i>	<i>Encyclopaedia Judaica</i>
FRLANT	Forschungen zur Religion und Literatur des Alten und Neuen Testaments
HAT	Handbuch zum Alten Testament
HKAT	Handkommentar zum Alten Testament
HSS	<i>Harvard Semitic Studies</i>
HTR	<i>Harvard Theological Review</i>
HUCA	<i>Hebrew Union College Annual</i>
<i>IEJ</i>	<i>Israel Exploration Journal</i>
IOS	<i>Israel Oriental Studies</i>
JANES	<i>Journal of the Ancient Near Eastern Society of Columbia University</i>
<i>JAOS</i>	<i>Journal of the American Oriental Society</i>
JBL	<i>Journal of Biblical Literature</i>
JCS	<i>Journal of Cuneiform Studies</i>
JEN	E. Chiera and E.R. Lacherman, <i>Joint Expedition with the Iraq Museum at Nuzi</i> (Paris, 1927–39)
JESHO	<i>Journal of the Economic and Social History of the Orient</i>
JJS	<i>Journal of Jewish Studies</i>
JNES	<i>Journal of Near Eastern Studies</i>
JPS	<i>The Jewish Publication Society of America</i>
JQR	<i>Jewish Quarterly Review</i>
JTOT	<i>Journal for the Study of the Old Testament</i>
JSS	<i>Journal of Semitic Studies</i>
JTS	<i>Journal of Theological Studies</i>
KAI	H. Donner and W. Röllig, <i>Kanaanäische und aramäische Inschriften</i> (3 vols.; Wiesbaden: Harrassowitz, 1962–64)
KBo	<i>Keilschrifttexte aus Boghazköi</i> (Leipzig, 1916)
KHC	<i>Kurzer Hand-Kommentar zum Alten Testament</i>
KUB	<i>Keilschrifturkunden den aus Boghazköi</i>
LSS	<i>Leipziger Semitische Studien</i>
MDOG	<i>Mitteilungen der deutschen Orient-Gesellschaft</i>
MDP	<i>Mémoires de la délegation en Perse</i>
MGWJ	<i>Monatsschrift für Geschichte und Wissenschaft des Judentums</i>
MSL	<i>Materialien zum sumerischen Lexicon</i> (Materials for the Sumerian Lexicon)
MVAeG	<i>Mitteilungen der vorderasiatisch-ägyptischen Gesellschaft</i>
OGI	W. Dittenberger (ed.), <i>Oriens Graeci Inscriptiones Selectae</i> (Leipzig 1903–1905)
OLZ	<i>Orientalistische Literaturzeitung</i>
<i>Oudt St.</i>	<i>Oudtestamentische Studiën</i>
PAAJR	<i>Proceedings of the American Academy of Jewish Research</i>
<i>Phil.-hist. Abt. N.F.</i>	<i>Philosophisch-Historische Klasse Abhandlungen, Neue Folge</i>
PRU	<i>Le palais royal d'Ugarit</i>
RA	<i>Revue d'assyriologie et d'archéologie orientale</i>
<i>Rev. Arch</i>	<i>Revue archéologique</i>
RB	<i>Revue biblique</i>
RCAE	L. Waterman, <i>Royal Correspondence of the Assyrian Empire</i> (Ann Arbor, 1930–36)
RE	A.F. Pauly and G. Wissowa, <i>Realencyklopädie für protestantische Theologie und Kirche</i> (Stuttgart 1894–1980)

<i>REJ</i>	<i>Revue des études juives</i>
<i>RevQ</i>	<i>Revue de Qumran</i>
<i>RGG</i>	K. Galling (ed.), <i>Religion in Geschichte und Gegenwart</i> (Tübingen 1957–65)
<i>RHA</i>	<i>Revue hittite et asianique</i>
<i>RHPPhR</i>	<i>Revue d'histoire et de philosophie religieuses</i>
<i>RHR</i>	<i>Revue de l'histoire des religions</i>
<i>RS</i>	<i>Ras Shamra</i>
<i>SAOC</i>	<i>Studies in Ancient Oriental Civilisations</i>
<i>SBL</i>	Society of Biblical Literature
<i>SEL</i>	<i>Studi Epigrafici e Linguistici</i>
<i>SPB</i>	S. Singer, <i>Standard Prayer Book</i> (New York, 1943)
<i>SVT</i>	Supplements to <i>VT</i>
<i>TCL</i>	<i>Musée du Louvre, Textes cunéiformes</i>
<i>TDOT</i>	G.J. Botterweck and H. Ringgren (eds.), <i>Theological Dictionary of the Old Testament</i> (Grand Rapids, 1977–)
<i>ThLZ</i>	<i>Theologische Literaturzeitung</i>
<i>ThWNT</i>	Gerhard Kittel and Gerhard Friedrich (eds.), <i>Theologisches Wörterbuch zum Neuen Testament</i> (11 vols.; Stuttgart, Kohlhammer, 1932–79)
<i>TWAT</i>	G.J. Botterweck and H. Ringgren (eds.), <i>Theologisches Wörterbuch zum Alten Testament</i> (Stuttgart: W. Kohlhammer, 1973–95)
<i>UF</i>	<i>Ugarit-Forschungen</i>
<i>VAB</i>	<i>Vorderasiatische Bibliothek</i>
<i>VCaro</i>	<i>Verbum caro</i>
Vogt	J. Vogt, <i>Sklaverei und Humanität: Studien zur antiken Sklaverei und ihrer Erforschung</i> (Wiesbaden, 1965)
<i>VT</i>	<i>Vetus Testamentum</i>
<i>VTE</i>	D.J. Wiseman, 'The Vassal Treaties of Esarhaddon', <i>Iraq</i> (1958), pp. 1–99
<i>WMANT</i>	<i>Wissenschaftliche Monographien zum Alten und Neuen Testament</i>
<i>YOS</i>	<i>Yale Oriental Series (Babylonian Texts)</i>
<i>ZA</i>	<i>Zeitschrift für Assyriologie</i>
<i>ZAW</i>	<i>Zeitschrift für die alttestamentliche Wissenschaft</i>
<i>ZTK</i>	<i>Zeitschrift für Theologie und Kirche</i>

Part I
PRAYER AND WORSHIP

Chapter I

THE LOYALTY OATH IN THE ANCIENT NEAR EAST*

The political treaties from the ancient Near East which have come to light since the 1920s have contributed much to understanding the nature of formal relationships between peoples, sovereigns and vassals, etc. The relationship between Israel and its God embodied in the so-called 'Covenant' has also been reevaluated following the discovery of the ancient Near Eastern treaties.¹

In this article we intend to discuss the political documents which though considered as treaties actually constitute fealty oaths. The structure and typology of these documents will be compared with the structure and typology of similar documents in the ancient world, thus revealing a common pattern of fealty oaths prevailing in the Near East for almost 1500 years. Just as the treaties of the ancient Near East have their corresponding parallel in the Biblical Covenant so have the fealty oaths their parallels – as will be shown below – in the Israelite confession of faith and especially as has been crystallized in later Jewish Liturgy.

I

The point of departure for our discussion will be the so-called vassal treaty of Esarhaddon, King of Assyria. This document which was discovered in 1955 and published in 1958² is the longest of the political 'treaties' to be unearthed in the ancient Near East. This treaty is actually a loyalty oath on the part of the Median vassals obligating them to remain faithful to Assyria and her king on the occasion of change in the political leadership. On the sixteenth of Iyar (*Ajjāru*) 672, during the *limmu* (eponymy) of Nabû-bēl-ušur – a date appearing in the treaty's colophon – Esarhaddon, King of Assyria, adjured the vassals to observe allegiance to his son Ashurbanipal who was designated to reign over Assyria, and to his son Shamashsumukin, the crown prince designate of Babylonia. We learn from other documents that not only the vassals were adjured, but that four days earlier (on the

* This is an expanded version of my Hebrew article in *Shnaton, An Annual for Biblical and Ancient Near Eastern Studies* (1975), I, pp. 51–88.

1. See my article 'Brith': *TDOT* II (1975), pp. 253–279.

2. D.J. Wiseman, 'The Vassal Treaties of Esarhaddon', *Iraq* 20 (1958), pp. 1–99. For recent English translations see E. Reiner, *ANET*³, 534ff., S. Parpola and K. Watanabe, *Neo-Assyrian Treaties and Loyalty Oaths* (1988), pp. 28ff., for a more recent Hebrew annotated translation cf. M. Weinfeld, *Shnaton, An Annual for Biblical and Ancient Near Eastern Studies*, Vol. I (1975), pp. 89ff.

twelfth of Iyar) all of the people of Assyria, young and old alike, were required to swear allegiance to the new King Ashurbanipal.³

The adjuration, which was carried out in the presence of the gods opens with a declaration that the treaty binds as well the generations to come (ll. 1–12, cf. ll. 380–396). This is followed by a list of deities who are witnesses to the obligations (ll. 13–40), and subsequently by the conditions of obligation which may be summarized as follows:

1. to accept Ashurbanipal's kingship (ll. 41–48).
2. to be obedient to Ashurbanipal and to be prepared to fight and die for him (ll. 49–50, 229–231).
3. to love Ashurbanipal and be wholeheartedly faithful to him (ll. 51–61, 92–100, 231–236, 266–268).
4. to care for the continuation of the dynasty (ll. 83–91, 246–253).
5. to act favourably toward the king's brothers and their households (ll. 269–282).
6. to inculcate loyalty in the coming generations (ll. 283–301, 380–396).
7. not to rebel or install another king (ll. 62–72, 123–129, 147–161, 180–187, 188–211, 212–228).
8. to denounce inciters of rebellion (ll. 73–82, 108–122).
9. not to attack the king (ll. 101–107, 259–265).
10. to capture rebels and eradicate them or bring them to the king (ll. 130–146, 162–172, 302–317).
11. not to cooperate with an enemy or a rebel (ll. 173–179, 237–245).
12. to avenge Ashurbanipal should he be assassinated by conspirators (254–258).
13. not to comply with dissenters and to turn such over to Ashurbanipal (ll. 318–335, 336–352, 353–359, 360–372).
14. not to breach the treaty or damage the treaty document (ll. 373–380, 397–413).

After this come the curses associated with various deities (ll. 414–493), these are followed by the vassals' obligations expressed in the first person plural (ll. 494–512) and last of all comes a series of dramatized curses (ll. 513–665) of the kind found in the Sefire treaties⁴ as well as in the Hittite Soldiers oath.⁵

Should we attempt to summarize and find a common denominator to all of the conditions listed above, we will find that they revolve principally about three main topics: (a) loyalty to the king and his dynasty (nos. 1–6); (b) obligation to act against rebels (nos. 7–14); (c) curses for treaty breakers. Similarly, in the vassal oaths themselves, which actually ratify the agreement, we find these three motifs though they start off dealing with rebellion:

3. Cf. M. Streck, *Assurbanipal*, II, p. 4f.; 18–23.

4. See J.A. Fitzmyer, 'The Aramaic Inscriptions of Sefire', *Biblica et Orientalia* 19 (1967), IA: pp. 35–42.

5. *ANET*³, The Soldiers' Oath p. 353. N. Oettinger, *Die Militärischen Eide der Hittiter* (Wiesbaden, 1976). For a transliteration of the Hittite text see J. Friedrich, *ZA NF* 1 (1924), pp. 161–92.

Against rebellion clause: ‘May the gods look on if we rebel or revolt... if we hear (men) speaking secretly...unseemly acts... and conceal it and do not report it.’

Loyalty clause: ‘If, as long as we, our sons and our grandsons live, the crown prince designate Ashurbanipal will not be our king and lord,... if we place another king...over ourselves, our sons, our grandsons...’

Curses: ‘may all the gods mentioned (here) call us, our offspring, and our descendants, to account...’ (ll. 494–512).

Similar demands are found in other loyalty oaths from the ancient Near East. From the same period another loyalty oath to Ashurbanipal is known to us,⁶ and it too contains clauses reminiscent of those in the vassals’ oaths to Esarhaddon:

- Loyalty.* (1) to be obedient to the king and fight for him (ll. 11, 23–25).
 (2) to love the king all the days of their lives (ll. 32–33).
 (3) not to install another king over them (ll. 34–35).
- Report Rebels:* (1) to report to the king any sign of rebellion or instigation (ll. 4–9).
 (2) to arrest conspirators and instigators and bring them before the king (ll. 13–16).
- Curses.* (1) The curses appear at the end of the document (Rev. 1–25).

It should be pointed out that in contrast to the Vassal Treaties of Esarhaddon (henceforth VTE) which are usually phrased as an adjuration by the king and only in one place is an oath of the vassals cited (ll. 494–512, see above), the document which we have brought here is phrased in its entirety as an oath taken by the vassal. This ambivalence (oath vs. adjuration) is already found in the Hittite documents from the 13th–14th centuries known as ‘instructions’. There, we encounter on the one hand an adjuration of officials (LÚ. MEŠ. SAG)⁷, and military personnel,⁸ and on the other hand oaths by military commanders.⁹ Furthermore, just as in VTE, where alongside the king’s adjuration we found the vassals’ oath,

6. L. Waterman, *Royal Correspondence of the Assyrian Empire* (= *RCAE*) (930–36), No. 1105. See also adjuration of Esarhaddon’s mother in letter No. 1239, *ibid.*

7. E. von Schuler, *Hethitische Dienstanweisung für höhere Hof- und Staatsbeamte*, *Archiv für Orientforschung* Beiheft 10 (1957), pp. 1–35. LÚ. SAG is equivalent to *ša rēši* (= Hebrew מִרְיָם) and connotes an officer or a minister and not necessarily a castrated courtier (*ša rēši* means ‘pertaining to the head’, namely one who stands before the head), and see most recently, A.L. Oppenheim, ‘A note on *ša rēši*’, *Festschrift Th. Gaster*, *JANES* 5 (1973), 325ff.; M. Heltzer, *Israel Oriental Studies* 4 (1974), pp. 4–11.

8. S. Alp, ‘Military Instructions of the Hittite King Tuthaliya IV’, *Bulleten* 11 (1947), pp. 403ff. And cf. the series of instructions to border guard commanders (*bēl madgalti*) in Schuler, *Dienstanweisung*, pp. 41ff.

9. E. von Schuler, ‘Die Würdenträgerreihe des Arnuwanda’, *Orientalia* 25 (1956) (=LÚ. MEŠ. DUGUD).

so in the adjuration of the Hittite officers we find the formula of the officials' oaths integrated into the preamble of the document. Therefore it is read:

Thus says Tudhaliyaš, the great King...you the officers will swear to the Sun (= king) saying: We shall obey the Sun...the sons and grandsons related to his kingdom (Section a, 1).

Only afterward is there an adjuration which makes demands identical to those which we mentioned above:

1. to guard the king and his sons after him (LÚ. MEŠ. SAG A, 6–12).
2. not to install over them another king (LÚ. MEŠ. SAG A, 13–16).
3. to uncover instigators and rebels (*ibid.*, *passim*).

Also in the 'instructions' to the military personnel¹⁰ and in the oaths of the Hittite army commanders (LÚ. MEŠ. DUGUD)¹¹ we find clauses which deal mainly with loyalty and uncovering rebellion:

- | | |
|---------------------------|---|
| <i>Loyalty</i> | (1) to love the king (= to remain loyal), his family and his progeny (see below Section A). |
| | (2) to fight for him constantly (or stubbornly) (see below Section B). |
| | (3) to cherish the life of the king more than their own lives (see below Section B). |
| | (4) to teach the loyalty oaths to the sons (below Section I). |
| <i>Against rebellion:</i> | (5) to capture rebels and turn them over to the king (below Section F). |
| | (6) to avenge the king (below Section G). |

Although these oaths and adjurations contain no curses, this seems to be merely a coincidence since there is a Hittite document which deals with soldiers taking an oath accompanied by dramatic ceremonies meant to illustrate the curses which will come upon those who will not remain loyal to the king, and breach the covenant.¹² This indicates that the curse was a most important feature of Hittite oaths and adjurations of officers, soldiers, etc.

A loyalty oath founded upon the three principles established above – (1) loyalty, (2) uncovering rebels, (3) curses – appears in a Hellenistic document. For example, in a treaty between Smyrna and Magnesia (near Sipylus) from 242 BCE,¹³ we find the oaths of the two parties which mainly express loyalty to Seleucus II and may be summed up as follows:

1. to remain loyal (εὐνοήσεῖν = to have love/affection) to the king and his dependants.

10. In Alp's article (n. 8).

11. In Schuler's article (n. 9).

12. See n. 5.

13. W. Dittenberger, *Orientalis Graeci Inscriptiones Selectae* (= *OIGI*) No. 229, = H. Bengtson – H.M. Schmitt, *Staatsverträge des Altertums III, Die Verträge des griechisch-römischen Welt von 338 bis 200 v. Chr.* (1969), No. 492 (henceforth: Bengtson).

2. to uncover any attempt of conspiracy and agitation.
3. a blessing to the keepers of the pact and curses to its breachers.¹⁴

Such elements are not confined exclusively to loyalty oaths but also appear in political vassal treaties where, even though the principal concern is the relation between the vassal and the overlord, the three elements mentioned are still prominent:

- Loyalty:*
- (1) to revere the king and his family just as the vassal reveres his own self and family.¹⁵
 - (2) to fight wholeheartedly on behalf of the king.¹⁶
- Uncovering rebels:* to uncover rebels and agitators.¹⁷
- Blessing and Curse.*¹⁸

Here, however, there is the addition of ‘to be an enemy to the king’s enemies and a friend to his friends’ which is very frequent in Greek treaties and has even found its way into loyalty oaths from the Roman period, as we shall see (Section H).

Furthermore, just as in the loyalty oaths cited so far, so also in the vassal treaties the king’s adjuration stands alongside the vassal’s oath. Thus, in a treaty between Šuppiluliuma and Mattiwaza, after the Hittite King Šuppiluliuma has listed his conditions and the curses that will afflict Mattiwaza should he not keep the pact, Mattiwaza himself says:

If I Mattiwaza, the prince, and the sons of the Hurri (country) do not fulfill the words of this treaty and oath, I...and we the sons of the Hurri...we will have no seed...and if (on the other hand) we fulfill the treaty and the oaths of the King Šuppiluliuma, the great king... may the gods, whose name we have invoked, exalt us, guard us, and be king to us...¹⁹

This combination of imposing an obligation on the one hand, and obligating oneself on the other, appears as well in the treaty between Smyrna and Magnesia which we cited above. Within the treaty in which we found the conditions applying to each party, we also find the oath formula for the two parties which contains the self-obligations which we quoted.

The material so far discussed apparently contains documents of various types:

1. A treaty between an overlord king and his subject vassal kings (the Hittite treaties).
2. Adjurations of the *vassals* to remain loyal to the new crown prince (VTE).
3. Adjuration of *the people and its leaders* to remain loyal to the new crown prince (the oath of Zakutu, Esarhaddon’s mother).²⁰

14. Lines 60–69 (the settlers of Magnesia), ll. 70–78 (the people of Smyrna). For details of the clauses, see below.

15. Cf. e.g., document No. 17.355 in PRU IV, pp. 85ff. (the treaty between Muršuliš II and Niqmepa King of Ugarit).

16. *Ibid.*, ll. 20–21, p. 89, and see my article in *Leshonenu* 36 (1972), pp. 88–89.

17. See in my book, *Deuteronomy*, etc. pp. 92ff. for references.

18. *Ibid.*

19. E. Weidner, *Politische Dokumente aus Kleinasien* (1923), p. 54.44ff.

20. *RCAE* No. 1239.

4. Adjuration of officials by the king (Schuler, LÚ. MEŠ. SAG).
5. Adjuration of soldiers by the king (Alp, Military Instr.).
6. Adjuration of border guard commanders (Schuler, Bēl Madgalti).²¹
7. Loyalty oaths from army commanders (Schuler, LÚ. DUGUD).
8. Loyalty oaths from soldiers (*RCAE* 1105).

Actually, all of these documents demonstrate one major and central concern, and that is loyalty to the king and his regime. The basic components of these documents are formulated identically and recur in this same formulation over very long periods of time: from the days of the Hittite Empire of the 14th century BCE,²² through the Assyrian Empire, and into the Roman Empire. Let us examine these basic elements in the Hittite and Assyrian treaties and compare them to documents from the Greek, Hellenistic and Roman periods.

A. *Loyalty*

This concept is expressed in the aforementioned documents by use of terms such as love/kindness²³: *aššiya* in Hittite and *rāmu* in Akkadian.²⁴ Therefore, in the oath of Hittite army commanders: ‘If we will not love (always)²⁵ our lords, their wives, their children, and their grandchildren’.²⁶

And in adjuration of Hittite military personnel.²⁷ ‘Just as you love²⁸ your wives, your children, and your houses, so shall you love the king’s business...’²⁹

In VTE: ‘If you do not love... Ashurbanipal...your lord...as you do your own lives’ (ll. 266–268).

And in a soldier’s oath to Ashurbanipal: ‘The King of Assyria our lord... we shall love all the days of our lives’.³⁰

In the treaties and loyalty oaths of the Greek, Hellenistic and Roman periods, terms of affection φιλεῖν/εὖνοεῖν (to be well inclined or favourable), εὖνοια serve to express political loyalty. Thus, for example, the parties to the treaty between Smyrna and Magnesia (at Sipylus) obligated themselves to be well

21. See n. 8.

22. And especially in the Al-Amarna period. In this period the formula structure of the international treaties crystallized. See my article *JAOS* 93 (1973), pp. 190ff.

23. Concerning 𒀭𒀝𒀭 and its covenantal connotation see my article in *JAOS* 93 (1973), pp. 190ff.

24. Love (אהבה) in the Bible also indicates loyalty. See W.L. Moran, ‘The Ancient Near Eastern Background of the love of God in Deuteronomy’, *CBQ* 25 (1963), pp. 77–87.

25. *aššiyanušgaweni* (*KUB* 31, 42 II: 23) which is the iterative form.

26. Schuler, *Orientalia* 25 (1956), II: 20–21, p. 227.

27. Alp. (n. 8), p. 392: 30–31.

28. *Genzu harteni* is translated by Alp ‘have affection’, however *genzu* is equivalent to Akkadian *rēmu* and if so the translation *have love* (=loyalty) is justifiable.

29. LUGAL-*uwaš šakliya*. A concept which in my opinion corresponds to Akkadian *parši ša šarrani* – the king’s customs/laws. See for example El-Amarna letter 117 line 82: *kīma parši ša abūtika* = according to the customs of your fathers, and cf. *kīma paraš Ḥalab* (*AT* 17.5). כִּמָּה הַמֶּלֶךְ מִשְׁפָּט הַמְּלִיכָה (1 Sam. 10.25) is equivalent to *paršu ša šarri*, while כִּמָּה הַמֶּלֶךְ מִשְׁפָּט הַמְּלִיכָה (1 Sam. 10.25) is equivalent to *paršu ša šarrūti*. In the Hellenistic and Roman loyalty oaths, remaining loyal to the king’s affairs is expressed by εὐνοήσῃν τὰ πράγματα and in Latin *in acta (iurare)*, and see n. 37.

30. *RCAE* 1105.32ff.

inclined to that which is loyal (εὐνοήσειν) to Seleucus II,³¹ and as in the oaths of the Hittite army officers (Schuler, DUGUD) and the oaths of Ashurbanipal's soldiers (RCAE 1105), we find that the soldiers pledge to Eumenes I (263 BCE) to be well inclined i.e. to be loyal toward him – καὶ εὐνοήσω αὐτῶι.³² Similarly, we find that the Roman Sulla³³ bound his opponent Lucius Cinna under oaths and imprecations³⁴ to be loyal to his interests εὐνοήσειν ἑαυτοῦ πράγμασιν³⁵ and Josephus tells us that Herod compelled the people to make a sworn declaration that they would maintain loyalty to his rule εὐνοίαν διαφυλάξειν³⁶ and in another place he has the people swear to be loyal to Caesar and the king's affairs.³⁷ He also tells us about an oath of loyalty to Gaius Caligula and uses εὐνοία³⁸. εὐνοήσειν with connotations of loyalty appears in oaths of loyalty to the Roman Emperors (beginning with Augustus) and especially in those preserved in inscriptions.³⁹

B. Devotion

The loyalty oaths as well as the vassal treaties contain demands of self-sacrifice for the king.⁴⁰ For instance, we find in a Hittite treaty found at Ugarit and written in Akkadian⁴¹:

If you Niqmepa do not guard with your army and your chariots and with all your heart
(*ina kul libbika*) and if you do not fight with all your heart.

And in a treaty written in Hittite:

31. OGI 229 = Bengtson III 492, 72, cf. also II. 2, 8. For discussion of εὐνοία cf. P. Herrmann, *Der römische Kaisereid*, 23f. (see n. 30 below). The verbs στέργω/φιλέω (to love) also appear in contexts of loyalty. Nicholas of Damascus uses this terminology when speaking about decisions concerning loyalty to Caesar (στέργεσθαι) and there we also find εὐνοία (Jacoby, *Fragm. Griech. Hist.* 90, 130 Sec. 180). The verb φιλέω in the sense of loyalty is found in the oath of the Colophons (c. 450 BC), see Bengtson II, 145, 47. For 'love' in the covenantal sense in the Greek-Roman political documents see my article in *JAOS* 93 (1973), pp. 190ff.

32. OGI 266 = Bengtson III 481, 26.

33. Plutarch, *Sulla* 10, 6.

34. ἀραίς καὶ ὄρκοις καταλαβόν. The concrete description follows: Cinna swears by taking a stone that if he is not loyal he will be thrown out of the city just as he throws the stone out of his hand. On the dramatization of curses, see below. (Similar dramatization appears in Jer. 51.63).

35. The loyalty to the πράγματα of the ruler corresponds to loyalty to the Latin *acta*, the implication being to his laws and decrees, and cf. n. 29 above concerning loyalty to the king's affairs in the Hittite adjurations. Also, cf. in the oath of loyalty to Eumenes I (above n. 32) in line 29: ὑπὲρ αὐτοῦ καὶ τῶν πραγμάτων τῶν ἐκείνου.

36. Antiq. 15.368.

37. εὐνοήσειν Καίσαρι καὶ τοῖς βασιλέως πράγμασιν (XVII, 42). Compare the letter of Lysias to the Jews: ἔαν οὖν συντηρήσητε τὴν εἰς τὰ πράγματα εὐνοίαν 'if you keep loyalty to the state-affairs'. (2 Macc. 11.19) and see also 3 Macc. 7.11.

38. XVIII, 124, and cf. the oath to Gaius from Assos, G. Dittenberger, *Sylloge* 3 No. 797, 20: εὐνοήσειν Γαίωι.

39. For those documents and their analysis see P. Herrmann, *Der römische Kaisereid*, Hypomnema 20 (1968). I am grateful to Professor M. Stern who drew my attention to this book.

40. See my article in *Leshonenu* 36 (1972), pp. 88ff.

41. PRU IV 17.353: 20–21 (p. 89) and comp. E. Weidner, *Politische Dokumente* No. 3, Vs. 11.17ff.; No. 4 Vs. 10ff.

And if you...Šaušgamuwa do not come to aid with your full heart (*šakuuaššarit ZI-it* = Akk. *ina kul libbi*) ...⁴² with your army and your chariots and will not be prepared to die (Ú-UL ak-ti) with your wives and your sons (for the King).⁴³

In a loyalty oath of the Hittite army officers:⁴⁴

‘If we will not fight against him stubbornly...⁴⁵ if the life of our lord will not be more precious to us than our own lives’.⁴⁶

In an adjuration of Hittite army officers:⁴⁷

‘They will fight stubbornly’.

In VTE:

‘If you do not fight and die for him’ (ll. 50–51).

This clause also appears in the adjuration of Mat’ilu by Ashurnirari V of Assyria:⁴⁸

‘If our death is not your death, if our life is not your life, if you do not seek the life of Ashurnirari, his sons...as your own life, and as the life of your sons’.

Identical demands are encountered in Greek and Roman loyalty oaths: In these as well, one ally is required to come to the aid of the other ‘with all his might and ability’ παντί σθένει, ὅσι ἄν δύνωμαι, κατὰ τὸ δυνατόν/δύναμιν⁴⁹ and here as well each ally is required to remain faithful with all his goodwill μετὰ πάσης προθυμίας⁵⁰ This expression of maximal devotion is likewise found in the old amphictyonic oaths: καὶ πάσῃ δυνάμει (Aischines II, 115).

Just as in the oriental documents, the documents from the Greco-Roman world bind the parties to fight until death. In the Greek oath at Plataea before the war with the Barbarians (cf. P. Siewert, *Der Eid von Plataiai*, 1972, p. 6.23) we read: μαχοῦμαι ἕως ἄν ζῶ ‘I shall fight as long as I live’. The loyalty oath of the

42. On this phrase cf. H. Freydank, *Mitteilungen der Deutschen Orient-Gesellschaft* (= *MDOG*) 7 (1960), p. 374.

43. C. Kühne and H. Otten, *Der Šaušgamuwa – Vertrag*, Studien zu den Boğazkoy-Texten Heft 16 (1971) Vs. 11: 32ff. See also in the treaties and adjurations of Šuppiluliuma II: ‘die for the King’ or: ‘only death will be your border’, cf. H. Otten, *MDOG* 94 (1963), p. 5 and R. Stefanini, *Accademia Nazionale dei Lincei*, Rendiconti, Classe di Scienze moralistoriche e filologiche (Ser. VIII) Vol. XX (1965), pp. 50f.

44. Schuler, *Orientalia* 25 (1956), p. 227 II: 14–16.

45. *karši zahhiya* and cf. J. Friedrich, *Staatsverträge I MVAeG* 31, I (1926), p. 14: 1–5 and see the commentary *ibid.*, p. 17.

46. *namma-kan anzel TI-anni UL ŠA BELU. NI TI-tar nakki* (Akkadian *kabtu*). For this sentence see J. Friedrich, *Hethitisches Elementarbuch I*² (1960), p. 127, Sec. 222.

47. Alp, *Belleten* 11 (1947), pp. 388.7, 392: 19.

48. See E. Weidner, *Archiv f. Orientforschung* 8 (1932–34), p. 17f., V: 1f., and see E. Reiner’s comments to these ll. in *ANET*³ p. 533. Cf. also *RCAE* 521.16: ‘I am ready to give the blood from my throat in the service of the King, my lord’.

49. Cf. H. Bengtson, *Verträge* II, 263: 16–17, 293.26f. 155.14, 186.22, III s.v. δύναμις and cf. Appian in connection to defending Julius Caesar παντί σθένει (BC II. 601), cf. below, No. 63.

50. In the soldiers’ oath to Eumenes (*OGI* 266.31) and in the treaty between Smyrna and Magnesia (*OGI* 229.66). In Hannibal’s treaty (Polybius VII, 9, 8) which contains many Semitic elements (Bickerman, *Trans. Amer. Philol. Assoc.* 75 (1944), p. 87ff. We find μετὰ πάσης προθυμίας καὶ εὐνοίας.

soldiers to Eumenes I mentioned above tells us that they are obligated to fight... for life or death...: ἄλλὰ μαχοῦμαι ἕως ζωῆς καὶ θανάτου⁵¹ and in the fealty oath to Augustus from Paphlagonia ‘not to spare body or soul, life or sons, and to stand up to any danger whatsoever’.⁵²

Most surprising is the similarity between the clauses of a loyalty oath from the Roman period in which the vassals pledge to revere the Caesar more than themselves and their sons, and the similar clauses in the Hittite documents. Thus we find in an oath to Gaius Caligula from Aritium,⁵³ ‘and I will not revere myself or my sons more than his well being’ (neque me neque liberos meos eius salute cariores habebo),⁵⁴ reminding us of the oath of the Hittite army officers quoted above: ‘If the life of our lord will not be more precious to us than our own lives’. We can add to this paragraph in the Hittite treaties with the vassals, ‘Just as you Niqmepa, you yourself, your head, your wives, your army and your land are dear to you, so may the king himself, the king’s head, the king’s sons and the land of Hittite be dear to you forever’.⁵⁵

Such clauses are actually contained in the Assyrian treaties in conditions such as ‘If you do not love the king as you do your own lives’ (VTE 266–268).

In the loyalty oath to Julius Caesar as it is described and cited by various authors⁵⁶, similar formulae are reflected.

C. *Guarding the King*

This matter is expressed in all of the documents under study by the expression watch/guard (Hittite: *paḫš*, Akkadian: *našāru*). In the oaths of the Hittite officers: ‘we shall guard (*paḫšueni*) the Sun (the King of Heth)⁵⁷ and further on in the administration of the oath to the officers: ‘guard the Sun and the Sun’s progeny’.⁵⁸

In the Hittite treaties with the vassals (written in Akkadian): ‘And you Niqmepa shall guard (*tanašsar*) the King of Heth your lord’.⁵⁹

In Esarhaddon’s adjuration of his vassals: ‘If you do not guard him in city and in open country’,⁶⁰ and in the soldiers’ oaths of loyalty to Ashurbanipal King of Assyria: ‘we shall guard the King of Assyria our lord’.⁶¹

In a treaty between Phillip V and Hannibal⁶² we find that Phillip and his dependants are to be aided and guarded σωζόμενοι καὶ φυλαττόμενοι by the

51. Lines 28–29.

52. *OGI* 532.15ff.

53. H. Dessau, *Inscript. Latinae* Vol. 1, No. 190

54. Cf. ...καὶ ὅτι καὶ σφῶν αὐτῶν καὶ τῶν τέκνων καὶ ἐκείνου καὶ τὰς ἀδελφὰς αὐτοῦ προτιμήσουσιν (προτιμᾶν = cariores habere), Dio Cassius 59, 9.2 and see Suetonius, *Calig.* 15, 3.

55. Treaty of Muršiliš and Niqmepa *PRU* IV 17.353 p. 88, and cf. document No. 17.338 *ibid.*, p. 85ff.

56. Cf. A. von Premerstein, *Von Werden und Wesen des Prizipats* (1937), pp. 32ff. and P. Herman, *Kaisereid*, pp. 66ff.

57. Schuler, *Heth. Dienstanweis* p. 8, I.3.

58. *Ibid.*, p. 9 line 26.

59. *PRU* IV 17.353.5, p. 88.

60. VTE, 49, 50.

61. *RCAE* 1105.11.

62. Polybius VII, 9, 7.

Carthagines. Admittedly, this expression may be a translation from Semitic, as Bickerman claims,⁶³ but on the other hand we have found a similar clause in Appian's description of the loyalty oaths to Julius Caesar – 'to guard Caesar and the body of Caesar with all their strength'.⁶⁴

D. *Loyalty to the King's Progeny and Dynasty*

In the preceding section we presented the adjuration of Hittite officers according to which the officers are obliged to guard the king's progeny as well. In addition, a Hittite document has been preserved in which a Hittite officer swears that he inquired as to whether the previous king had progeny who could reign after him but found none. He also inquired as to whether there remained any women pregnant by the king.⁶⁵

In Esarhaddon's adjuration of his vassals we hear explicitly that the vassals were required to wait for the deceased king's wife so as to guarantee the perpetuation of the royal line.⁶⁶

Clauses stipulating loyalty to the king's seed have been found in Greek and Hellenistic pacts. The Athenians pledge to assist Dionysus I of Syracuse (367 BCE) and his progeny⁶⁷ and the Miletians pledge to be ever loyal to Ptolemy II and his descendants.⁶⁸ Similarly, the soldiers pledge to be loyal to Eumenes I and his men.⁶⁹

Such clauses appear in the loyalty oath to Augustus from Paphlagonia,⁷⁰ in an oath to Tiberius from Palaipapous in Cyprus⁷¹ and in an oath of loyalty to Caligula of Assos.⁷² The two latter examples mention loyalty to 'all the house' of the Emperor, a detail which shows up as well in Esarhaddon's vassal oaths: 'if you... lift your hands against their households' (of the crown prince and his brothers).⁷³

E. *Not to Recognize Another King or Lord*

In the adjuration of the Hittite officers we read: 'as to lordship do not recognize (*šak-*) any other man'.⁷⁴

63. *Amer. Journ. of Philology* 73 (1952), p. 9.

64. Appian, *Bella civ.* II, 604: ἡ μὴν φυλάξειν καίσαρα καὶ τὸ καίσαρος σῶμα παντὶ σθένει. This description, as other descriptions of the oaths given to Caesar reflects oath formulae as they were actually said, and this may be seen by comparing with oaths of loyalty to the Roman emperors as they have become known from the inscriptions.

65. E. Laroche, *RA* 47 (1953), p. 70, ll.3f.; H. Otten, *MDOG* 94 (1963), pp. 3–4.

66. Lines 237–263, and for the obligations of the יְרֵמְיָהוּ בֶן־נְחֻמְיָהוּ in Judah to guard the dynasty see Weinfeld, *Deut.* p. 90ff.

67. Bengtson, II, No. 280.18ff.

68. διαφυλάξειν τὴν φιλίαν... πρὸς τὸν βασιλέα Πτ. καὶ τοὺς ἐγγόνους αὐτοῦ τὸν αἰὲ χρόνον. *Milet I* 3, 139, 4). Cf. Hermann, *Kaisereid*, p. 44.

69. εὐνοήσω αὐτῶι καὶ τοῖς ἐκείνου (Bengtson III, 481: 26–27).

70. Dittenberger, *OGI* 532, 10–11: καὶ τοῖς τέκνοις ἐγγόνοις τε αὐτοῦ.

71. σὺν τῶι ἅπαντι αὐτοῦ οἴκωι (T.B. Mitford, *Journ. of Roman St.* 50 [1960], p. 75, 1.15).

72. Dittenberger, *Sylloge*³ 797, 21: καὶ τῶι σύμπαντι οἴκωι αὐτοῦ.

73. VTE 11.271f.

74. Schuler, *Heth. Dienstanw.* p. 9, 11ff., cf. also p. 28.18f. and for Hittite *šek-/šak-* 'recognize' see A. Goetze *JCS* 22 (1968), pp. 7–8.

In the Hittite treaties with the vassals: ‘as to lordship recognize the Sun alone’.⁷⁵

In the soldiers’ oath to Ashurbanipal: ‘Another king and another lord we shall not seek’,⁷⁶ and in Esarhaddon’s adjuration of his vassals: ‘if you install another king, another lord over yourselves’ (ll. 71–72).⁷⁷

F. *Not to Hide Rebels or Instigators*

All of the above mentioned documents require extradition of rebels and instigators and warn against hiding them. For example, in the Hittite treaties with the vassals: ‘when you hear some evil thing (*idaluš*)⁷⁸ spoken against the king and shall conceal it (*šannatti*) and not reveal it (*tekkuššanuši*) or even cover it up (*munnāši*)’,⁷⁹ and in the Aramaic treaty from Sefire:

[And should a man come to you] or to your son...or to one of the kings of Arpad...and utter evil words (מלך לחיה)⁸⁰...you must turn them over into my hands (הדסכרהם) (הסכר).⁸¹

In the adjuration of the Hittite officers: ‘And should you hear an evil word against the Sun (= the king)... you shall inform the Sun, and if you have heard and do not tell the Sun (*mematteni*)...’.⁸²

In the pledge of Esarhaddon’s vassals: ‘If we hear rumour mongers, a bad word (*amāt* SAL. HJUL)⁸³ not good and not proper...and conceal it (*nupazzarruni*)...and do not tell the king Ashurbanipal’.⁸⁴

In the oath of the people of Chalcis to the Athenians⁸⁵ they pledged not to listen to rebels, and not only this, but if someone would rebel they were to inform about him (= turn him over) to the Athenians: καὶ ἐὰν ἀφιστῆι τις κατερῶ Ἄθηνάιοισι (ll. 24–25). The verb κατερέω (from κατεῖπον) means to turn over by way of informing (denounce)⁸⁶. This is similar to the Oriental sources which use verbs whose literal meaning is *say, tell*, but whose contextual connotations are to turn over or uncover: In Akkadian *qabû*, in Hittite *mema* and in Hebrew הגדר.⁸⁷

75. See Friedrich, *MVAeG* 34,1 (1930), 106.14, cf. Goetze, *ibid.*, p. 8.

76. Waterman, *RCAE* 1105.35.

77. All of these should be compared to לא יהיה לך אלהים אחרים in the Decalogue and the formula in Hos. 13.4 תדע לא תדע ואלהים זולתי לא תדע which appears after אלהים מצרים.

78. Concerning ‘evil thing’ רע דבר meaning instigation to rebellion and breaking a covenant see Weinfeld, *DDS*, p. 93, No. 6, and for רבר טוב in the sense of pact and agreement see my article in *Leshonenu* 36 (1972), pp. 8ff.

79. See Friedrich, *MVAeG* 34 (1930), 108.28f. and cf. my book *Deuteronomy*, p. 97 in connection with the parallels from Deut. 13.

80. See n. 78.

81. Fitzmyer, *Sefire* III, 1–2.

82. Schuler, *Heth. Dienstanw.* p. 14.47–52.

83. See above, n. 78.

84. Lines 499–507, and cf. ll. 73–82, 108–122.

85. *Inscript. Gr.* I² 39, 20ff. (= Bengtson II 155).

86. Cf. Herodotus III 71 (end): κατερέω πρὸς τὸν μάγον ‘I will denounce you to the Magus’.

87. See the discussion in Weinfeld, *DDS*, pp. 94ff.

In a like manner, we find the soldiers' oath to Eumenes I⁸⁸ that if someone should hear of a person plotting to rebel (ἐπιβουλεύοντα)... he will inform (ἐξαγγελέω)⁸⁹ as fast as possible, and similarly in the treaty between Smyrna and Magnesia quoted above we find that should someone discern somebody plotting he will inform as soon as possible.⁹⁰

The demand of immediate informing (*ibid.*)⁹¹ already appears in Hittite treaties. In the treaty between Šuppiluliuma⁹² and Šunaššura from Kizuwatna it is said:⁹³

If someone, man or city, shall rebel against the Sun, upon hearing this (*ki išamme*) he shall inform (*imaššar*) the Sun.⁹⁴

We find such a clause in the Paphlagonians' oath of loyalty to Augustus,⁹⁵ where they swear to turn over/uncover (ἐγμηνύσειν) should they see (detect) or hear (ἀίσθωμαι ἢ ἀκούσω)⁹⁶ a word, a plot to rebel, or an act against the king and his descendants. Now, the expression 'report all that is seen or heard' is very familiar to us from Neo-Assyrian and Neo-Babylonian documents, once again in conjunction with treaty and loyalty oaths. Certain men write in a letter to Ashurbanipal⁹⁷ that they took an oath and are now fulfilling what they swore to the king, to report anything that they may have seen or heard (*mimma mala tammaru u tašemma*). In other places we hear about men who report to the king all that they see and hear: *ša amaruni ašmūni ana šarri...qabū*.⁹⁸ In documents from Cyrus' period we hear of artisans in the temple service who pledge not to hide 'what they see or hear' concerning work outside of the temple.⁹⁹

Pursuing the instigators is to take place under all circumstances. Thus in VTE: 'if someone in the palace starts a revolt, *whether by day or night*... you must not let him go, he must not leave, you will keep him under severe guard...' (ll. 198ff.).

Similar clauses are attested in Greek political documents:

88. *OGI* 266, pp. 32ff.

89. In Deut. 13.10 in connection with incitement, the LXX reads: ἀναγγέλων ἀναγγελεῖς based on Hebrew רָגַל רָגַל. For this matter see in my book *op. cit.* pp. 94ff., see however most recently Z.W. Falk, *Zeitschrift der Savigny-Stiftung* 90 (1973), p. 41.

90. See *OGI* 229, 76: καὶ ἐάν τινα αἰσθάνωμαι ἐπιβουλεύοντα... μηνύσω ὡς ἂν τάχιστα δύνωμαι. Cf. also *Sylloge*³ 360–64ff. and see below pp. 14–15.

91. Cf. in the soldiers' oath to Eumenes: καὶ ἐξαγγελέω πα[ρα]χρη[μ]α (l. 35).

92. He is the partner in the pact and not as Weidner supposed. For this matter see A. Goetze, *Kizuwatna*, p. 36, No. 141.

93. Weidner, *Polit. Dok.* 96.16ff.

94. Cf. Weinfeld, *DDS*, p. 95.

95. *OGI* 532, p. 18f.

96. ἀίσθεσθαι means to see and discern.

97. *RCAE* No. 472.

98. *RCAE* 317.9, 211.11; 831 rev. 3 *et al.* Cf. A.L. Oppenheim, *JAOS* 88 (1968), pp. 174ff., on officials in Assyria and in Persia whose duty was to inform the authorities on plots etc. It seems that Mordechai fulfilled a similar function (Esth. 2.21–23) and like the Assyrian and Persian officials was rewarded for this information (*ibid.* 6.1ff.).

99. D.B. Weisberg, *Guild Structure and Political Allegiance in Early Achaemenid Mesop.* (1967), pp. 35ff.; cf. the oath of an Egyptian worker in Appendix A.

1. In the loyalty oath of the young recruits (ἔφηβοι) from Dreros: (c. 220 BCE): ‘I will not be disposed (καλῶς φρονήσειν) to the Lyttians... *whether by day or by night* and I will hasten (as fast) as I can to do wrong to the cities of the Lyttians’. (*Syll.*³ 527, 36ff.).
2. In the oath of the Chersonites (Taurica) we read:

I will not betray...but I will guard for the people of Cherson, I will not dissolve the democracy and will not give up to those who betray or dissolve neither will I join in concealing the matter but will denounce (ἐξάγγελῶ) to the magistrates of the city. I will be an enemy to those who plot and betray... I will guard for the people and will not reveal any of the secrets... (*Syll.*³ 360).

G. Seize Instigators and Punish Them

In the adjuration of Hittite military personnel we read:¹⁰⁰ ‘Should a prince bring an evil thing (*idaluš*) seize him and bring him before the king’.

In the loyalty oaths of the Hittite army officers:¹⁰¹ ‘Should someone send us an evil thing...if we do not capture him (*epp-* = Akkadian *šabātu*) and do not bring him before the king’.

In the soldiers’ oath to Ashurbanipal: ‘[Should someone be found] spreading an evil thing (*amāt la tābti*) and we should hear...we shall place him in chains and to Ashurbanipal [we shall bring him]’ (*RCAE* 1105.13–16).

In Esarhaddon’s adjuration of the vassals: ‘upon hearing such a thing [about a revolt] from anybody, if you do not seize the instigators of the revolt, do not bring them before the crown prince designate Ashurbanipal [and] if you, being able to seize and kill them, do not eradicate their name and descendants from the country ...’ (ll. 130ff.).

Similar provisions against traitors are found in various decrees of the Athenian league and in the old amphyctionic oaths. These occur especially in the attic psephisma against the enemies of democracy.¹⁰² Thus we find in the psephisma of Demophantos (410 BCE) as cited by Andocides:

If anyone shall dissolve the democracy of Athens...he shall become an enemy of the Athenians and be slain with impunity (νηπιονεὶ τεθνάτω)¹⁰³ his gods shall be confiscated...and all the Athenians shall take oath...over a sacrifice without blemish to slay such one and this shall be the oath: ‘I will slay by word and by deed, by my vote and by my hand, as it is in my power, whosoever shall dissolve the democracy at Athens...’ (*On the Mysteries* 96f.).

100. Alp (n. 8), p. 392: 26–27.

101. Schuler, *Orient.* 25 (1956), pp. 226.9–12.

102. For the whole problem see M. Ostwald, ‘The Athenian Legislation against Tyranny and Subversion’, *Transactions of Amer. Philological Assoc.* 86 (1955), p. 103ff.

103. For the clarification of this term, which also occurs in the Erythrae Decree and in other writings, cf. L.I. Highby, *The Erythrae Decree*, *Klio*, Beiheft 36 (1936), p. 28f. The meaning of this term is that anyone could kill the traitor and be free of guilt. If one accept the Hebrew reading in Deut. 13.10 (see however n. 89) he may find the same notion there.

A similar injunction is found in the Erythrae Decree (c. 465 BCE) where we read: ‘if anyone is detected who wishes to betray the city to tyrants, he will be put to death with impunity’ (see n. 103).

In the amphictyonic oath as cited by Aischines we read:

if anyone should violate the shrine of the god or be accessory to such violation, or make any plot against the holy places they would punish him with hand and foot and voice and all their mighty power (καὶ χειρὶ καὶ ποδὶ καὶ φωνῇ καὶ πάσῃ δυνάμει) (Aischines 2.115).

The latter remind us of the provisions against treason in the religious domain as reflected for example in Deuteronomy 13.¹⁰⁴ Especially instructive in this respect is the injunction there: ‘Let your hand be the first against him to put him to death’, (דָּךְ תְּהִיָּה בּוֹ בְּרֵאשׁוֹנָה לְהַמִּיתוֹ) (v. 10), which is analogous to ἐμαυτοῦ χειρὶ/ καὶ χειρὶ in the cited Greek sources.

Similar to the clauses against traitors in Deut. 13, we find in the regulations of a private shrine at Philadelphia¹⁰⁵ of the beginning of the first century BCE that the visitors of the shrine shall not yield to trespassers of the regulations but shall inform on them and take revenge (II 23ff.).

H. *To Avenge the King*

In the oath of the Hittite army officers we read: ‘If we do not fight against him (the rebel) stubbornly, and do not retaliate’.¹⁰⁶ (Schuler, *Orient.* 227, II.20–21). Identical clauses are found in other treaties. For instance, we find in the Sefire Treaty: ‘If it happens that one of my brothers or one of the house of my father or one of my sons or one of my officers...seeks...to kill me...you must come and avenge my blood from the hand of my enemies... Your son must come to avenge the blood of my son from his enemies ...’ (III.9–12).

A similar warning appears in Esarhaddon’s treaty: ‘If you do not seize and kill the instigators of the revolt, do not eradicate their name and descendants from the country, do not shed blood for blood, and do not avenge (retaliate)¹⁰⁷ the crown prince designate Ashurbanipal, son of the King’ (II. 254–259).

Such a clause is also found in the Paphlagonians’ loyalty oath to Augustus:¹⁰⁸ ‘and to pursue anyone considered an enemy and to wreak vengeance upon them¹⁰⁹ with arms and sword whether on land or sea’.

104. Cf. Weinfeld, *DDS*, pp. 94ff.

105. For the text with an extensive commentary cf. O. Weinrich, *Stiftung und Kultsatzungen eines Privatheiligtums in Philadelphia in Lydien*, Sitz.Ber. Heidelberger Akad. Wiss., Phil.-Hist.Kl (1919), p. 16. Abh.

106. UL *kattawatar* (*kattawatar* = Akk. *gimillu*), cf. line 5 there.

107. Akkadian *gimla la tutarraninni*. The Hittite expression for vengeance corresponds to Akkadian *gimillu turru* which appears here, and see n. 106.

108. οὓς τε ἄν ἐχθροὺς αὐτοὶ κρίνωσιν τούτους κατὰ γῆν καὶ θάλασσαν ὅπλοις τε καὶ σιδηρῶι διώξειν καὶ ἀμυνεῖσθαι. *OGI* 532, 23–25.

109. ἀμυνεῖσθαι means retribution and revenge, cf. the text quoted in n. 105 line 25: καὶ ἀμυνεῖσθαι and therefore we are confronted with a verb identical to that in VTE and the Hittite oath.

Similarly we find in the loyalty oath to Gaius Caligula from Arithium: ‘And should anyone endanger him or his well-being with arms or internal war I will not cease to pursue him on land and at sea until I mete out his punishment’.¹¹⁰

I. *To be a Friend to Friends and Foe to Foes*

This clause is particularly characteristic of the Hittite treaties but it is of earlier origin, appearing in a treaty between Naram-Sin and Elam in the third millennium BCE, as well as in private family documents from the Old Babylonian Period.¹¹¹ It seems that this element passed by way of the Hittites to the Greek treaties¹¹² where it is very prevalent. It is true, this clause is absent in oriental treaties of the first millennium BCE, however, because of the small number of treaties from this period in the East, one is not allowed to speak about its disappearance in the first millennium BCE.

From Biblical usage we can learn that this formula was prevalent in the first millennium as well. We read in 2 Sam. 19.6: ‘You love those that hate you and hate those that love you’, – love and hate expressing loyalty and disloyalty to the king.¹¹³ Such is the case of Exod. 23.22, ‘then I will be an enemy to your enemies, and I will harass those who harass you’, which speaks about recompense for observing the covenant.

This formula is reflected in 2 Chron. 19.2 in connection with the pact between Jehosaphat and the King of Israel: ‘Do you take delight in helping the wicked and befriending the enemies of the Lord?’ (Comp. Ps. 13.21–22) and also in the covenant ceremony in the Manual of Discipline: ‘and to love all that he has chosen and to hate all that he has rejected’ (1.4 cf. 10–11), and in the Damascus Covenant: ‘to choose him in whom He delights and to reject him whom He hates’ (2.15).¹¹⁴ It is also found in Josephus’ account of the Essene vows: ‘that he will forever hate the unjust and fight the battle of the just’ (*War* 2.139).¹¹⁵

This formula is very widespread in Greece and Rome in treaties and oaths of loyalty beginning in the fifth century BCE. It is found not only in treaties between different states but also in agreements between a king and subjects, and between individuals.¹¹⁶ It is therefore not surprising that this formula is found in the loyalty

110. Dessau, *Inscript. Lat.* No. 190: et si quis periculum ei salutique eius infert inferetque armis bello inter necivo terra marique persequi non desinam quia poenas ei persolverit. And cf. the inscription of Sestinum CIL XI 5998a. For a comparison of the two inscriptions on this point see Herrmann, *Kaisereid.*, p. 52f.

111. Concerning this see my article *JAOS* 90 (1970), p. 104. In Greece this clause appears too on the level of interpersonal relationships, see, e.g., Plutarch, *Eum.* 12: τὸν αὐτὸν εχθρὸν ἔξειν καὶ φίλον.

112. This opinion has been accepted by scholars of Greek culture, see for example J. Schwann, *RE* IV A 1, 1109.

113. See W.L. Moran, *CBQ* 25 (1963), p. 81.

114. Cf. additional references in J. Licht, *The Rule Scroll* (Jerusalem, 1965), p. 59 V (Hebrew).

115. Cf. Mt. 5.43 and see M. Smith, *HTR* 45 (1952), p. 71f.

116. See references in P. Hermann, *Kaisereid.*, pp. 21–22. Hermann claims that the formula is characteristic only of international relations while the formulae found in contexts of interpersonal relationships and relationships of a king to his subjects (*ibid.*, p. 22) are a late imitation. However, as we have

oaths to the Roman Emperors¹¹⁷ such as that of the Paphlagonians to Augustus: ‘To consider as friends those whom they consider friends and as foes those whom they consider foes’.¹¹⁸ Such is the case of the loyalty oaths of Aritium, Assos and Palaipapos.¹¹⁹

J. *Validity of Covenant upon Succeeding Generations*

The parties to the Assyrian and Aramaic treaties obligate not only themselves but also the generations to come. We read, for example, in the Esarhaddon treaty: ‘[this is] the treaty of Esarhaddon King of Assyria with Ramataya, his sons, grandsons, and with all the people of Urakazabanu, young and old... with you, your sons, your grandsons, all those who will live in the future after this treaty’ (line 1ff.).

And in the Aramaic treaty from Sefire: ‘A treaty of Barga’yah, King of *Ktk* with Matti’el, the son of Attarsamak, King of Arpad; a treaty of the sons [and the offspring] of Barga’yah with the offspring of Matti’el... and with his (Matti’el’s) sons who will come up after him’.¹²⁰

Something similar is found in the loyalty oath to Tiberius from Palaipapos¹²¹ where the parties pledge to listen and obey (ὑπακούσασθαι πειθορχήσειν) the Emperor and fear him (σεβῶσασθαι), they and their seed (αὐτοὶ τε καὶ οἱ ἔκγονοι).

The concern for assuring the loyalty of subsequent generations finds special expression in the clauses of the documents which speak of the obligations to teach the stipulations of the covenant to the sons. Such clauses can be found in Hittite and Assyrian loyalty oaths and in the Bible and in the אִמְתָּהּ וְיָצִיחַ liturgy which, as we shall see further on, is nothing but a declaration of loyalty.

In the oath of the Hittite army officers we read: ‘if we do not bring these matters before our sons’¹²², and in the vassals’ adjuration of Esarhaddon: ‘if you do not tell and do not give orders to your sons, grandsons... saying: keep this treaty... lest you lose your lives’. (ll. 283–295), and in another passage: ‘if you do not swear with your entire heart, do not transmit it to your sons who will live after this treaty’ (ll. 387–388), and in the book of Deuteronomy, ‘But take utmost care and watch yourselves scrupulously, so that you do not forget the things that you saw with your own eyes... And make them known to your children and to your children’s children’ (4.9 and cf. 31.13), ‘Impress upon your children’ (6.7), and ‘teach them to your children’ (11.19).

demonstrated in *JAOS* 90, p. 194 (n. 108), these formulae were already prevalent on the private and familial levels in very early periods and, on the contrary, it seems as if they moved from there to the international realm, and see on this matter in connection to בְּרִית הַסֵּד N. Glueck, *Hesed in the Bible*, p. 46.

117. Cf. the clauses compared in the table in Appendix II of Herrmann’s *Kaisereid*.

118. For the formula in Greek see below p. 36.

119. In the oath of Aritium we only find the clause of being an enemy to Gaius’ enemies but not being a friend to his friends.

120. Cf. Weinfeld, *DDS*, p. 105, and cf. Fitzmyer, *Sefire*, I A 1–5.

121. See n. 71 above.

122. *nammakan ke uddār* ANA DUMU. MEŠ. NI *piran* UL *uwatewani* (Schuler, *Orient.* 25, p. 227: 18–19).

In the *אָמַת וְיָצִיב* liturgy: ‘on our sons and our generations and all generations of the seed of Israel and your servants’.

Formal Aspects of the Covenant Ceremony

K. The Mass Gathering

In the Assyrian as well as biblical covenants, we hear of the gathering together of all segments of the population to participate in the covenantal oath.¹²³ Esarhaddon tells of his enthronement by his father: ‘[My father] gathered the people of the Land of Assyria, young and old...and adjured them with a solemn oath in the presence of Ashur, Sin, Shamash...the gods of Assyria who dwell in heaven and earth’,¹²⁴ and in a similar way Ashurbanipal tells of his enthronement by his father Esarhaddon: ‘He gathered the people of Assyria young and old...and adjured them by the life of the gods and validated the covenant’ (*udannina riksaṭe*),¹²⁵ and in the opening of Esarhaddon’s vassal treaty: ‘with all the people of Urukazabanu, young and old (*sihir rabi* [TUR GAL]) (ll. 4–5). All of these should be compared to the Josianic covenant with its gathering of ‘the whole population, young and old’ (2 Kgs 23.2), and to the covenant of Asa in 2 Chron. 15.13: ‘Young and old, men and women alike’.

In Deut. 29.9ff. we are informed that at the covenant ceremony ‘all the men of Israel’ were standing by including children, wives, and even strangers ‘from woodchopper to waterdrawer’. The covenants of Sinai and Gerizim were also ratified in the presence of the entire populace (Exod. 24; Josh. 24).

The Hittite treaty ceremonies were also made in the presence of the entire people who took the pledge. We read for example at the end of the tablet of the adjuration of the Hittite officers that the oath was taken in Usha,¹²⁶ but one of the clauses within the document¹²⁷ stipulates that the pact is binding on those absent from the gathering.¹²⁸ This clause clarifies the passage in Deut. 29.14 according to which the covenant binds ‘both those who are standing here with us today before the Lord’ and ‘those who are not with us here this day’.

The public oath is also known to us from the Greek world. Thus we hear Xenophon saying ‘that everywhere in Greece there is a law that the citizens shall promise under oath to agree and everywhere they take this oath’ (*Memorabilia* IV 4, 16).

Similarly we find in the pact between the people of Thera and the people of Cyrene¹²⁹ which is concerned with the founding of the settlement in Cyrene, that

123. Weinfeld, *DDS*, etc. p. 101.

124. Cf. R. Borger, *Die Inschriften Asarhaddons Königs von Assyrien*, 1956, p. 40.15ff.

125. M. Streck, *Assurbanipal II*, p. 4.18–23, and see also M. Weinfeld, *DDS*, etc. p. 87.

126. Schuler, *Heth. Dienstanw.* p. 17.54–56 and see there in his note to this paragraph, p. 21, and in the commentary to IV 55.

127. *Op. Cit.* p. 14. para. 25 ll. 53–54.

128. Schuler, *op. cit.* p. 21 in his commentary to IV. 55, and for the gathering see also A. Goetze, *Kleinasiens*² (1957), p. 104.

129. R. Meiggs and D. Lewis, *A Selection of Greek Historical Inscriptions* 1969, No. 5 and see a

all of those who were gathered, *men, women and children*, recited the covenant oaths. An adjuration of the entire population is also mentioned in other Greek treaties.¹³⁰ Furthermore, in the treaty between Smyrna and Magnesia¹³¹ the two parties obligate themselves to appoint people who will administer the oath to the people and will assure that no one will leave the city a day before the adjuration,¹³² and in the treaty between Praisos and Stalai¹³³ we are told that the citizens absent from the city at the time of the oath taking will be required to take the oath upon their return. Special administration of the oath was held for young recruits or minors who became of age and were accepted as full members in the community,¹³⁴ reminiscent of the oath of the new initiates who joined the Qumran order, an oath made 'in the sight of all the initiates'.¹³⁵

From the concluding sentences of the oath of the Paphlagonians we also learn that oaths of loyalty to the Roman Emperors were also carried out in the presence of the entire people. We are told that all the people of the province took the oath in their temple alongside the altars of Augustus while the inhabitants of Phacimon all swore in unison (σὺμπαντες) alongside the altar of Augustus in the temple of Augustus. In the beginning of the oath we hear that not only inhabitants of Paphlagonia swore loyalty to Augustus but also the Romans who traded with them.¹³⁶ Augustus himself writes in his memoirs that all of Italy (*tota Italia*) swore loyalty to him.¹³⁷ We learn from Suetonius (*Augustus* 17.2) that Bononia (= Bolonia) was exempted from this oath since it was considered Antonius' client. This is to say that exemption from taking the oath could be given only to those who were committed to another master and thus freed from pledge to Augustus. Those who did not get the exemption were obliged to take the oath. It seems that the Pharisees and Essenes were also exempted from taking the oath to Herod (*Ant.* 15.368ff). In the Manual of Discipline we find indeed that everyone who refuses to enter the covenant of God 'has separated himself from the group and is not counted in the order (Yahad) (Manual of Discipline 2.26–3.2).

comprehensive analysis of this document in V.P. Yailenko, *Viestnik Drevniej Istorii* 1973, Fasc. 2, pp. 43ff. In the opinion of most scholars the date of the inscription in its present form is the fourth century BCE, however its nucleus dates back to the seventh century BCE.

130. In the treaty between Athens and Chalcis from 446/45 (Bengtson II No. 155, 32) and between Athens and Selymbreia (Bengtson II No. 297.24–27). Compare also the oath enacted by Demophantus quoted above.

131. *OGI* 229.

132. Line 80ff. and cf. Polybius III 61 which relates a similar notice in connection with an adjuration of soldiers.

133. Bengtson III No. 553, B. 3ff.

134. See references in P. Hermann, *Kaisereid*, p. 33.

135. Manual of Discipline 5.8 (J. Licht, *Mgyptl Hsrkym*, 1965).

136. [καὶ τῶν πραγ]ματευσ[έντων πα]ρ' αὐτοῖς' ρ[ωμοῖων] Cf. the oath from Assos (*Syll.*³ 797, 10)

137. Iuravit in mea verba tota Italia sponte sua (Res Gestae 25). *Tota Italia* is a generalization just like *כל ישראל* in the Deuteronomic literature in connection with the covenant. For *tota Italia* see R. Syme, *The Roman Revolution*, 1939. Compare also the oath of *tota Syria* to Vespasian (Tacit. Hist. 2, 81).

L. Annual Covenant Renewal

Documents from the ancient Near East hint at annual covenant renewal ceremonies,¹³⁸ and according to Mowinckel they occurred on the new year's day.¹³⁹ Explicit testimony to regularly recurring covenant renewal ceremonies is found in the Manual of Discipline. According to the rules of the sect, the members of the sect are required to undergo the covenant ceremony every year (2.19 cf. 5.24) and it seems that this ceremony had a fixed date. In a yet unpublished version of the Damascus Covenant, the time fixed is the third month¹⁴⁰ and it therefore seems that the covenant ceremony was performed on the holiday of Pentecost which at the time of the second Temple commemorated the Sinai Covenant.

The Greek-Hellenistic and Roman world provides explicit evidence on this matter. In a treaty between Sparta and Athens we find that the treaty will be renewed each year, τὸν δὲ ὄρκον ἀνανεοῦσθαι κατ' ἐνιαυτόν,¹⁴¹ a phenomenon known to us also from the Hellenistic period which speaks of annual covenant ceremonies.¹⁴² An annual renewal of a loyalty oath to the Caesar is mentioned by Tacitus who tells about a suggestion made in the Senate after the death of Augustus to annually renew the oath of loyalty to Tiberius.¹⁴³ We also know that in later periods (Caligula, Nero) it was customary to renew oaths of loyalty at the time of the new year.¹⁴⁴

M. Recital of the Covenant

The gatherings and assembly ceremonies discussed in the preceding paragraphs served the purpose of public proclamation of the covenantal stipulations. Reading of the stipulations of the treaty before the undertaking party is already known in the Hittite Vassal Treaties: 'At regular intervals (*immuti immutima*) shall they read it [the stipulations of the covenant] in the presence of the king of Mittani land and in the presence of the sons of the Hurri land'.¹⁴⁵ Or: 'They shall read this tablet before you three times every year'.¹⁴⁶ The adjuration of the Hittite officers was also read before them at a gathering. The copies of the Assyrian treaties were meant to be read as we may learn from the demonstrative pronouns within the documents such as: 'the oath which is in this tablet' (*māmīt*

138. See my article in *VT* 23 (1973), p. 72.

139. See S. Mowinckel, *The Psalms in Israel's Worship* (1963), Vol. 1, pp. 155ff.

140. See J.T. Milik, *Ten Years of Discovery etc.* SBL No. 26, 1959, pp. 114, 117.

141. Thuc. 5.18.9.

142. ἀναγινωσκόντων δὲ τὰν στάλαν κατ' ἐνιαυτόν, *Inscr. Cret.* I. XIX 231, l. 20 (Bengtson III 511.20). For covenant renewal in religious communes of the Persian and Hellenistic periods see my article *VT* 23 (1973), p. 72 n. 1.

143. (Ann. 1,8) renovandum per annos sacramentum in nomen Tiberii.

144. Cf. the discussions of Premerstein, *Vom Werden etc.*, pp. 60ff., and P. Hermann, *Kaisereid*, pp. 107ff.

145. E. Weidner, *Politische Dokumente aus Kleinasien*, p. 28.36–37.

146. J. Friedrich, *MVAeG* 34/1, 1930, p. 76.73–74. This calls to mind the obligation to appear before the Lord three times every year (23.17 and parallel passages) and perhaps also in the Hittite texts the holidays are intended.

tuppi anni), in VTE (line 397), and in the recurring formulae: ‘the oaths which are in this tablet’ (עֲדֵי יָא זֵי בִסְפָרָה זְנָה)¹⁴⁷ in the Aramaic treaty from Sefire.

In the biblical covenants we find explicit evidence that the text of the written covenant was read before the people: ‘Then he took the book of the covenant (סֵפֶר הַבְּרִית) and read it aloud to the people’ (Exod. 24.7), ‘There he read out to them all the book of the covenant discovered in the house of the Lord’ (2 Kgs 23.2).

Also in the Hellenistic covenants we hear of the obligation to read the text of the stelae and there is special mention made of an annual reading of the stelae: ἀναγιγνωσκόντων δὲ τὰν στάλαν κατ’ ἐνιαυτόν (cf. n. 142.)

N. *Witnesses to the Covenant*

In the covenants the gods are called upon to serve as witnesses to the undertaking of obligation and the oath¹⁴⁸ and in the case of a vassal treaty the gods of the administrator and taker of the oath alike are invited.¹⁴⁹ In addition to the gods, the natural forces are involved: mountains, rivers, wells, the abyss,¹⁵⁰ the heavens and earth, wind and clouds.¹⁵¹ Also mentioned are a thousand gods who serve as punishing¹⁵² witnesses and it is pointed out that all the *gods and goddesses* including the gods of the underworld appear as witnesses. In the treaty between Šuppiluliuma and Mattiwaza it is written:

let them stand by...listen and serve as witnesses....the Sun-god, the lord of heaven, the Storm-god (^dIM)¹⁵³, the lord of the Hatti land... (various gods), the gods and goddesses (*ilāni amēlūti ilāni sinnišāti*)...the gods of the underworld¹⁵⁴...the mountains, the rivers, the Tigris and the Euphrates, heaven and earth, the winds and the clouds.¹⁵⁵

In the treaty between Šuppiluliuma and Tete:

[The Sun of heaven...] (all kinds of storm gods) Ereshkigal (= goddess of the netherworld)... (list of the gods)...all of the gods and goddesses...mountains, rivers, wells, the great abyss, heaven and earth, winds and clouds will be witnesses to this covenant and oath.¹⁵⁶

In the Sefire treaty:

147. Cf. אֱלֹהֵי הַבְּרִית הַכְּתוּבָה בְּסֵפֶר הַזֶּה (Deut. 29.19, cf. v. 20).

148. Cf. e.g. II. 22.253f: ‘for they (the gods) shall be the best witnesses and guardians of our covenant’.

149. On this matter see M. Tsevat, *JBL* 78 (1959), pp. 199–204.

150. *Nārāt* (ÍD. MEŠ), *būrātu* (PÚ. MEŠ), *tāmtu rabītu* (A. AB. BA GAL), *KBO* I 4, IV 153 36, cf. *KUB* 3 7 r. 9. and cf. the various vows in the names of rivers and wells, *CAD* B p. 337d.

151. Weidner, *Polit. Dok.*, pp. 31.53, 68.44–45, 74.9–10.

152. Cf. Weidner, *ibid.*, 34.68; PRU UV 43.49; 51.17. For the 𐎗 as warner cf. I.L. Seeligmann, *SVT* 16 (1967), pp. 251–278.

153. He equals Mesopotamian Adad, Aramaic Hadad, Canaanite Baal, Hurrian Tesub, and Greek Zeus.

154. *Ilani eršeti* and in a parallel text *Ereškigal*, Queen of the netherworld.

155. Weidner, *Polit. Dokumente*, p. 30.5ff.

156. Weidner, *ibid.*, *op. cit.* pp. 66.9ff.

This treaty concluded by Barga'yah is set up before...Marduk and Zerpanit...before Nergal and Las (the gods of the netherworld), before Shamas and Nur...before Heaven and Earth, before depth and springs, and before Day and Night. Witness all you gods of Kik and Arpad, open your eyes to behold the treaty...¹⁵⁷

In Esarhaddon's adjuration of the vassals:

...Ashur, the father of the gods...Shamash, Adad...Marduk, Nabu, Nusku, Urash and Nergal (= gods of the netherworld)...all the gods of Sumer and Akkad...all the gods of every land...the gods of heaven and earth. (ll. 25–40)

And in the oath of the vassals themselves:

'May these gods see', etc. (line 494)

In the biblical covenant we should obviously not expect any but the one God who is party to the covenant,¹⁵⁸ however, natural forces are invoked as witnesses: heaven and earth (Deut. 4.26; 30.19; 31.28),¹⁵⁹ and in prophecy, mountains and hills (Mic. 6.1–2).¹⁶⁰

In the treaty between the Achaeans and Trojans in Homer,¹⁶¹ Agamemnon's address to the divine witnesses is identical to the clauses mentioned above:

Father Zeus, that rulest from Ida, most glorious, most great, and thou Sun, that beholdest all things and hearest all things, and ye rivers and thou earth, and ye that in the world below take vengeance on men that are done with life, whosoever hath sworn a false oath; be ye witnesses, and watch over the valid oaths (ὄρκια πιστά).¹⁶²

In an oath of the Epheboi of Dreros we read:

by earth and heaven, the heroes (local deities)...by springs and rivers, all the gods and goddesses. (*Syll.*³ 527.30f.)

The divine witnesses listed in the oaths of the treaties occur also in general adjurations. Thus we find in an Assyrian incantation ritual: 'I adjure you by Šamaš... by well, valley, mountains and rivers' (*utammēka kuppū, nahli, šadē, nārāti*) (Ebeling, *Tod und Leben* 78.6–8, comp. Šurpu VIII 40).

In the Greek sources we find a formulaic oath containing similar elements. Demosthenes is said to proclaim a metric oath:

'by earth, by springs, by rivers, and by streams' (μὰ γῆν, μὰ κρήνας, μὰ ποταμούς, μὰ νάματα) (Plut. Demosth. 9).

The common elements to all of the sources brought above are:

157. I A: 10ff., and cf. a similar list in the treaty of Ashurnirari V, *AfO* 8, 17f VI.6.

158. In cases of confrontation between two human parties, such as the case of Samuel and Israel (1 Sam. 12) the god is invited as a witness (*ibid.*, v. 5)

159. In Ps. 89.38 it seems as if the moon (and perhaps the sun which appears in an earlier verse) serves as a witness to God's covenant with David.

160. And see my book *Deuteronomy* p. 62.

161. *Iliad* III 276ff. (trans. Murray, Loeb Class. L.)

162. For ὄρκια πιστά and its semitic equivalents cf. Weinfeld, *Leshonenu* 36 (1972), p. 11.