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SOCIAL JUSTICE IN ANCIENT ISRAEL AND IN THE ANCIENT NEAR EAST

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P 5 PREFACE

The basic aim of this work is the clarification of the term משפט וצדקה “Justice and

Righteousness” and especially the meaning of the expression עשות משפט וצדקה = “doing Justice and Righteousness.” This study tries to demonstrate that the concept of doing Justice and Righteousness in the literature of Ancient Israel and of the Ancient Near East implies maintaining social justice in the society, so that equality and freedom prevail.

In Israel, however, the principle of “Justice and Righteousness” acquired also a religious significance. “Justice and Righteousness” appear in the divine sphere in the following cases:

a) When God created the world and established justice in the universe.

b) When God revealed himself to Israel to give them Justice (=Law), at Sinai.

c) When God will reveal himself in the future to judge the nations with “Justice and Righteousness.”

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P 7 INTRODUCTION

Israel's mission to do "justice and righteousness" first appears in the Bible in God's call to the father of the nation, Abraham: "for I have singled him out, that he may instruct his children and his posterity to keep the way of YHWH, *by performing righteousness and justice*" (Gen. 18:19). Israel's prophets saw the fulfillment of this goal as the basis of the nation's existence (see Isa. 5:7; Jer. 4:2; Amos 5:24; Mic. 6:8; etc.), depicting the image of an ideal, future king of the Davidic house *who will perform justice and righteousness* like David (Isa. 9:4; cf. 11:1ff.; 32:1; Jer. 23:5; 33:15). There is no reason to assume that all these passages refer only to formal judicial proceedings—judgement in court in the narrow sense; the concept "justice and righteousness" is more associated with *mercy and loving-kindness* or, as we shall see below, with the context of ameliorating the situation of the destitute. It is superfluous to add that the latter cannot be aided by righteous judgements in court alone, but by the elimination of exploitation and oppression on the part of the oppressors.

The elimination of exploitation must come first and foremost from the exploiters themselves. Indeed, Ezekiel, who raises the demand for "justice and righteousness" in the realm of the individual (Ezek. 18:5–9), concludes by saying: "(he) ... executes true justice between man and man" (v. 8). Likewise, Jeremiah, in his speech in the courtyard of the Temple, says: "If you truly execute

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 justice one with another, if you do not oppress the alien, the fatherless or the widow ..." (Jer. 7:5–6), while Zechariah says: "Render true judgements, show kindness and mercy each to his brother; do not oppress the widow, the fatherless, the sojourner, or the poor; and let none of you devise evil against his brother in your heart" (Zech. 7:9–10). However, the realization of this ideal depends upon the good will and individual conscience of the citizen, and if the government and the society do nothing in this direction, oppression will not be uprooted. Hence, the prophets' pleas to the kings and rulers to practice "justice and righteousness" are formulated more sharply than those directed towards individuals. For example, Jeremiah addresses the house of the King of Judah: "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 ... For if you will indeed obey this word, then there shall enter the gates of this house kings who sit upon the throne of David" (Jer. 22:3–4). The same prophet also makes the execution of justice and righteousness a precondition for the existence of the Temple and the

Davidic dynasty: “But if you will not hear these words, I swear by Myself, says YHWH, that this house shall become a desolation” (Jer. 22:5; cf. 21:12).

The same is true of Micah: “Hear this, you heads of the house of Jacob and rulers of the House of Israel, who abhor *justice*, and pervert all *equity* ... Therefore because of you Zion shall be plowed as a field; Jerusalem shall become a heap” (Mic. 3:9–12). Even Ezekiel, in his eschatological vision, addresses the leaders of the people concerning these matters of justice and righteousness: “Enough, O princes of Israel! Put away violence and oppression, *and execute justice and righteousness*; cease your evictions of My people, says the Lord God. You shall have just balances, a just *ephah*, and a just *bath* ...” (Jer. 45:9–10). Isaiah also defines explicitly the task of the king in these areas: “Behold, a king will reign *in righteousness*, and princes will rule *in justice*” (Isa. 32:1).

We shall focus in this study upon the practice of *righteousness and justice* in the social-political realm, seeking to demonstrate that the execution of righteousness and justice in the royal domain refers primarily to acts on behalf of the poor and less fortunate classes of the people. These were carried out by means of social legislation, ^{p 9} initiated by the kings and the ruling circles. We shall demonstrate this primarily by means of comparison of the expressions referring to the performance of justice and righteousness (משפט and צדקה) by the rulers of Israel with the establishment of *mīšarum* (= righteousness) in Mesopotamia and the proclamation of “freedom” in Egypt. These social institutions were usually introduced by the kings when they ascended the throne or at other decisive times in the history of the nation. Indeed, the practice of משפט and צדקה is also associated in the Bible with the anointing of kings and with kingship (2 Sam. 8:15; 1 Kgs. 10:9; Isa. 9:4; 16:5; Jer. 22:3, 15; 23:5; 33:15; Ps. 72:1–2; Prov. 16:12) and, as we shall see further on in our discussion, overlaps the Mesopotamian concept of “to do [literally: to put] truth and uprightness [= justice]”—*kittam/mīšaram šakānum*. This latter phrase is involved in the proclamation of “social reforms”, the main elements of which are cancellation of the debts of the state and of individuals, liberation of slaves, restoration of land to its owners, and rectification of other economic injustices, such as over-pricing, falsification of weights and measures, etc. Such proclamations were known in Mesopotamia by the name, “the establishing of righteousness/freedom” (*mīšaram/andurāram šakānum*), and correspond both philologically and substantively to the Israelite institutions of the Sabbatical year and the דרור (liberation, jubilee). Indeed, liberation of slaves, restoration of land to their original owners, and cancellation of debts are among the striking features of “social reforms”, whose aim it is to establish social justice and equality and to assist the weaker members of society. These acts, which are so to speak the epitome of the establishment of “righteousness and justice” in Israel, and of *mīšarum* in Mesopotamia, are known in Hebrew as דרור, and in Akkadian as *durārum/andurārum*. The difference between the act of release in Israel compared with that of Mesopotamia is that the ^{p 10} Mesopotamian act refers to the past: the debts and liabilities accrued until now (the ascension of the new king) are cancelled whereas in the Hebrew tradition the release is a law destined for the future.

The call to liberate the enslaved is characteristic of “social reforms” in both Mesopotamia and in Israel. In both places kings and rulers were in the habit of proclaiming a “liberation” entailing the freeing of slaves (Zedekiah) and the release of debts (Nehemiah)—although in Israel, this practice was not executed at the declaration of a human king, but by virtue of the

commandment of the divine King given at Sinai (see esp. Lev. 25). Even when the king “proclaimed liberty”, as did Zedekiah (Jer. 34:8–11), this was understood as a fulfillment of the divine commandment made at the time of the covenant with Israel (*ibid.*, v. 12–15). By the same token, the time for the release and liberation in Israel was not determined by political and economic considerations, as it was in Mesopotamia, but by a periodic cycle of seven (שמיטה) and seven times seven years (יובל) established by God.

Another substantial difference between the proclamation of “liberty” in Egypt and Mesopotamia and in Israel was that the motivation for this proclamation among the kings of the ancient Near East was the wish of the monarchs to win over the hearts of the people, and which explains why this was usually done when they ascended the throne. While the kings ameliorated the condition of the poor by establishing “uprightness” or “freedom”, their motivation for this was the wish to appear in the eyes of the people as just and upright kings, and not a genuine concern for improving the lot of the poor among their people.⁵ In ancient Greece, where p 11 this practice also took root, the tendency of the rulers to act in this way was looked upon with suspicion, for which reason the institution of cancellation of debts was a punishable offense, and anyone attempting to realize it was cursed.⁷ By contrast, in Israel the sabbatical and jubilee years were understood as divinely-ordained institutions, in which human interests fulfilled no role whatever. Even if it did take place through political-state reasons, as in the case of Zedekiah, for example, the prophet sees this act as a positive one because it fulfills the divine command and not because it comes about at the royal decree. One must admit that in reality the Israelite monarchs did not fulfill these divine commands and the laws of שמיטה and יובל remained utopian (see Chapter Eight).

The proclamation of “liberty” is the result of a series of acts on the part of the ruler, who frees his subjects from both debts and punishments. Forgiveness and amnesty on the part of the ruler is called *doing righteousness and justice* (associated, as we shall see, with *kindness and mercy*) is known in Akkadian as *kittam u mīšaram šakānum* (“the performing of truth and uprightness”). “The granting of freedom”, *andurāram šakānum* in Akkadian, originates in “the establishment of righteousness”, *mīšaram šakānum*, referring to the general concept of justice and righteousness, which motivate the granting of liberty. In the Hellenistic period, establishment of liberty was called φιλανθρωπῶπον, and justly so, for freedom would be utterly impossible without the good will of rulers and masters. One must add here that, just as “liberty” entails a measure of freedom and salvation for the poor and needy, it also includes an element of punishment to the exploiters and oppressors. Indeed, both the formulations of *mīšarum* in Mesopotamia, and those of *doing justice and righteousness* in Israel, imply both actions: the punishment and p 12 destruction of the oppressors, on the one hand, and assistance to the poor and unfortunate, on the other.

The Proclamation of Liberty and the Concept of Freedom

Beside the freedom proclamation which refers to the past there existed in Mesopotamia freedom proclamations that referred to the future. These applied specifically to the freeing of the inhabitants of certain specific cities from taxes and levies (*kidinnūtu*), or to estates which benefit from freedom from royal taxes and levies (*zakātu*). These privileges, known as “liberation” (*andurāru*) during the Neo-Assyrian period, entailed the return of exiles to their homes, the

restoration of towns and temples, the release of prisoners, etc. In Egypt, as well, “release” was expressed in the liberation of convicts, rebels and various other guilty parties, and in particular in the return of exiles to their homes.

This type of liberation is reflected in the prophecies of the Second Isaiah, referring to Jerusalem following the destruction, to which the exiles, captives and prisoners returned, and rebuilt following the destruction:

To *proclaim liberty* to the captives, and the opening of the prison to those who are bound ... They shall build up the ancient ruins ... they shall repair the ruined cities, the devastation of many generations (Isa. 61:1–4; cf. 42:1–7; 49:8–9).

The proclamation of freedom—in Scriptural language, the *calling* (קרא) of freedom (דרור)—was done by means of a proclamation of a royal figure. The messenger who proclaims freedom (Isa. 61:1; cf. 52:7) is one appointed by God upon whom the Holy Spirit rests (Isa. 61:1), like the anointed king upon whom God’s spirit rests (see, e.g. Isa. 11:2); or he is a servant upon whom God, his king, places His p 13 spirit to establish justice in the land (a phrase which overlaps the Akkadian *mīšaram ina mātim šakānum*) and free those who are imprisoned (Isa. 42:1–7).

In the year 589/88 B.C.E., King Zedekiah proclaimed liberation (Jer. 34:8–11), as is well known. Even though the motivation for this proclamation was political (see below, pp. 152 n. 1), it may be that this proclamation took place during the Jubilee year,¹¹ the year of “liberation”. If such was the case, then the year in which Cyrus ascended to power, which was also the year in which he declared the return to Zion (539/38), occurred exactly fifty years following the year of “liberation” proclaimed by Zedekiah, which the prophet of comfort properly saw as the year of return to Zion.

Indeed, Cyrus, God’s anointed (Jer. 45:1), fulfills the function of “liberation”. His proclamation encompasses the return of the exiles, the rebuilding of the cities of Judah and Jerusalem, and the rebuilding of the Temple (Ibid., 44:26–28; 45:1–3; cf. Ezra 1:1–4 = 2 Chr. 36:22–23) which, as we have hinted, are characteristic of the proclamations of “freedom” in Assyria and Egypt. As we shall see below, the activities of Cyrus and Darius (Ezra 6:6ff.) and of Artaxerxes (7:12ff.) concerning Jerusalem corresponded to the orders by which the sacred cities were granted “freedom” by the kings of Assyria and the kings of the Near East during the Hellenistic period. Indeed, Cyrus’ proclamation, performed by “passing a voice” (that is, by means of proclamation) and a letter (Ezra 1:1), reminds us of the means used for proclaiming freedom in ancient Mesopotamia. In the beginning of the most detailed proclamation of *mīšarum* from the time of King Ammi-Šaduqa of Babylonia (17th century B.C.E.), we find that the things written were intended to be heard in the land (see below, pp. 157).

p 14 These proclamations of “liberation” were accompanied by special signs given to the people to signal the coming of freedom. It was customary in Israel to blow the shofar at the beginning of the year of “liberation” (Lev. 25:10), so that over the course of time the blowing of the shofar became a symbol of freedom and liberation (Isa. 27:13; cf. the benediction in the Jewish Daily Prayer [עמידה], “blow the great shofar for our freedom”, which is placed next to that benediction for the establishment of the reign of righteousness and justice). Similarly, it was customary in Mesopotamia to lift a torch as a sign of the proclamation of “freedom”,¹⁴ while in a permanent act of “liberation”, as distinguished from a one-time “release”, a pole was placed next

to the gate of the city to which the rights of freedom had been given (*kidinnu*) or next to the border of the territory which had been exempted from levies and taxes (*kudurru*). In Egypt, where it was customary to free temple holdings from levies, this banner was placed next to the gate of the temple, while the Hittites placed a wooden pole next to the gate of a house which had been declared free of taxes (see below, pp. 102–103).

The raising of a torch or of a pole (נֵס) also served in Israel as widespread means of communication (Jer. 4:6; 6:1; Isa. 5:26; 11:12; 49:22; 62:10). In certain scriptures, the pole serves as a symbol of freedom, its function being to inform captives, exiles and imprisoned people of their “liberation” and return to their homes (Isa. 11:12, 49:22; 62:10). Indeed, the primary purpose of p 15 “freedom” is the restoration of the individual to his home and to his inheritance. The Sumerian term for “freedom”, *amargi*, literally means: return to the bosom of the mother: *ama* (= mother) *ar-gi*₄ (= return). Likewise, freedom is defined in Leviticus 25 as the return of each man to his property and to his family (v. 10). In Egypt, proclamation of “liberation” begins with the statement that the prisoners and the guilty ones are to return to their cities, their homes and their inheritance (see below, pp. 140–141).

“Freedom” in the broad sense of the word incorporates the following elements: the freeing of slaves and of debtors from their debts, pardon to prisoners and rebels (*amnestia*), the release of captives and the return of exiles to their homeland, annulment of taxes, the restoration of estates to families, and the division of the land to the needy.

It follows from this that דָּרוֹר incorporated both political and economic freedom, i.e., freedom in the full sense of the word: freedom from political dictators and from creditors. A similar outlook prevailed in Greece. In a public gathering in Syracuse in 356 B.C.E., the democratic leader Hippon proposed the institution of a new division of land and houses, justifying his proposal on the grounds that equality (ἰσότης) is the beginning of freedom (ἐλευθερία) while the beginning of slavery (δουλεία) is the impoverishment of those without property.

Despite the fact that the primary struggle of the people of Syracuse was related to liberation from the harsh rulership of Dionysus, the democratic leader Hippon incorporated within this struggle equitable division of property, as no freedom is possible without “equality”, i.e., freedom from both economic and political bondage. As we shall see below, the concept of “uprightness” (מִישְׁרִים) in the prophets and in the Psalm literature involves the freedom of the entire world from enslavement.

p 16 The Liberated Person as the Servant of God

In Egypt, Mesopotamia and Greece, the granting of freedom and the restoration of individual rights is interpreted as the return of the individual to God; man ought to be the servant of his god, rather than of his neighbor. This view corresponds to that expressed in Lev. 25:42: “for they are My servants, whom I brought forth out of the land of Egypt, they shall not be sold as slaves”, and in v. 55: “For to Me the people of Israel are servants, they are My servants whom I brought forth out of the land of Egypt; I am YHWH your God”.

But there is a decisive difference between the Israelite approach and that of Mesopotamia or Egypt. In Israel, servitude to God is expressed in submission to the Divine will and to His religious and ethical commandments, while in Mesopotamia and Egypt it is literally understood

as service of the gods in their temple: that is, the rendering of personal service to the god in his home. Thus, in the inscription of Maništušu, king of Akkad (22nd century B.C.E.), we read that “he freed thirty-eight cities from corvée and from levy, that they might serve on behalf of the temple of the god Shamash alone”. Likewise, in the proclamation of Pepi II, of the Sixth Dynasty of Egypt (2345–2181 B.C.E.), we hear that the people of the temple holdings of the god Min in Koptos shall serve their god alone, and that they are not to be drafted for any service outside of the temple. The same motivation underlies the lengthy proclamation of freedom of Seti I (ca. 1300 B.C.E.) to the servants of the temple of Osiris in Abydos.²¹ Ishmedagan of Isin (1953–1935 B.C.E.) of Mesopotamia likewise declares that he freed the people of the holy city of Nippur from taxes and from military conscription for the sake of the cults of Enlil, Ninlil and Ninurta. This approach continued to develop in Assyria and Babylonia during the first millennium B.C.E. The three holy cities: Nippur (city of Enlil), p 17 Sippar (city of Shamash), and Babylon (city of Marduk) were released from taxes and from military service by a council of the gods to enable the inhabitants of those cities to serve their respective gods in their temples. Were these rights to be violated, then the god would abandon his temple and the land would become desolate.

This approach is based upon the mythical view originating in Mesopotamia that men were created to carry the burden of the service in the temples, so that the gods themselves might be free.²⁵ According to this view, at the time of the Creation “liberation” was proclaimed for the gods, but not for men. In the Israelite view, by contrast, God the Creator declared freedom for the created beings at the time of creation, and obedience to God was itself the result of that freedom.

Justice and Righteousness as the Goal of the Individual

Just as the ruler performs justice and righteousness towards his people, thereby freeing it from enslavement to man or to the state, so, according to the Israelite perception, the individual must do justice and righteousness to his neighbor and release him from his enslavement and anguish. “Justice and righteousness” in the individual realm incorporates the duties between man and his neighbor, over which the monarch and the state generally have no control. The prophet Ezekiel, in referring to the individual “righteous man” *who performs righteousness and justice*, mentions p 18 that he refrains from oppression, from seizing pledges, from theft, from usury, and from performing injustice (Ezek. 18:7–8, 12–13, 16–17). But this is insufficient. The ideal of *performing justice and righteousness* is not confined to abstention from evil; it consists primarily in doing good: giving bread to the hungry and clothing to the naked (Ezek. 18:7, 16). There is a similarity on this point to the royal proclamation of “freedom”, as there too the king feeds the hungry, gives drink to the thirsty and clothes the naked.

Likewise in Isaiah 58. In this chapter, set against the background of a fast day, evidently the Day of Atonement (the chapter is recited in the Jewish synagogue liturgy for Yom Kippur, the day on which “liberation” was proclaimed [Lev. 25:10]), the prophet castigates the people *because they did not perform justice and righteousness* (Isa. 58:2). According to the prophet, justice and righteousness mean releasing the bonds of the oppressed (the bonds of wickedness, v. 6), giving bread to the hungry, giving the unhappy poor people a home, and clothing the naked (v. 7)—i.e., the very acts performed by the king who grants freedom to his people. The fulfillment of these requirements is suited to the fast day and to the day acceptable to the Lord (v.

5). This same prophet elsewhere defines דָּרוֹר “freedom” in the national area as the year of the Lord’s favor (Isa. 61:1–2). In another chapter, he speaks about the drawing back from justice and

righteousness, in connection with which he mentions lying, exploitation, speaking ill and uttering false words (Isa. 59:13–14)—things similar to those mentioned in Jeremiah 9:3–5.

“Justice and righteousness” in the sense of deeds of kindness to the poor, the orphans and the widows and those suffering appear also in Israelite Wisdom Literature. Job “wears” *justice and righteousness*; i.e., the salvation of the poor and the orphan and cheering the heart of the widow, being eyes to the blind and legs to the cripple (Job 29:23–25). Similar deeds of kindness are mentioned in the epitaphs found in Egyptian tombs, the difference being that p 19 the latter are intended primarily to praise and glorify princes and Egyptian officials of various kinds.

During the Second Temple period, the concept of “justice and righteousness” developed and deepened. Instead of the pair of concepts, *justice and righteousness* (צדקה and משפט), we find *righteousness and kindness* (חסד and צדקה), which acquired a broader meaning. To the demand for “righteousness” performed with money (i.e., alms) was added that of “deeds of kindness” (גמילות חסדים) (Ben-Sira 37:11 [2, 4]; m.Abod 1:2), referring to good deeds performed personally, such as visiting the sick, escorting the dead, comforting mourners, etc. (b. Sukkah 49b; y. Peah 1:5, 15b–c). Alongside the demand to extend one’s hand to the poor, Ben-Sira also mentions the requirement to do kindness to the dead and to mourn with the mourners (Ben-Sira 7:33–34). Further on, he refers (in the LXX version) to the duty of visiting the sick (below, pp. 226–7). In the Scroll of the Damascus Covenant, all members of the חבורה are required to take upon themselves the duties of hospitality for wayfarers, redeeming captives, providing for the bride, escorting and burying the dead, loving one’s neighbor, and each man asking after the peace of his neighbor (CD 14:12–16; compare 6:20ff.). All these values also appear in the concept of (גמילות חסדים) in Rabbinic literature.

In the Gospel according to Matthew, in which the tradition drew upon Jewish norms, we find the following duties: feeding the hungry, giving drink to the thirsty, clothing the naked, visiting the sick, and caring for prisoners (Matth. 25:31–46).

p 20 Righteousness and Justice in the Kingdom of God

Parallel to the performance of righteousness and justice in the human realm is its performance in the divine realm. Like a mortal king who performs righteousness and justice, (i.e., proclaims freedom) upon his ascent to the royal throne, so does the Divine King, who performs righteousness and justice—i.e., establishes *equity* (מישרים—Ps. 99:4)—when he ascends His throne. In the latter verse, the establishment of משפט and צדקה is identified with מישרים, the same term as used in Mesopotamia (*mīšarum*).

God performs משפט and צדקה and establishes מישרים in three situations, all of which are connected with His coronation as king: (1) When He became king over the world at the beginning of the Creation, He prepared his throne *with justice and righteousness, with kindness and truth and uprightness* (Ps. 96:10; 93; cf. Ps. 33:5–6; 89:3, 6, 12–15). This refers to the imposition of equality, order and harmony upon the cosmos and the elimination of the forces of destruction and chaos; (2) After the Exodus from Egypt, when He appears as the King of Israel

(Ex. 15:18), redeeming His people from the house of bondage (Ex. 20:2) and giving laws and statutes to His people on Mt. Sinai (Deut. 33:4–5; Ps. 99:4ff.; 103:6–7), and when He appears to save His people from their enemies (Judg. 5:11; 1 Sam. 12:7; Mic. 6:5), we find both social equality and political freedom; (3) In the period of universal redemption, God will sit on His throne *to judge the world with justice and peoples with uprightness and truth* (Ps. 67:5; 75:3ff.; 96:11ff.; 98:7–9; cf. Isa. 2:1–4; 5:15–16; 11:4), that is, He will reveal His justice and salvation in the eyes of all the nations (Isa. 51:4–5; Ps. 67; 98) and redeem the entire world. Thus, similar to the “justice and righteousness” performed by the king, whose purpose is to help the oppressed and defeat the oppressors—in the language of Psalm 72: “May he defend the cause of the poor of the people ... and crush the oppressor” (v. 4)—so will the Divine King, when He ascends His throne, redeem humanity and Israel by establishing *justice and righteousness*. The salvation of the weak from the strong by God p 21 takes place, not only in the socio-economic realm, but also in the political-state realm. God saves Israel from its enemies, and thereby does to them “justice and righteousness” (1 Sam. 12:7; cf. Judg. 5:11 and Micah 6:5). The same is true of the redemption of the nations.

The appearance of God *to judge with righteousness* in the past, present and future thus signifies: (1) the redemption of the earth and all its creatures during the Creation; (2) the redemption of Israel from the enslavement of Egypt, the granting of a law at Sinai (social redemption), and the salvation of Israel from its enemies in Canaan; (3) the redemption of Israel and the nations in the eschatological future.

This motif of the performance of “justice and righteousness”, whose purpose is to bring about the redemption, originates in the social realities of the peoples of the ancient Near East, in which it was customary for the good kings to proclaim freedom to the inhabitants at the beginning of their reign, or on other special occasions. This custom, which existed in the earthly kingdom, also existed in the kingdom of heaven.

Despite the fact that God’s performance of justice and righteousness was directed towards three periods—past, present and future—the distinction among these periods is generally not observed, due to their overlapping character. There are occasions on which the poet (Psalms) or the prophet (Second Isaiah) take us from the period of the beginning to that of the end, as for example in Psalm 96: on the one hand, we hear about the Creation—“YHWH reigns ... Yea, the world is established, it shall never be moved” (v. 10a), and on the other hand of the redemption of the earth and its inhabitants in the future (v. 10b–13). Likewise, Psalm 99 opens with God’s reign in Zion (v. 1), but afterwards moves on to *justice and righteousness in Jacob* in connection with the giving of Torah on Sinai (v. 6–8). It would seem that, in the description of the judgement and salvation of God, the poet and the prophet see a single continuum, so that the distinction between past, present and p 22 future becomes blurred or obscured—that is, righteousness and justice, or the kindness and faithfulness of God, continue without interruption. Indeed, the cycle of Psalms 95–100 concludes with the verse: “for YHWH is good, his steadfast love is for ever, and his faithfulness is to all generations” (Ps. 100:5).

God’s Justice and Righteousness Towards the Individual

Just as the divine king performs “justice and righteousness” with Israel, with the world and with the nations, so does He do them with the individual. This phenomenon appears primarily in the prayers of the individual, in both Israel and Mesopotamia. The one praying asks God to perform *a true and righteous judgement* (in Mesopotamia: *dīn kittim u mīšarim*), referring not to the

aspect or attribute of judgement, but to that of kindness or forgiveness. For example, in the Mesopotamian prayer to Ishtar, we read:

I have stood before
a true and righteous judgement (*dīn kittim u mīšarim*)
uproot my sickness, command by healing.
May my freedom be set before you
my sins forgiven, my bonds released.

We find similar motifs in the Psalms. For example, in Psalm 54:2, 4, 7:

Save me, O God, by your name
and by your might judge me (תדינני) ...
Behold, God is my helper
The Lord is the upholder of my life ...
He has delivered me from every trouble
and my eye has looked in triumph on my enemies.

p 23 *Judgement* (דין) is here a synonym for *salvation* (ישע), as it is in many other places in the Book of Psalms.

Thus, just as the king was accustomed to declaring “freedom” to the public, so was it customary to declare “freedom” to the individual. The same is true of “philanthropy” in the Hellenistic period, which was equally customary in regard to the individual and the group. In Israel, as well, we find that the king declares freedom to his people (Jer. 34), on the one hand, and frees the house and property of the individual (1 Sam. 17:25), on the other. Just as it does in the realm of national and universal *justice and righteousness*, here too there applies the rule that the kingdom of earth is like that of heaven.

p 25 Chapter One

“JUSTICE AND RIGHTEOUSNESS”—משפט וצדקה

The Expression and its Meaning

The concept of social justice was expressed in Ancient Israel and in the Ancient Near East by means of a *hendiadys*. The most common word-pair to serve this function in the Bible is **משפט וצדקה**, “justice and righteousness”, or **צדקה ומשפט**, “righteousness and justice”. However, alongside this expression, we find **צדק ומישור** or **צדק ומישרים**, “righteousness and equity”, word-pairs which are found in poetic passages, and therefore appear primarily in parallelism (see

Isa. 11:4, 33:15, 45:19; Ps. 9:9, 58:2, 98:9, and compare Prov. 1:3, 2:9). The word-pair **מֶשֶׁר//צֶדֶק** is found in the list of gods from Ugarit, and was later preserved among the Phoenicians as well, as attested by Philo of Byblos.⁴ The terms **צֶדֶק//יֵשֶׁר**, “righteous and upright”, are found as well in the Ugaritic literature and in Phoenician inscriptions,⁶ and the word-pair thus predates Israelite literature. Similarly, we find the word-pair **צֶדֶק//אֱמוּנָה** or **צֶדֶק//אֱמֶת**, “righteousness and truth” (1 Kgs 3:6; Isa. 11:5, 59:4; Ps. 85:12, 66:13; Zech. 8:8), which is equivalent in meaning to the Akkadian word-pair *kittum u mīšarum*, lit. “truth and equity”.

Word-pairs similar to the above but less comprehensive in meaning are *kidinnum kubussûm*, “protection and righteousness”, or in Elam, *šullum kubussûm*, “protection and righteousness”. The Egyptian term *ḥwj mkj* apparently belongs to this class as well.

We shall try to ascertain the meanings of the Hebrew **מֶשֶׁפֶט וְצֶדֶק**, “justice and righteousness”, and its Mesopotamian parallel, *kittum u mīšarum*. They can be defined more precisely in context, as we shall see below.

A. The term **מֶשֶׁפֶט וְצֶדֶק** can refer to a character trait granted by God to the king: “O God, endow the king with your justice (**מֶשֶׁפֶט**), the king’s son with your righteousness (**צֶדֶק**), that he may judge your people rightly (**בְּצֶדֶק**), your lowly (poor) ones, justly (**בְּמֶשֶׁפֶט**)” (Ps. 72:1–2). God thus is said to grant the king *justice and righteousness*, i.e., a sense of justice with which to justly judge the people and the poor. Likewise *kittum u mīšarum* means a sense of justice, i.e. a characteristic endowed by the gods. For example, it is said of Hammurabi that Shamash gave him truth (*kinātum*), while it is said of Shamash himself that *kittum u mīšarum* are his gifts. Ashurbanipal writes in one of his letters that the gods have granted him *kittu mīšaru*, “truth and equity”.

Justice and righteousness are considered a sublime, divine ideal in Psalm 33:5: God is said to love righteousness and justice. (Cf. the tenth blessing in the Eighteen Benedictions of Jewish daily prayer: “Blessed are you, O Lord, the king who loves justice and righteousness” [**אֱוֹהֵב**

צֶדֶק וּמֶשֶׁפֶט]). The Mesopotamian goddess Ishtar is likewise said to love *mīšarum*, and Nebuchadnezzar king of Babylon is said to be a lover of truth and righteousness, *rā'im kittu u mīšaru*. Similarly, the Assyrian king Ashurbanipal is proud that he loves *kidinnūtu*, liberty (lit. “the rights of protection”), granted to the residents of holy cities (see below).

In another biblical verse, we find an explicit parallel between **מֶשֶׁפֶט וְצֶדֶק**, “justice and righteousness”, on the one hand, and **מִישָׁרִים**, “equity”, on the other: “... it was you who established equity (**מִישָׁרִים**), you who performed ‘justice and righteousness’ (**מֶשֶׁפֶט וְצֶדֶק**) in Jacob” (Ps. 99:4). From this verse we can also learn of the royal aspect of justice and righteousness. Like the Mesopotamian *mīšarum*, which takes effect at the king’s enthronement, here, too, God is said to establish justice and righteousness and equity in Jacob after he begins

his reign and is exalted over all the peoples (Ps. 99:1–2). p 29 Just as the enactment of the Mesopotamian *mīšarum* is bound up with promulgation of a series of regulations, here, too, the establishment of equity, justice and righteousness is followed by the giving of decrees and laws through Moses and Aaron (v. 7).

B. **משפט וצדקה**, and *kittum u mīšarum*, are considered a social ideal, along the lines of mercy and kindness. Thus, for example, in Isaiah 16:5 the establishment of the Davidic throne with kindness and truth is connected with the demand for justice and righteousness: “A throne shall be established with *kindness* (**חסד**) and on it shall sit in *truth* (**אמת**) a ruler that seeks *justice*

(**משפט**) and is zealous for *righteousness* (**צדק**) in the tent of David”. Elsewhere, the prophet says that King David’s throne was established with justice and righteousness (Isa. 9:6). The fact that the establishment of a throne with *justice and righteousness* is synonymous with its establishment with *mercy and kindness* can be derived from the book of Proverbs as well. In Proverbs 20:28 a throne is said to be maintained with **חסד**, kindness, while elsewhere the throne is established with **צדק**, righteousness (Prov. 25:5, cf. 16:12). A similar synonymy is found regarding God’s throne: **צדק ומשפט** are the base of your throne; **חסד ואמת** stand before you” (Ps. 89:15).

Kindness and truth and mercy **חסד ואמת ורחמים** are found often in the Bible in conjunction with justice or with righteousness (Ps. 33:5, 89:15; Jer. 9:23; Hos. 2:21, 12:7; Mic. 6:8). We shall see that the social reforms which are the fruit of **משפט וצדקה** are in fact rooted in the King’s kindness and goodwill towards the people. In the Hellenistic period these reforms such as remission of debts, etc. were named: τὰ φιάνθρωπα, i.e. philanthropy.

kittum mīšarum in Mesopotamia is also linked to acts of kindness. In the Epilogue to his Code, Hammurabi says that by giving laws he led his people in the way of truth and the path of p 30 kindness. Elsewhere he says that he set *kittum u mīšarum* in the land, and dealt kindly with people (col. v, II. 20–24). Ashurbanipal says that the gods gave him preordained kindness (*šīmat damiqtim*), and created him with *kittum u mīšarum*.

C. The practical application of **משפט וצדקה** accords with the usage of the term in an ideal sense: It refers to just dealing in the social sphere, particularly when the pair **משפט וצדקה** is found in conjunction with the concept of **דרך**, “way” of life. Indeed, in the first instance of the biblical use of the term **צדקה ומשפט** (Gen. 18:19), we find the term in conjunction with the word **דרך**. “So that they keep the way (**דרך**) of YHWH by dealing with righteousness and justice”.

This verse, which is predicated upon the sins of Sodom (Gen. 18:20–21), emphasizes the Israelite mission of social justice, in contrast to the Sodomites who “did not support the poor and the needy” (Ezek. 16:49).

Other verses also speak of the way, or path, of justice and righteousness: see e.g. "... guarding the *paths* (אורחות) of justice, p 31 protecting the way (דרך) of those loyal to him. You will then understand what is just (צדק), righteous (משפט), and equitable (מישרים), every good course (מעגל)" (Prov. 2:8–9). "The path of equity (מישרים) for the righteous man; O just one, you make smooth the course (מעגל) of the righteous" (Isa. 26:7); "They do not care for the way of integrity, there is no justice in their course (במעגלתם). They make their *paths* crooked, no one who walks in them cares for integrity. That is why justice (משפט) is far from us, and righteousness (צדקה) does not reach us" (Isa. 59:8–9).

"He leads me in the paths of righteousness" (Ps. 23:3) is parallel to the phrase from the Code of Hammurabi cited above: "He led the people in the way of truth". In fact, the Mesopotamian account of *kittum u mīšarum* is itself related to the word "way". Thus we find often in Mesopotamia the phrase *ḥarran/uruḥ kitti u mīšari*, "the road/way of truth and equity": The connection between law or custom and the concept of "way" is implicit in the Elamite term *kubussûm* mentioned above, and it is likewise reflected in the term *kibsum*, which also means "road". Both are derived from the verb *kabāsu*, "to tread" (cf. Hebrew בָּבַשׁ, and late Hebrew כְּבִישׁ, "road"), and like the term הלכה, derived from Hebrew הָלַךְ, "to walk", they refer to a way of life bound with the observance of just laws.

p 32 Dealing justly is referred to explicitly in the Epilogue of the Code of Hammurabi, as "walking on the good path", in the section referred to above: *dīnāt mīšarim ša Hammurabi šarrum lēum ukinnuna mātam ūsam kīnam rīdam damqam ušašbitu*, "the equitable laws which were established by the mighty king Hammurabi, who led²⁵ the land in the way of truth and the road of kindness". (xxiv b:1–8).

Similarly, Hammurabi says that the stela upon which he inscribed the laws will show his royal successor *the way* in which to perform law and justice" (*kibsam rīdam*, col. xxvi b:75–85). The justice and righteousness which a god performs toward his creatures is also referred to as showing them the way. Thus in a Mesopotamian hymn to Ishtar: "You judge the people with *kittu u mīšaru*; You regard the oppressed and beaten, and lead them daily with equity (*tušteššeri*)". Afterwards the supplicant requests: "Grant liberty (*šubarrû*), straighten my path (*šuteširi kibsi*)" (ll. 83–84).

Similarly, we find in the prayer of Nabonidus king of Babylon: "Day and night they grant me kindness ... the way of peace and p 33 equity, the road of *kittu u mīšari* they place at my feet"

(cf. Mal. 2:6: "Truthful instruction was in his mouth ... in peace and equity [מישור] he walked with me".) The verb *ešēru*, which is the root of the word *mīšarum*, means primarily to proceed along a straight path, a concept which accords with the conception of justice and equity as a path upon which one should travel. The Akkadian term *andurārum/durārum* = "liberty" likewise means to proceed without obstruction (cf. below, p. 160). The same applies to the concept *šubarrû*, borrowed from the Sumerian *šu-bar*, which means to open the seizing hand, i.e. to let go (= *wuššuru*).

Social justice and equity are bound up with personal freedom, and liberating a man means allowing him to follow his own path without stopping him or binding him. In Egypt, too, the concept of liberty is expressed with the word *wstn*, which means “to walk unbound” and it is thus parallel to the Akkadian *ešēru*. It is surprising that even the Greek term for freedom, ἐλευθερία, which in Hellenistic times was the term for a proclamation of liberty, is connected with “walking”: ἐλεύσομαι being the future form of ἔρχομαι, “to go”.

Performing *mīšarum* in Mesopotamia and **משפט וצדקה** in Israel: The Concrete Meaning of the Concepts

Walking in the path of *kittum mīšarum* means, as we shall see, the establishment of social equity, i.e., improving the status of the poor and the weak in society through a series of regulations which prevent oppression. As we shall see, doing **משפט וצדקה** is likewise bound up with actions on behalf of the poor and the oppressed. In this light, we shall analyze the concept of **משפט וצדקה** in the Bible.

Firstly, one must distinguish between **משפט צדק**, “a righteous judgement” (lit. a judgement of righteousness, **צדק** = adjective and **משפט וצדקה** p 34, “justice and righteousness”). Although the same word, **משפט**, is used in both phrases, in the first it signifies a correct *judgement*, as can be seen in Deuteronomy 16:18, **ושפטו את העם משפט צדק**, ‘they shall judge the people with true justice’ (cf. Lev. 19:15, **בצדק תשפט עמיתך**, ‘you shall judge your neighbor truly’), while in the second it is part of a *hendiadys*, the whole phrase signifying the concept of social justice.

In general, **צדק** refers to the abstract principle of righteousness, while **צדקה** refers to the concrete act. **צדק** as an abstract ideal is thus personified; it is said to “look out from heaven” (Ps. 85:12; cf. Isa. 45:8); peace and **צדק** are said to kiss one another (Ps. 85:11); **צדק ומשפט** are considered the foundation of God’s throne (Ps. 89:15, 97:6); and God betrothes Israel with **צדק** and **משפט** (Hos. 2:21). By contrast, **צדקה** is bound up with actions (see Isa. 56:1, 58:2; **עשה צדקה**, “did **צדקה**, i.e. acted righteously), and later it became the Hebrew word for giving alms to the poor (Dan. 4:24).

The Rabbis and the traditional commentators connected **משפט וצדקה** with the proper execution of justice, i.e. correct judicial decisions. However, they were not unaware of the problematic nature of the double term. Thus in regard to the verse in 2 Samuel 8:15, “David performed **משפט וצדקה**”, the Rabbis asked: “If there is **משפט** (strict justice), how can there

be **עדקה** (“charity”), and if there is **עדקה**, how can there be **משפט**?”, and they answered:

“Which judgement (**משפט**) involves charity (**עדקה**)? compromise (a settlement between the two litigants (b. Sanh. 6b, cf. y. Sanh. 1:8 18b, and see below, p. 44).

The Rabbinical deliberations on this issue are expressed in Abot de Rabbi Nathan:

“Abraham performed **עדקה** first, and then **משפט**, p 35 as it is written, ‘For I have singled him out, that he may instruct his children and his posterity to keep the way of the YHWH by performing **עדקה** and **משפט**’ (Gen. 18:19). Whenever two litigants came before Abraham, our father, for judgement, and one said that the other owed him a mineh, Abraham would take out a mineh of his own and give it to him, and only then say ‘present your cases before me’. But David did not do this; he did **משפט** before **עדקה**, as it is written, ‘David performed **משפט** and **עדקה** for all his people’ (2 Sam. 8:15). Whenever two litigants came before the king he would say ‘Present your cases’. If in fact one owed the other a mineh, he would then take out his own mineh and give it to him” (Abot R. Nathan, first version 33, ed. Schechter p. 94). The Rabbis understood **משפט** as judgement, while **עדקה** was understood to refer to an act of charity performed within the framework of the judicial process. Needless to say, this has nothing to do with the original meaning of the text.

When the prophets speak of **משפט ועדקה**, they certainly are not referring to a settlement between the parties, or acts of charity associated with the judicial process, and they certainly do not mean merely *just* judicial decisions. When we survey the verses that refer to **משפט ועדקה** in the prophetic literature and the Psalms, we find that the meaning of the concept is not confined to the judicial process. On the contrary, the concept refers primarily to the improvement of the conditions of the poor, which is undoubtedly accomplished through regulations issued by the king and his officials, and not by offering legal assistance to the poor man in his litigation with his oppressor. The term **משפט**, which was originally connected to the concept of administration (cf. Ugaritic **תַּפֵּט**, and see below regarding the verb **שפט**), later acquired a specifically juridical connotation, and this caused confusion regarding the meaning of **משפט ועדקה**.

Instead of the biblical term **משפט ועדקה**, rabbinic Hebrew uses the hendiadys **עדקה וחסד**, “righteousness and kindness”, or **גמילות חסדים**, “performing kind acts”. In fact, the term **משפט ועדקה** implicitly refers to kindness and mercy as well, as we shall see below, and the word **משפט** in this word-pair should not be understood in the juridical sense.

We shall now attempt to offer support for this view. The establishment of a throne with **משפט** and **עדקה** is synonymous with p 36 its establishment with **חסד**, “kindness”, or **חסד**

and אמת, “kindness and truth (Isa. 16:5; Prov. 20:28). Similarly, we find חסד in conjunction with משפט and צדקה or in parallelism with them; for example: “He loves צדקה and משפט, the חסד of the YHWH fills the earth” (Ps. 33:5) “צדק and משפט are the foundation of your throne, חסד and אמת go before you” (Ps. 89:15); “He performs חסד, משפט and צדקה in the land” (Jer. 9:23); “... to do משפט and love תחסד” (Mic. 6:8; cf. Hos. 12:7; Ps. 101:1); “And I shall betroth you unto me with צדק and משפט, חסד and רחמים (mercy)” (Hos. 2:21); “He who pursues צדקה and חסד” (Prov. 21:21).

חסד, “kindness”, is identical with goodness and mercy. It is not a *characteristic* that is congruous with strict justice, since if it were to be applied in court it would otherwise interfere with the execution of justice, which must be untempered by partiality. We must therefore conclude that the word משפט, and especially the phrase משפט וצדקה, does not refer to the proper execution of justice, but rather expresses, in a general sense, social justice and equity, which is bound up with kindness and mercy.

This understanding of the term משפט וצדקה is implicit in the prophetic exhortations. When Micah presents the demands of the divine ideal and says: “He has told you, man, what is good. And what does the Lord demand of you? Only to do משפט and love חסד, and walk humbly with your God”, he is not referring to the proper execution of justice in court, since (a) the demand is made of every “man”, and not every man is a judge who is responsible for legal rulings, and (b) the last two demands of loving חסד and walking humbly imply that the demands are general and moral in nature, referring to good deeds, and thus doing משפט refers to actions of social justice. In a similar vein, Amos asks that משפט well up like water, צדקה like a mighty stream” (5:24).

If we look at exactly what it was that the prophets opposed, we see that main wrongdoing is not the perversion of the judicial process, but oppression perpetrated by the rich landowners and the ruling circles, who control the socio-economic order. Amos rebukes those who “store up lawlessness and rapine in their fortresses” (3:10), the women who “rob the needy” (4:1), those who “exact a levy of grain” from the poor, but live in “houses of hewn stone” (5:11), those who “use an ephah too small and a shekel too big”, who “buy the poor for p 37 silver, and the needy for a pair of sandals” (8:5–6). The last verse refers to those who are enslaved for non-payment of debts.

This concept of משפט וצדקה is clearly expressed by Isaiah. After the parable of the vineyard, which ends: “he hoped for justice (משפט); for equity (צדק, lit. “righteousness”), but behold, iniquity, (עצקה, lit. “crying out”) (Isa. 5:7), we find an indictment of landowners who

enlarge their estates: “Ah, those who add house to house and join field to field, till there is room for no one but you to dwell in the land” (v. 8). This undoubtedly refers to those who foreclose the mortgages of the poor who cannot repay their debts, and turn their fields into their own personal property. Elsewhere Isaiah rebukes those who “enact laws of injustice and compose (lit. write **ומכתבים**) iniquitous decrees”, i.e. those responsible for enacting laws and regulations (Isa. 10:1). By making unjust laws, they subvert the cause of the poor, rob the rights of the needy, despoil the widows and make orphans their booty (Isa. 10:2). Subverting justice here does not refer to abusing the judicial system *per se*, but rather to the enactment of unjust laws.

These unjust laws are apparently the cause of the foreclosures referred to in Isaiah 5:8. An echo of the situation described in Isaiah 5:8ff. and 10:1ff. is found in Psalm 94. The poet turns to the divine judge, and asks him to wreak vengeance on the evil, haughty men who oppress God’s people and his inheritance (vv. 5, 14). He decries the evil men who act unjustly (v. 4), who commit crimes against widows and orphans (v. 6), and the righteous man (v. 21), and he prays that “judgement (**משפט**) shall once again accord with righteousness (**צדק**)” (v. 15). All this is done by those who “frame **עמל עלי חק** mischief through statutes” (v. 20), which reminds us of Isaiah 10:1. The beginning of Psalm 94: “give the haughty their deserts” (v. 2) reminds us of Isaiah 5:15–16: “Yea, man is bowed, and mortal brought low; brought low is the pride of the haughty. And YHWH of Hosts is exalted by **משפט**, the Holy God proved holy by **צדקה**”. According to these verses, God, the judge who performs **משפט** and **צדקה**, is exalted by bringing down the haughty.

The same type of condemnation of those who disregard **משפט** and **צדקה** is found in the prophecies of Micah against those who oppress a man and his house, a person and his inheritance (Mic. 2:2). Since they dispossess the poor people of their inheritance they will not get any land when allotment of territory takes place in the community (2:5). As A. Alt has shown, Micah here predicts that in the future allotment, or reallocation of territory by lot (which was customary in the “community of YHWH” (**קהל ה'**); landowners who oppress their fellow men will not be allotted territory. Fields were allotted at the time of “proclamation of liberty”, a practice which was also quite common in social reforms in Greece (*ἀναδασμὸς γῆς*). The prophet therefore prophesies paradoxically that those who were responsible for **צדקה** and **משפט**, i.e. allotting land to farmers, will not even be allowed to receive their own territory when the reforms are instituted within the framework of the community of YHWH.

Similarly, the prophet condemns those who drive women away from their homes (Mic. 2:9), apparently because their husbands had **נשבו** been taken captive in war (v. 8). This is similar to the situation we encounter in the *Middle Assyrian* laws, according to which the estate of a man who died in battle, or an estate abandoned by its owner, can be given away by the king to whomever he chooses. This was also the case in Israel. Witness the case of the Shunamite woman in 2 Kings 8:1–6. When she returns to the land after a seven-year absence due to famine, her house, field and estate are denied her, and she “cries out” to the king. He commands his eunuch to restore all her property, including the yield of her field.

Those who “detest **משפט**”, and “make crooked all that is straight” (Mic. 3:9) are those who “build Zion with crime, Jerusalem with iniquity” (v. 10). Jeremiah specifies precisely how they do so: “Ha! He who builds his house without righteousness (**צדק**) and his upper chambers with injustice (**בלא משפט**) who makes his fellow work without pay and does not give him his wage” (Jer. 22:13); which means: they used enforced, unpaid labor. This is in contrast to the way of Josiah, who dispensed **משפט וצדקה** and “upheld the rights (**דון דין**, lit. “judged the case”) of the poor and needy” (vv. 15–16). The phrase **שפט משפט** or **דון דין** occurs in Jeremiah 5:28 as well: “They do not uphold the rights (**דון דין**, lit. “judge the case”) of the orphan ... nor uphold the cause (**שפט משפט**, lit. “judge the case”) of the needy”. There, too, the meaning of the terms is to act on behalf of the poor and orphan. Josiah upheld **משפט** and **צדקה** and the rights of the poor, unlike his son Jehoiakim, who oppressed them. This brings us to the analysis of the terms **שפט משפט/דון דין**.

דון דין/שפט משפט

The phrase “to do **משפט וצדקה**” is not the only one which refers to the establishment of social justice and equality. The phrases **שפט משפט** or **דון דין** (lit. “judge the case”) or **שפט בצדק** (lit. “judge with righteousness”) also refers to the concept of social justice. This has p 40 already been pointed out by I. L. Seeligmann, who saw that the original meaning of **שפט** is to save the oppressed from the hands of the oppressor, or the enslaved from his enslaver. This can be done through a judicial decision, through active intervention, by proclamation of an edict from on high, or through battle and struggle, cf. “judges”, **שפטים**, in the Book of Judges, who wage war in order to save the Israelites from oppression.

We are concerned here with social oppression, and in that light we read of the king who judges (**שפט**) the poor and the needy (Isa. 11:4; Ps. 72:2, 4; Prov. 29:14), or judges the case (**דון דין**) of the poor and needy (Jer. 22:15–16). This means that he saves them and acts on their behalf, as can be clearly seen from Psalm 72:4: “He will judge (= uphold) the cause (**שפט**) of the poor of the people, he will *save* the needy and will suppress the oppressor”. Similarly we find that the divine King is “**שופט** the orphan and downtrodden” (Ps. 10:18), and the word **שופט** here is correctly translated in the NJPS version “champion”. The term **שפט**, “to judge”, even

when applied to God, the judge of all nations of the earth (Ps. 9:9, 67:5, 82:8, 96:10–13; cf. 98:9), refers to salvation, and not necessarily to the pronouncement of judgement from the judicial bench. This is especially striking in Psalm 67:5: “You judge (**תשפט**) the peoples with equity (**מישר**), you guide the nations of the earth”. Guidance here refers to leading people on the path of righteousness (above, pp. 30–1), and in this light the verb **תשפט** should also be understood. The entire world rejoices when God appears for this “judgement” (Ps. 96:11–12, 98:7–8), and thus it is apparent that **שפט** here refers to salvation, not a judicial process. Cf. also Psalm 76:10: “as God rose to **משפט**, to save all the lowly of the earth.”

Similar terms are applied to judges and officers. Isaiah, when he asks for an end to evil, says “**שפטו** (lit. “judge”) the orphan, plead the cause of the widow” (Isa. 1:17). He certainly did not mean that the judicial process should deal only with the cases of the poor and fatherless, neglecting the cases of the upper classes. Rather, he meant p 41 that the poor and weak should be saved in their struggle with the mighty, as can be seen from the first half of the verse: “Learn to do good, seek **משפט**, aid the wronged”. Thus, too, should we understand Psalm 82:3–4:

“**שפטו** the wretched and the orphan, vindicate the lowly and the poor, rescue the wretched and the needy; save them from the hand of the wicked”. We should understand in a similar vein the phrases “**דון דין** of the poor and the needy”, “**דון דין** of the orphan”, **שפט משפט** of the needy in Jeremiah 5:28, 22:15–16, and Proverbs 31:9. In Genesis 49:16, “Dan shall judge (**ידין**) his people”, means he shall save his people, and this is also the meaning of God’s “judgement” of his people in Deuteronomy 32:36 and Psalm 54:3.

This usage is especially common in the Israelite and Mesopotamian psalm literature, in the context of pleas for salvation. Thus we read in Psalm 43:1: “Save me (**שפטני**, lit. “judge me”), O God, and champion my cause against faithless people; rescue me from the treacherous, dishonest man”. As in Psalm 82:3–4, cited above, here, too, **שפט** refers to rescue from a faithless people and a dishonest man. The rescue is done by God the judge, who decides in favor of the good man, and thus saves him from the bad man. In these circumstances the righteous man is prepared to be tested in the divine court, in order to prove his innocence. Thus the suppliant in Psalm 26 declares that he walked in innocence, and therefore God should judge him, try him and test him, so that his innocence and righteousness may be made manifest: “Judge me (**שפטני**), YHWH, for I have walked in innocence; I have trusted YHWH; I have not faltered. Probe me, O YHWH, and try me, test my heart and mind, for my eyes are on your kindness; I have walked in your truth ... I walk in my innocence. Redeem me. Have mercy on me!” (Ps. 26:1–3, 11)

Similarly, we find in Psalm 7 a request for divine **משפט**, apparently in the context of a political conflict, in which the supplicant asks God to judge him (**שפטני**) according to his righteousness and innocence (Ps. 7:9), and in this context he mentions God's probing of heart and mind (v. 10). One should p 42 mention here also Psalm 35, which begins: "Plead, O YHWH, my cause and fight my battle" and ends with a request for divine **משפט**, for my cause, O my God and my Lord! Judge me (**שפטני**), YHWH my God, as you are beneficent ..." (Ps. 35:23–24).

In each of these cases we are dealing with divine salvation, presented as a divine court decision. The same metaphor is found in Mesopotamian psalm literature. There as well, the supplicant asks for divine assistance, using juridical terms, e.g.: *dīni dīn, purussāya purus / dīni dīn alakti limad / ina dīnika mīšarūtu lullik* ("judge my case, decree my decree / judge my case grant me an (oracular) decision) / in your judgement I will go in equity"). Not only in Mesopotamian psalm literature do we find *dīni dīn* ("judge my case") in the sense of "save me"; the phrase is quite common precisely in the area with which we are dealing; the field of social justice. Thus, in issuing a series of proclamations for the good of his people "Hammurabi 'judges' the land", i.e. he deals justly with the widow and orphan (xxiv b:61) and the oppressed (xxiv b:74), and insures that the weak will not be given over to the strong (xxiv b:59–60). We often hear in Mesopotamia of "judging the case of the weak and oppressed", i.e. intervention on their behalf.

Especially revealing is the following passage, taken from a neo-Babylonian work, entitled by its editor "Nebuchadnezzar King of Justice".

He did not neglect the justice of *kitti u mīšari* (truth and equity), judgement and decision, acceptable to Marduk the Great Lord, and established for the good of all men and the p 43 settlement of the land of Akkad, he wrote with counsel and wisdom. He enacted the laws of the city for good. He established the laws of the kingdom for all generations. (II. 22–27).

Truth and justice/equity are thus given expression by means of lawmaking that benefits the population.

The role of the king in dealing justly with the orphan and widow is especially stressed in the Ugaritic texts. The true king is characterized as one who will uphold the cause of the widow, will do justice to the orphan/the wretched".

Doing **משפט** in the sense of doing good for the poor and the weak is especially stressed in the prophetic literature, and Zechariah's prophecy (Zech. 7:9–10) is especially instructive. In listing the idealistic demands of the earlier prophets, the prophet says: "Execute true justice (**משפט אמת שפט**); deal kindly and mercifully with one another, do not defraud the widow, the orphan, the stranger, and the poor; and do not plot evil against one another in your hearts".

There is an apparent contradiction here: true justice ought by right to be free of compassion and mercy. However, Zechariah here is not referring to the correct execution of justice in court, but rather to the establishment of social justice, and the restoration of equilibrium to the society by aiding the needy: the stranger, widow and orphan. Zechariah is apparently influenced here by

Jeremiah 7:5–6: "... if you execute justice between one man and another, if you do not oppress the stranger, orphan and widow ...".

p 44 This is also the meaning of Zechariah 8:16: "Render truth and peaceful (or perfect) justice in your gates" (בשעריכם אמת ומשפט שלום שפטו). Here, too, the Rabbis asked how one can have the "truth" and "peaceful justice" together, and they answered, as above, that this verse refers to compromise, or a settlement between the parties (y. Sanh. 1:5, (18b), However, the plain meaning of the verse is that "truth and peaceful justice" refers to social justice, and not to correct judicial rulings.

Thus when the prophets refer to **משפט** and **צדקה**, they do not mean merely that the judges should judge accurately. They mean primarily that the officials and landowners should act on behalf of the poor. In Job 29:14ff. as well, doing **צדק** and **משפט** means helping the needy: "I clothed myself in **צדק** and it robed me; my **משפט** was my cloak and turban. I was eyes to the blind and feet to the lame. I was a father to the needy ...".

Divine **משפט** and **צדקה** are likewise help for the poor and oppressed, for the stranger, orphan and widow: "He does the **משפט** of the orphan and the widow, and loves the stranger, giving him bread and clothing" (Deut. 10:18); "YHWH performs righteous acts (**צדקות**) and just acts (**משפטים**) for all the oppressed" (Ps. 103:6); "He does justice (**משפט**) for the oppressed; he gives bread to the hungry (Ps. 146:7).

In conclusion, some clarification is necessary. Our interpretation of "justice and righteousness" does not exclude the juridical sense of the expression. The judge, although subject to legal rules, cannot overlook considerations of fairness and equity, thus bringing about "true judgement". Our contention, however, is that "justice and righteousness" is not a concept that belongs to the jurisdiction alone, but is much more relevant for the social-political leaders who create the laws and are responsible for their execution.

p 45 Chapter Two

JUSTICE AND RIGHTEOUSNESS AS THE TASK OF THE KING

The establishment of a just society is the responsibility of the king. This can be seen in the following verses: in a passage juxtaposed to the announcement of David's ascent to the throne, it is said that he "established justice and righteousness for all his people" (2 Sam. 8:15). God is said to have made Solomon king "to establish justice and righteousness" (1 Kgs. 10:9). Similarly, the psalm of or to Solomon (Ps. 72) begins with a prayer asking God to give the king and his son "justice and righteousness". The kings of Judah are called upon by Jeremiah to "establish justice and righteousness" (Jer. 22:3), and the same prophet testifies that Josiah did so

(Jer. 22:15), and envisions a future Davidic king who will “establish justice and righteousness in the land” (Jer. 23:5; 33:15). Ezekiel, too, calls upon the princes of Israel to establish “justice and righteousness” (Ezek. 45:9). In the, Servant of the Lord’s song in Isaiah 42:1ff., which portrays the servant as a royal figure who passes judgement on the nations (v. 1) and releases prisoners (v. 7), we find the phrase “until he shall establish (lit. “place”) justice in the land” (עד ישים בארץ) (משפט) (v. 4), p 46 which is parallel to the Akkadian term for the institution of social reforms: *mīšaram ina mātim šakānum*, “to establish *mīšarum* (equity) in the land”.

An analysis of the above-cited verses reveals that the concepts **משפט** and **צדקה** “justice and righteousness”, in these contexts refer to acts of liberation that are similar in nature to the type of the *mīšarum* and liberations of Mesopotamia and Egypt.

1. The statement that David “established justice and righteousness for all his people”, which is included in an official document whose authenticity is not be doubted (2 Sam. 8:15–18; cf. 2 Sam. 20:23–26, 1 Kgs. 4:1–6) follows the announcement of David’s ascent to the throne. The phrase “David ruled over (וימלך) all Israel” in v. 15 means “David became king over all Israel”, as can be seen from the use of the identical formula in succession narratives throughout the book of Kings. The rest of the verse: “and David established justice and righteousness for all his people” (ויהי דוד עשה משפט וצדקה לבל עמו), should be understood: “and David *began* to establish justice ...”. The construction **היה** + active participle in biblical Hebrew is not the past continuous, as in later Hebrew, but rather refers to the beginning of a recurrent action, as e.g., “Abel became (ויהי הבל) a shepherd, and Cain became a tiller of the soil” (Gen. 4:2). Similarly, “(and she bore Enoch) ויהי בנה עיר—and he became the builder of a city” (Gen. 4:17); ויהי רבה קשת—and he became an archer” (Gen. 21:20); ויהי טוחן—and he became a miller” (Judg. 16:21). **עשה**, lit. “to do or make”, in 2 Samuel 8:15 means “to establish”, as Ehrlich explained in regard to Jeremiah 9:23 “... who does (**עשה**) kindness, justice and righteousness in the p 47 land”. He correctly comments that the reference to the place in which justice is done (“in the land”) in Jeremiah 9:23 (cf. Jer. 23:5, 33:15), as well as in Psalm 99:4: “You have done (**עשית**) justice and righteousness in Jacob”, shows that **עשה** in this context means the use of socio-ethical procedures in a particular place or society.

MT of Jeremiah 9:23 is corrupt, and should be emended following LXX (in the quotation appended to 1 Sam 2:10) to read: “understanding and knowing YHWH, and establishing kindness, justice and righteousness in the land, for these things I desire”. It is man who must establish justice in the land, not God. The phrase used here and in Jeremiah 23:5, 33:15: “to establish justice and righteousness in the land”, is parallel to the Babylonian idiom: *mīšaram ina mātim šakānum*, mentioned above. This phrase refers to the establishment of a just order in society by the king (see below).

The second phrase in 2 Samuel 8:15 we are analyzing, “(and David established justice and righteousness) for all his people”, is, in our opinion, grounded in the *mīšarum* tradition. This can be ascertained from the *mīšarum* formula of the old Babylonian king Ammišaduqa: “established *mīšarum* for all the people”. 2 Samuel 8:15 thus refers to acts of liberation performed by David upon his ascent to the throne, and it reflects a practice known to us from Mesopotamia: the establishment of *mīšarum* upon coronation. Any other explanation of the verse would fail to explain the juxtaposition of David’s ascent to the throne and his establishment of justice in the same verse.

The tradition that David established “justice and righteousness” was remembered in Israel for a long time, and it is rooted in the p 48 prophetic ideal, according to which a future king will appear who will resemble David, and will likewise institute “justice and righteousness” in Israel. (See Isa. 9:6, 16:5; Jer. 23:5, 33:15).

2. The psalm of or to Solomon (Ps. 72), whose central theme is “justice and righteousness”, contains many motifs that recall the Mesopotamian *mīšarum*:

A. “That he may judge Your people with righteousness and Your poor with justice” (v. 2) and “May he judge the poor among the people; may he save the needy and crush the oppressor” (v. 4) are parallel to formulae cited in connection with the *mīšarum* in Mesopotamia, viz.: *dānu dīn enši ḥabāli*, “to judge the case of the weak and the oppressed”, which means primarily to relieve the burden of the poor through royal edicts. In proclaiming *mīšarum* the Mesopotamian king seeks to rescue the weak and the poor from their strong oppressors. Thus Hammurabi says in the prologue to his code that its purpose is “that the strong might not oppress the weak”, *dannum enšam ana lā ḥabālim*. Indeed, in our psalm the king’s responsibility to rescue the poor man from the strong oppressor is described:

For he will save the needy from his crying out, the poor man who has none to help him.
He will pity the indigent and the needy, and rescue the lives of the needy,
p 49 From strife and violence he will redeem their lives (vv. 12–14).

Jeremiah addresses the kings of Judah in similar terms, demanding that they establish “justice and righteousness”: “Establish justice and righteousness, and rescue the robbed from his oppressor, and do not wrong or assault the stranger, orphan or widow” (Jer. 22:3).

Recently a prophetic text from Mari was published, which also refers to acting justly toward the oppressed: “When an oppressed man or woman *cries out* to you, rise up and do him justice”, which means, of course, rescue him. Compare what is said of the stranger, orphan and widow in Exodus 22:22: “For if he does indeed cry out unto Me, I shall surely hear his cry”, and of the poor man, Exodus 22:26: “And when he cries out unto Me, I shall hear him, for I am gracious”.

These motifs are often found in the proclamations of the Mesopotamian kings. Urukagina / Uruinimgina, in the third millenium B.C.E., promises his god Ningirsu not to hand over the widow and orphan to the powerful. Similarly, Urnamu, the lawgiver and reformer (2111–2094 B.C.E.), claims not to have given over the orphan and widow to the rich and powerful.¹⁶

B. The king, his intervention on behalf of the weak, not only saves them from their oppressors, but also acts to abolish evil and suppresses the oppressors and tyrants: “May he save the needy, and *crush the oppressor*” (v. 4).

p 50 The passage cited above from the prologue to CH, “that the strong might not oppress the weak”, is juxtaposed to a statement that the king comes to abolish evil and evildoing: *raggam*

u šēnam ana ḥulluqim (Ia: 35–36 comp. XXV b:91). Similarly, we read in the *mīšarum* proclamation of the prince of Der: “(A true judge, who harmed none) ... who establishes *mīšarum* and destroys evil—*šākin mīšarum muḥalliḡ ragḡim*.”

Similarly, in the vision of the ideal king in Isaiah 11, who acts with justice and equity (**בצדק** **במישור**) on behalf of the poor, we find that the king kills the wicked with his breath (v. 4), i.e. through a royal decree akin to *mīšarum* which aids the poor and destroys their oppressors. In Egypt, too, Haremheb declares in the prologue to his edict that he is establishing justice (*ma ‘at*) on the one hand, and destroying injustice and oppression (*isf.t grg*) on the other.

p 51 C. “They shall fear you as the sun” (v. 5)

In the prologue to CH, Hammurabi shines forth as the sun, after abolishing evil and rescuing the weak from the hand of the strong:

(He called upon me) to make *mīšarum* flourish in the land, to eliminate evil and the evildoer so that the strong might not oppress the weak, to shine forth as the sun to the black-haired ones, and light up the land (I:32–44).

Similarly, we read of the *mīšarum* of Ammišaduqa:

“He appeared as the sun in truth for the sake of his land; he established *mīšarum* for all his people”

and in the hymn to King Lipit-Ishtar:

You established *mīšarum* (nīg-si-ša) for Sumer and Akkad, you did good for the land of Sumer ... you shine forth as the day”.

Šamaš or UTU, the god of the sun in Mesopotamia, is the god of justice and righteousness, and thus the relationship between the appearance of the sun and the establishment of *mīšarum* is understandable. In fact, we read in the hymn of Ishmedagan²⁴ that truth and justice come to him from UTU, god of the sun and justice:

p 52 UTU placed equity and truth (ni-si-sá) in my mouth that I might judge judgement ... to treat the people equitably
to establish truth ... to preserve the just and eliminate the wicked ...
so that the weak might not be handed over to the strong ...
so that evil and injustice might be eliminated and justice flourish—
UTU born of NIN.GAL determined my fate.

In our psalm as well the sun appears in conjunction with the rescue of the weak and poor and the suppression of injustice: “They shall fear you as the sun” (v. 5). Because the Masoretic text is difficult, especially the transition from third-person to second-person in reference to the king, it has been suggested to read here **יִרְאוּךָ** for **יֵאָרִיךָ** according to the Septuaginta, the sense being “He shall live as long (**יָמֶיךָ**, ‘days’ being implied) as the sun”, a common blessing in royal praises in the Ancient Near East. However, the emendation is untenable, especially since the object **יָמִים**, “days”, is missing. Although the wish that the king live as long as sun and moon

is attested, it is irrelevant here. Vv. 2–16 in Psalm 72 deal with the wealth and greatness that the king will bring the people, and only towards the end of the psalm, in v. 17 (where the phrase “before the sun” does, in fact, appear), do we find a blessing directed to the king himself. A personal blessing to the king in v. 5 would break the continuity in the description of acts of justice and salvation in vv. 2–16. It therefore seems that since descriptions of royal justice in the Ancient Near East are often accompanied by mention of the king’s shining forth as the sun, our psalm is also [p 53](#) describing the king in this manner. However, a wish for the eternity of the king’s rule, which also employed sun imagery, found its way into v. 5, which originally described the king’s shining forth as the sun. Later scribes, who considered the king’s appearance in the form of the sun an *illegitimate* concept, transferred the image from the king to God (hence the transition to second person), and changed the original **יִרְאוּהוּ עִם שֶׁמֶשׁ**, “they will see him (he will appear to them) as the sun” to **יִירָאוּךָ עִם שֶׁמֶשׁ** “they shall fear You (God) as the sun”.

The continuation of the psalm (v. 6), “He shall fall like rain on cut grass”, also proves that the sun in v. 5 is a symbol of the king’s kindness in dealing justly with his people, and not of the eternity of his reign. Rainfall on grass is a metaphor designed to describe the bounty bestowed by the king upon his subjects. Thus, for example, the passage in Proverbs 16:10–15, which describes the just king, ends with the verse: “In the light of the king’s countenance is life, and his favor is as the cloud of the late rain” (v. 15). Similarly, we read in Proverbs 19:12: “The king’s fury is like the roar of a lion cub, but his favor is like dew on the grass”. Job 29, which describes the leader who rescues the poor and the orphan from their oppressors and breaks the jaws of injustice (like the ideal king in Israel and Mesopotamia) also ends with a description of the people who wait for the king as they wait for “rain and late-rain”, and he shines his favor (“the light of his countenance”) on them by residing with them as king among his troops. Thus light/sun and rain imagery are combined in descriptions of kings.

Apparently, the same can be said of “David’s last words” (2 Sam. 23:1–7). Here, too, we find a just man in power, who is described as the morning light, the shining sun, and rain falling upon grass (vv. 3–4). In fact, the passage deals with the acts of justice performed by David on behalf of his people (cf. 2 Sam. 8:15), and it is these that are traditionally compared to sunshine and rainfall. The last [p 54](#) verses (vv. 6–7), which deal with worthless men (**בְּלִיעֵל**), can be understood as referring to the evil that the king must eradicate when he establishes justice, an issue dealt with above.

3. Jeremiah describes Josiah as the ideal king, who established justice and judged the judgement of the poor and needy (Jer. 22:15–16). These phrases refer, as we have seen, to the institution of “social reforms”. He thus stands in contrast to Jehoiakim, who built his house and upper chambers without justice and righteousness, and enslaved his brother without compensation: “... working his neighbor for naught, not paying him his due” (Jer. 22:13). Jehoiakim apparently used forced labor to build his house, enslaving the people, unlike Josiah who freed them from the corvée.

The phrase “then it went well (with him) (**אִז טוֹב לוֹ**) in vv. 15 and 16 can also apparently be explained in light of the *mīšarum*. Along with descriptions of the rescue of the poor from the hands of the weak, the suppression of the exploiters and the tyrants, and the king’s shining forth as the sun, formulae found in royal inscriptions describing truth and equity, we find in

Mesopotamia the idea of the king who “does good” for his people. Thus we read in the laws of Hammurabi: “(Anu and Enlil called upon me) to eliminate evil and the evildoer, that the strong might not oppress the weak, that I might appear as the sun for the black-haired ones and light up the land, to do good for the flesh of the people (*ana šīr nīšī tubbim*)” (Ia:32ff.) We also read at the end of the prologue: “Marduk taught me to deal equitably with people and to teach the land the way. I have established truth and righteousness in the land; I have done good for the flesh of the people” (Va:15–24). Lipit-Ishtar is also called upon by the god to establish *mīšarum* in the land, to eliminate evil, and to do good for the flesh of the people. In other places, as well, we find “doing good for the flesh of the people (*šīr nišī*)” in the context of *mīšarum*.

p 55 In this passage in Jeremiah the phrase “then it was good” appears twice, in vv. 15 and 16. There is undoubtedly a dittography here; in the original prophecy the formula appeared only once. Scholars differ as to which is original. In light of the Mesopotamian evidence brought here, it appears that the original phrase is **אז טוב לו**, “then it was good for him”, and it should be

juxtaposed to the phrase **דן דין עני ואביון** in v. 15. The verse would then mean “He judged the case of the poor and the needy, then it was good for him [the poor and needy]”. Cf. Job 24:21: “He does not do good for the widow”, while in Job 29:13 we find “I shall gladden the heart of the widow”.

4. Ezekiel’s vision in Chapters 40–48 is particularly instructive on this point. In the passages addressed to “the princes of Israel” (Ezek. 45:8–17, 46:16–18), the prophet demands the very actions that were the central components of the *mīšarum* and *andurārum* in Mesopotamia: the preservation of the patrimony by establishing the year of liberty (45:8, 46:16–18), cancellation of taxes and levies (45:9), the organized collection of tithes and priestly-dues (45:13–17), and the establishment of weights and measures (45:10–12).

In the edict of Ammišaduqa we find paragraphs which touch upon the issues mentioned by Ezekiel, e.g. the cancellation of the payment of taxes to the king, various tax exemptions and a prohibition against falsifying weights (merchant) and measures (inn-keeper) (paragraph 18), see Y. Bar-Maoz (p. 89, note 65), p. 63.

In Ezekiel 46:16–17 the issue of a real estate gift given by the prince to one of his subjects is raised. The prophet ordains that such a gift shall return to the prince in the year of liberty. Interestingly, in a document from Ḫana analyzed by J. Lewy, the partners to a deal p 56 involving royal land specify that the year of liberty should not apply to this transaction. Lewy compared this to our passage in Ezekiel. As we shall see, the return of land in the year of liberty continued into the Neo-Assyrian period, and thus was practiced for over a thousand years.

It is noteworthy that the social instructions in Ezekiel begin with an exhortation directed to the princes: “Remove violence and robbery; establish justice and righteousness” (Ezek. 45:9), which reminds us of the definitions of *mīšarum* and its nature as reflected in Mesopotamian documents, an issue dealt with above. “Remove violence and robbery” is analogous to “destroy evil and evildoers”, *raggam u šēnam hulluqum* in Akkadian, *nī-erim nī-á-zi-da*³⁶ in Sumerian. “Establish justice and righteousness” is parallel to the Akkadian term (*kittam*) *mīšaram šakānum*, a phrase dealt with above.

JUSTICE AND RIGHTEOUSNESS AS THE TASK OF THE ESCHATOLOGICAL KING

When Isaiah and Jeremiah describe the Israelite eschatological redeemer king, they stress first and foremost his role in the establishment of “justice and righteousness”, which, as we have seen, is parallel to the Mesopotamian *mīšarum*. In fact, the Mesopotamians themselves foretold a king who will arise in the future to establish *mīšarum*, eradicate evil, and act on behalf of the weak and oppressed.

The Biblical Prophecies Regarding the Establisher of Justice and Righteousness

First a brief survey of the Israelite prophecies regarding the eschatological redeemer who will establish justice and righteousness:

A. In the description of the birth of the child who symbolizes the great light that will break through darkness and shadow (Isa. 9:1ff.), we are told that the task of the new-born child, the heir-apparent *to the throne*, is to sit upon “the throne of David, and his kingdom, to establish and uphold it² with justice and righteousness, now and p 58 forever” (v. 6). The juxtaposition of “the throne of David” and “justice and righteousness” indicates that just as David established “justice and righteousness” upon ascending the throne (2 Sam. 8:15) (see above), so the new king will establish “justice and righteousness” for his people at the beginning of his rule, and he will establish it forever. In a Mesopotamian prophecy from Uruk (= Erech) we find a similar vision: “A king will rise in Uruk who will judge the judgement of the land (*dīna māti idānu*), give the right decisions for the land (*purussē māti iparras*) ... he will rebuild the temples of Uruk and restore the sanctuaries of the gods. He will renew Uruk, the gates of Uruk he will build of lapis lazuli (cf. Isa. 54:11–12). He will fill the rivers and fields with abundant yield. After him his son will arise and become master over the world. He will exercise rule and kingship in Uruk and his dynasty will be established forever. The kings of Uruk will exercise sovereignty like the gods”.

B. In Isaiah 16:5 we read:

and a throne shall be established with kindness (בחסד) and sitting upon it in truth (באמת), a ruler in the tent of David, one that judges and seeks justice (משפט) is trained in righteousness (צדק).

The Judean king, who seeks “justice and righteousness” and whose throne is established in mercy and truth (בחסד ואמת), dwells in the “tent of David”.⁶ The fact that the tent of David is mentioned in this p 59 context is undoubtedly connected with the well-known fact that David established “justice and righteousness” for his people. The Moabites, who are in dire straits and seek protection from Judah (v. 4a), hope for aid from the king of Jerusalem, who seeks “justice and righteousness” and destroys robbery and violence. These are traits which characterizes the

ideal king, who enacts legislation to improve the lot of the poor, on the one hand, and to eradicate evil, on the other hand.

These verses in Isaiah 9 and 16 are similar in language to the description of the ideal king in Proverbs: “Kindness and truth (חסד ואמת) preserve the king, and his throne is upheld (סעד) by kindness” (Prov. 20:28); “Take away the wicked from before the king, and his throne shall be established with righteousness” (Prov. 25:5. cf. 16:12); “The king who judges the poor in truth, his throne shall be established forever (כסאו לעד יכון)” (Prov. 29:14). As in Isaiah, where a throne established and upheld in “justice and righteousness” (Isa. 9:6) is interchangeable with a throne established in kindness and truth (חסד ואמת) (Isa. 16:5), so in Proverbs we find that the throne is upheld with kindness (Prov. 20:28), or established with righteousness (Prov. 25:5). As explained above, “justice and righteousness” refer, in fact, to acts of kindness and mercy.

The notion that “justice and righteousness” are essential for a reigning king was common throughout the Ancient Near East. The metaphor of a throne established upon “kindness and truth” can be illuminated by Egyptian drawings, in which the base upon which the king’s throne stands is shaped like the hieroglyph for *ma’at*, a concept which expresses the value of justice and righteousness in ancient Egypt. Compare Psalm 89:15: “Justice and righteousness are the foundation of Your throne (מכון כסאך)”.

p 60 C. In Jeremiah’s description of the ideal king we read: “Behold, the days come, says the Lord, when I will raise to David a righteous shoot (צמח צדיק), and he shall reign as king and shall prosper (והשכיל), and shall establish justice and righteousness in the land” (Jer. 23:5, cf. 33:15). Just as David established justice upon his ascent to the throne (... ויעש ... ימלך

), his descendant, the righteous shoot,¹⁰ will likewise establish justice upon his coronation. Furthermore, the expression “to establish justice and righteousness in the land (ועשה משפט וצדקה בארץ)” is completely analogous to the Mesopotamian expression *mīšaram ina mātim šakānum*, which is used to describe the “reforms” instituted by newly crowned kings. Although the use of this expression in the sense of proclaiming reforms is attested mainly in the old Babylonian period, even in later times Mesopotamian kings would proclaim liberation upon their ascent to the throne. As we shall see, Egyptian kings did so from the period of the New Kingdom until Hellenistic times, and in latter day Mesopotamia, we know that the p 61 custom of the neo-Assyrian kings was to proclaim *a liberation*, under which slaves were freed and lands were restored to their original owners (see below, pp. 175–6). Furthermore, the concept of liberation has a wider connotation. In granting liberation (*kidinnūtu*) to the residents of various cities, King Esarhaddon not only releases them from various taxes, but also frees prisoners, repatriates exiles, returns properties and even rebuilds temples.

Neo-Babylonian kings are also described as establishing *mīšarum* in the land. Nergal-šarrar, the fourth king in the Chaldean dynasty (559–555 B.C.E.), says:

A scepter of equity, which expands the land, did (Marduk) give to my kingdom,
a staff of truth that brings peace to the people did he ordain for my government

I established *mīšarum* in the land;
I shepherded my vast people with peace.

It should be noted that the formula “to establish *mīšarum* in the land” refers in this context not to any concrete reforms, as in old-Babylonian documents, but rather to just conduct in general. However, the king’s inscription expresses without a doubt the accepted notion that the ideal rule is one that is attained through the rod of equity and the execution of justice in the land.

In establishing justice and righteousness in the land the king is called **משכיל** (Jer. 23:5) or as Jeremiah says elsewhere: He will shepherd his people with knowledge and understanding (Jer. 3:15). Isaiah, in his description of the king from the stock stemming from Jesse, who will judge righteously (**בצדק**) and arbitrate with equity (**במישור**) (see below), begins with the traits of wisdom, knowledge and understanding granted to this king (Isa. 11:1ff). These two ideal character traits, a king who is wise and understanding on the one **p 62** hand, and is just on the other, are known from descriptions of Mesopotamian, Aramean, and Phoenician kings.

D. Isaiah’s prophecy of a stock from the stem of Jesse who will establish an ideal government is also characterized by descriptions of “justice and righteousness”. Both David, the founder of the dynasty, and his ideal descendant judge the poor with righteousness (**שפט בצדק דלים**) and arbitrate with equity for the meek of the land (Isa. 11:3) and, in keeping with *mīšarum* typology (see above, p. 58), champion the righteous and destroy the wicked upon ascending the throne. The ideal future king will save the poor and meek, and kill the wicked tyrant. Most informative is the word-pair **צדק/מישור**, “righteousness ... equity” in v. 4, which is found in Ugaritic and Phoenician, as we have seen, in connection with the coronation of kings, and in Israel in connection with the enthronement of God (**מישרים/צדק**, Ps. 98:9, see below, pp. 190–191).

A similar picture of the ideal king is found in Psalm 45, which describes the king who *rides upon* the cause of truth and meekness and righteousness (v. 4, see Sumerian parallel below):

“Your throne, like God’s, is forever and ever; a scepter of equity (**מישר**) is the scepter of your kingdom. You love righteousness and hate evil” (vv. 7–8). Just as we read in Isaiah 11 of one who arbitrates with equity, **p 63** smites the land (**ארץ**, perhaps read **עריץ**, “tyrant”?) with the scepter of his mouth, and slays the wicked with the breath of his lips, so we find in Psalm 45:

“the scepter of equity (**שבט מישור**)” in conjunction with the love of righteousness and the hating of evil. In Isaiah, however, judgement is passed not with a physical scepter, but with the “scepter of his mouth and ... the breath of his lips”, i.e. through injunction and edict, the *mīšarum* proclamation with which we are familiar from Mesopotamia. In Isaiah 11:5, “And righteousness (**צדק**) shall be the girdle of his loins, and faithfulness (**אמונה**) the girdle of his reins”, we have the parallels **צדק** (“righteousness”) and **אמונה** (“faithfulness, truth”), which together overlap the Akkadian phrase *kittum* (“truth”) *mīšarum* (“righteousness”).

As we have seen above, the Babylonian kings also use the “scepter of equity” (*haṭṭu išartu*) and “staff of truth” (*šibirru kīnu*), age-old concepts in the descriptions of Mesopotamian kings, to promote justice. For example, we find concerning King Urninurta of Isin (19th century B.C.E.):

The god Anu said: The royal throne is established forever ... He gave Urninurta in addition the staff of truth (*gidri-nì-gi-na*) to guide all men (*ukù-šár lah_x-lah_x*).

However, both in the Mesopotamian texts and in Psalm 45 the staff not only helps the weak, but also wreaks vengeance upon enemies. In the Nergalazzar inscription cited above we find the scepter of equity in connection with the “staff that defeats the enemy (*ušpar mukanniš zā'iru*)”.

Similarly, in Psalm 45, we find “truth and humility and p 64 righteousness” (צדק ענוה אמת)

(v. 5) next to “the scepter of equity” (שבט מִיֶּשֶׁר) (v. 7). The verse is associated with ... “the peoples who fall under thee” (v. 6), because the establishment of *mīšarum* involves not only the rescue of the poor, but also the punishment of the wicked. In Isaiah 11 we also find both facets, rescue of the poor and destruction of the wicked. However, in Isaiah the destruction is achieved through “the scepter of his mouth”, and not an actual scepter. (Contrast “scepter of iron” in Ps. 2:9.)

The ideal king, who establishes “justice and righteousness” for his people, is also described in the hymns of the Sumerian kings (19th–21st centuries). Thus we find in the hymn of Šulgi king of Ur:

My wisdom is perfect. I (seek to) achieve its truths.
I love equity (*nì-si-sá-e*) ...
I hate crooked things (*nì-ne-ru-e*).

The last character trait reminds us of Psalm 45:8: “You have loved righteousness and hated wickedness”.

In the hymn of Lipit-Ishtar, king of Isin:

Lipit-Ishtar ... shoot of royalty ... appeared as the sun ... He rides on the great ME ... He holds his rod over the black haired ones ... wise shepherd²² ... who subjugates men ... man of equity (?) ... (ll. 1–17)

The goddess Nisbah gave you the written tablet that bestows wisdom ... you made appear the equitable and righteous ... Lipit-Ishtar, you prepare a rod for the wicked ... you save the people from the evil ones, from men with sharp swords ... you release people from heavy accusations ... the powerful no longer oppress them ... you have established equity for Sumer and Akkad, you have gladdened the land of Sumer.

p 65 Here we find the motifs that are attributed to the ideal king in Israel: (a) shoot of royalty; (b) appearing as the sun; (c) holding the scepter of equity; (d) wisdom; (e) justice and righteousness; i.e., abolishing evil and establishing good.

The Shoot of Royalty

As we have seen, the righteous king in the hymn of Lipit-Ishtar is compared to a shoot or branch of royalty. We shall see below that this image is quite common in Assyrian royal inscriptions

from the days of Tiglath-pileser III on. The metaphor is also rather prominent in Israelite prophecy, both in regard to royal progeny, and as a specific image for the righteous king.

The “shoot (חטר) from the stock of Jesse”, and its parallel, “the branch (נצר) from [Jesse’s] roots (cf. v. 10, “the stock (שרש) of Jesse”) are synonymous with the “righteous shoot” (צמח צדיק) of Jeremiah 23:5. The image of the crown prince as a shoot or branch is quite common in Assyrian and Babylonian royal inscriptions, in which it is also connected to the concept of righteousness. Thus in the inscriptions of Tiglath-pileser III:²⁷

A precious branch from Baltil (*pir'i Baltil^{ki} šuquru*) is the king of Assyria ...
p 66 He shepherds nations, establishes liberation in the land of Assyria (*šākin andurāri māt Aššur*).

Similarly, in descriptions of Sargon:

Seed of Baltil, city of wisdom (*zēr Baltil^{ki} āl nemēqī*) ... true king, who speaks kindness, from whose lips falsehood, evil words and oppression were never uttered.

Esarhaddon king of Assyria says of himself:

He establishes *kiddinūtu* in Babylon; He establishes freedom for Nippur, Babylon, Borsippa and Sippar ... eternal descendant of Bel-bani king of Assyria, eternal stock, whose origin is from Baltil.

And in the inscription of Nebuchadnezzar I:

“Royal descendant of long ago ... descendant of Enmeduranki king of Sippar ... righteous king (*šar mīšarim*), faithful shepherd, who establishes the foundations of the earth ... branch of Nippur, eternal stock.”

Reference to the antiquity of the dynasty, its comparison to a branch or shoot, and reference to the place of origin of the dynasty (Baltil in Assyria; Zion in Judah), and the concept of social justice, are thus common to the royal ideology of Assyria and Judah. The purpose of this juxtaposition of elements is clear: the royal city is the city of justice and equity, and as such it merits liberation.

p 67 According to the prophecies of Isaiah and Jeremiah, the Davidic dynasty continues the tradition of establishing “justice and righteousness”. In Jeremiah we have a play on words. צמח צדיק (Jer. 23:5), “righteous shoot”, means both the rightful heir of David, and the one who establishes righteousness in the tradition of David (see above, p. 60).

The Righteous King in Ancient Near Eastern Prophecy

Mesopotamian prophecies also refer to an ideal king, who will arise and establish “justice and righteousness”. In recently published Mesopotamian eschatological prophecies, the concept of “justice and righteousness” is juxtaposed with a group of soteriological motifs, which refer to the coming of a redeemer king. In Israelite prophecies of this sort we find the following motifs: the

establishment of “justice and righteousness” in the land, the security of the people, the productivity of the land, the ingathering of exiles and the return of captivity, the eradication of hatred and the enmity of brothers and kingdoms, and the securing of an eternal, divinely ordained dynasty (Isa. 11:1–12; Hos. 2:1–25; Jer. 33:7–16; Amos 9:11–15; Ezek. 34:11–31). Similarly, in Mesopotamian prophecies, we read of a new king who will arise and judge the land justly; of the joy of the people, of the productivity of the land; of the eradication of evil and of hatred between brothers; of the ingathering of the exiles and the securing of the dynasty forever. Especially enlightening in this regard is the prophecy from Uruk (= Erech) of the neo-Babylonian period, which speaks of an ideal king who will arise³⁶ and judge the judgement of the land and adjudicate the case of the land. The prophecy continues with a reference to redemption p 68 that involves the restoration of temples, the productivity of the land, and finally, of the birth of the son of the king, who will reign forever and whose dynasty will be divine and eternal:

Afterward his son will arise (as king of Uruk) and will become master over the world (lit. will rule over the four corners of the earth) ... his dynasty will last forever. The kings of Uruk will rule like gods.

This prophecy reminds us of Isaiah’s prophecy of the child upon whose shoulders the government shall be, who will establish his kingdom upon the throne of David with justice and righteousness for all eternity (Isa. 9:5–6).

Similar prophecies are attested from the Hellenistic and Roman periods, in the Sibylline oracles, which contain the same ideals. Although the Sibylline oracles in their present form are clearly influenced by Israelite prophecy, the fact that these prophecies originated in ancient Greece and that the motifs are also found in Mesopotamian prophecies indicates that these oracles preserve a general eastern tradition. The following are a number of passages from these oracles:

For the all-bearing earth will give the most excellent unlimited fruit to mortals ... sweet honey from heaven ... the earth will break forth sweet fountains of white milk ... there will be no sword on earth or din of battle ... but there will be great peace throughout the earth. King will be friend to king to the end of the age ... a common law for men throughout the whole earth ... From every land they will bring incense and gifts to the house of the great God ... Rejoice, maiden, and be glad, for to you the one who created heaven and earth has given the p 69 joy of the age. He will dwell in you. You will have immortal light. Wolves and lambs will eat grass together with kids ... The flesh eating lion will eat husks at the manger like an ox and mere infant children will lead with ropes ... serpents and asps will sleep with babies and will not harm them, for the hand of god will be upon them (III, 741–795).

As we have seen, these motifs of productivity and peace, in the context of other eschatological hopes, are found in Mesopotamian prophecies as well. The same is true of the restoration of temples. Even the vision of the peacable animal kingdom is not unique to Isaiah; it is found in Sumerian literature in connection with the golden age of creation.⁴¹

This vision achieved its most beautiful expression in Virgil’s fourth Eclogue, attributed to the Sibyl of Cumae, which includes the entire group of soteriological motifs known to us from Israelite and Mesopotamian prophecy. The following are selections from this oracle:

Now is come the last age of the song of Cumae the great line of the centuries begin anew. Now the virgin returns, the reign of Saturn returns; now a new generation is descending from heaven on high. Only do thou, pure Lucina, smile on the birth of the child under whom the iron brood shall first cease and a golden race spring up throughout the world! Thine own Apollo now is king! In thine consulship, Pollio, yea in thine, shall this glorious age begin and the mighty months commence their march, under the sway, any lingering traces of our guilt shall p 70 become void, and release the earth from its continual dread. He shall have the gift of the divine life,⁴⁵ shall see heroes mingled with gods and shall himself be seen of them, and shall govern a world to which his father's virtues have brought peace. But for thee, child, shall the earth unfilled pour forth as her first pretty gifts straggling ivy with foxglove everywhere and the Egyptian bean blended with the smiling acanthus. Uncalled the goats shall carry home their udders swollen with milk; and the herds shall fear not huge lions. Unasked, thy cradle shall pour forth flowers for thy delight. The serpent too shall perish; and the false poison plant shall perish ... Assyrian spice shall spring up on every soil. But soon as thou canst read of the glories of heroes and thy father's deeds, and canst know what valour is, slowly shall the plain yellow with the waving cord, on wild brambles shall hang purple grapes and the stubborn oak shall distil dews of honey. Yet shall some traces of olden sin lurk behind to call men to essay the sea in ships, to gird towns with walls, and to cleave the earth with furrows. A second Tiphys shall then arise, and a second Argo to carry chosen heroes; a second warfare too, shall there be and again shall a great Achilles be sent to Troy. Next, when now the strength of years made thee man, even the trader shall quit the sea, nor shall the ship of pines exchanging the wares, every land shall bear all fruits. The earth shall not feel the harrow, nor the vine the pruning-hook; the sturdy ploughman, too, shall now loose his oxen from the yoke. Wool shall no more learn to counterfeit varied hues, but of himself the ram in the meadows shall change his fleece, now to sweetly blushing purple, now to saffron yellow; of its own will shall scarlet clothe the grazing lambs.

p 71 "Ages such as these glide on!" cried to their spindles the fates, voicing in unison the fixed will of Destiny!

Enter on high honors—the hour will soon be here—O thou dear offspring of the gods, mighty seed of a Jupiter to be. Behold the world bowing with the massive dome, earth and expanse of sea and heaven's depth! Behold, how all things exult in the age that is at hand! O that then the last days of a long life may still linger for me with inspiration enough to tell of thy deeds! Not Thracian Orpheus, not Linus shall vanquish me in song though his mother be helpful to the one, and his father to the other, Calliope to Orpheus and fair Apollo to Linus. Even Pan, were he to contend with me and Arcady be judge, even Pan, with Arcady for judge, would own himself defeated.

Begin, baby boy, to know thy mother with a smile—to thy mother ten months have brought the weariness of travail. Begin, baby boy! Man on whom his parents have not smiled, no god honors with his table, no goddess with her bed!

This is a vision of universal harmony, which comes in the wake of the birth of a godlike child. The birth is announced to the mother (as in Isa. 7:14ff.; 9:5–6); it symbolizes the advent of a glorious era, the era of eternal peace. This era will be characterized not only by peace among men, but also among beasts, and the serpent will perish. These ideas are found in Isaiah 11, but,

as we have seen, they are rooted in an ancient Mesopotamian tradition regarding the ideal p 72 era of creation. At that time the earth will become more productive, and the descriptions of bounty are similar to those in the books of Joel and Amos. Milk is said to drip from the udders of goats, and honey from trees. Compare Joel 4:18: “And it shall come to pass on that day, that the mountains shall drop down sweet juice, and the hills shall flow with milk ...”; and Amos 9:13: “And the mountains shall drop sweet juice, and all the hills shall melt”. The juice obviously comes from the fruit trees on the mountains, and the milk from the animals that graze on the hills.

The “high honors”, Latin: *honores*, bestowed upon the child, are undoubtedly the royal titles given to the king at his coronation, about which we read in Isaiah 9:5–6 regarding the child who will assume the government. As will be shown by me the names are given him upon his coronation. Similar titles were given to Julius Caesar by the Senate.⁴⁹

The joy of the heaven, sea and earth at the coronation of the redeemer king is similar to the joy of heaven, earth and sea when the God of Israel ascends the throne to save the universe (Ps. 96:10–13; 98:6–9). These phrases also appear in connection with the proclamations of liberation by Egyptian kings at their coronations (see below, p. 142).

Of course, Isaiah’s vision lacks the mythological background of the Eclogue, as Y. Kaufmann has stressed. Virgil’s vision is rooted in a cyclical conception of time which changes in accord with fate: the race of iron comes to an end; the race of gold begins (lines 4–10); the Fates (*Parcae*) determine the progression of generation (lines 46–47). By contrast, Isaiah speaks not of fate, but of man’s return to God, when the earth is filled with the knowledge of YHWH.⁵¹ Nonetheless, the ultimate aim of “justice and righteousness”, p 73 equality and universal peace, is common to Isaiah, the Akkadian prophecies, the Sibylline oracles, and the vision in Virgil’s fourth Eclogue.

As we shall see below, *mīšarum* and *andurarum* (דרור) are put into effect by proclamation and a signal: shofar-blowing in Israel and torch-raising in Mesopotamia (see below, p. 157). The redemption of the world is likewise signalled by the shofar: “And it shall come to pass on that day, that a great shofar shall be blown, and they shall come that were lost in Assyria, and that they were dispersed in the land of Egypt; and they shall worship the Lord in the holy mountain at Jerusalem” (Isa. 27:13).

A similar description of the final redemption is found in a Babylonian oracle, in which *mīšarum* plays a central role. There we read:

... the message by fire is coming ... the sound of the opening of the gates of heaven is heard on earth. Anu commanded Enlil to promulgate *mīšarum*. *mīšarum* shall be established, the perplexed shall be set straight, the troubled shall be clarified, the dispersed shall be gathered, the righteous will be re-established. The poor will become rich ... the office holder will return to his office; their denouncer will be executed ... (ll. 4–12).

The message by fire is the raised torch, which proclaims the *mīšarum*, and is parallel to the shofar blowing in Israel, which proclaims the year of liberation (Lev. 25:10). The establishment of *mīšarum* here, as in the other references to *mīšarum*, involves the exaltation of the righteous and the punishment of the wicked.

p 74 It is noteworthy that the concept of a proclamation of *mīšarum* by God found here is quite common in Israel. Thus, in Isaiah 2:1–4 it is said that God judges the nations and arbitrates

between the peoples, just as the king is said to do in Isaiah 11:1–9. We have here two similar phenomena: both refer to the proclamation of redemption, but in the former it is God who does so, and in the latter it is the king. As we shall see below, we find in the coronation psalms the proclamation of מִישָׁרִים by God (Ps. 67:5; 96:13; 98:5), and apparently in Isaiah 27:13 as well, the shofar that is blown to gather the exiles is, in fact, a proclamation of liberation by God the King. In the Mesopotamian prophecy cited above the raised torch signifies the ingathering of the exiles.

p 75 Chapter Four

PROCLAMATIONS OF “FREEDOM” IN MESOPOTAMIA AND THEIR REFLECTIONS IN ANCIENT ISRAEL

Along with “the establishment of *kittum u mīšarum*” (“truth and justice”), a phrase that expresses the general principle of social justice, we find another expression included in Mesopotamian royal decrees involving concrete “socio-economic enactments”. This expression takes two forms:

- (a) *mīšarum* (NÍG.SI.SÁ) *šakānum*, ‘to establish “justice”’.
- (b) *andurārum* (AMA.AR.GI.4) *šakānum*, ‘to establish “liberation”’.

mīšarum, the term used in the first expression, that—as indicated—connotes social justice in general, and is thus found in conjunction with *kittum*, “truth”, also connotes a legislative act to remedy economic malfunction, *andurārum*, the second expression, refers not to social justice in general, but specifically to manumission of persons and the return of property to its owner (see below, pp. 78–9). One can be given *andurārum*, i.e. “freedom” or liberation, but one cannot be given *mīšarum*. Thus we find *andurārum* with the third pronoun: *anduraršu* “his *andurārum*” but never: *mīšaršu*, “his *mīšarum*”. Nonetheless, when *andurārum* is used in the general sense of “release”, there is no difference between the two expressions. Thus, for instance, alongside the formula “the year during which the king ... established *mīšarum* in Sumer and p 76 Akkad”, we find a parallel formula “the year in which the king established *andurārum* in Sumer and Akkad”.

Sometimes the formula that expresses the goal of the entire enterprise: *aššum šarrum mīšaram ana mātim iškunu* = “because the king reestablished justice for the land” is attached to each regulation of the royal proclamation and it is indeed found in most of the *mīšaram* paragraphs of the *mīšarum* of Ammišaduqa, to be discussed below. It should also be noted that there are other variations of this expression. In addition to re-establish *andurārum* (“liberation”) and “establish justice” (“*mīšarum*”), we find the phrases “establish the way (of righteousness)”,⁵ “establish *mašūtu* (amnesty)”, “break the (debt) tablets of the land”,⁷ and “erase (wipe out) the debts”, *hubullam masā’um/tabākum*.

Regarding the immunity rights of cities and estates in later periods, we find the expression “establish *zakātu*”, or “establish p 77 *kidinnūtu*”. These refer to the future in contrast to the *mīšarum* and *andurārum* that refer to past litigations.

We have evidence of releases and liberations in Mesopotamia throughout the ages: from the middle of the third millennium to the end of the first millennium B.C.E. Although society underwent many changes during this long time period, the continuous existence of the institution of “liberation” is attested.

It is true, most of the documents which employ the phrase “to establish *mīšarum* or *andurārum*” are from the Old Babylonian Period approximately before the middle of the second millennium B.C.E.). However, kings proclaimed freedom even in the neo-Assyrian period as is attested by documents of that period (see below), the reference being to the manumission of slaves as well as the restoration of property. It is also apparent that the Egyptians proclaimed amnesties for prisoners and debtors at the king’s coronation, a practice which is attested from the period of the New Kingdom to Hellenistic times (see below). In Mesopotamia of the first millennium B.C.E. we hear primarily of permanent privileges granted to holy cities (*kidinnūtu*), the custom of proclaiming *mīšarum* to the entire population continued, however, as it was practiced in the second millennium (see below).

Royal proclamations of freedom existed then throughout the generations, although they took various forms. Sometimes it involved the remission of debts and levies of the past (*mīšarum*), sometimes it took the form of freedom from taxes and levies (*kidinnūtu*) in the future. The latter applied sometimes to temple property, sometimes to private estates (*zakātu*), and sometimes to individuals. The common denominator was the will of the king to show favor to his people by protecting them and lightening their burden, or to reward his subjects who benefited him. This good will can be found in every period.

The written texts that shed light upon “social edicts” in Mesopotamia are not uniform in nature. Economic documents [p 78](#) which mention a “reform” give us glimpses of reality, and might be accepted at face value. Royal inscriptions, on the other hand, with their obvious interest in praising the king, are likely to exaggerate in their descriptions of the king’s benevolence. Even so, this evidence must not be discounted outright; the events that lie at the heart of these documents can be considered historical. Even when they contain stereotyped formulae, which exaggerate the degree to which “justice and righteousness” were established, the basic reality that lies behind these documents is of historical value, and we have no right to consider it fictitious. The fact that one could take measures to escape the application of the *mīšarum* edict by inserting in the loan or sale documents a clause saying that a *mīšarum* will not affect the transaction, shows that the *mīšarum* decree was of empiric-realistic nature (see below on Mari).

We begin with a survey of evidence from the third millennium B.C.E. in Mesopotamia:

1. In the inscription of Enmetena, Prince of Lagash (c. 2430 B.C.E.) we read:

He established amargi (“liberation”) for Lagash. To the mother he restored her children, and to the children he restored their mother. He instituted “liberation” for the interest on barley ... He similarly instituted “liberation” for the people of Uruk, Larsa and Patibira. He restored them to the goddess Inanna of Uruk, he restored (Larsa) to the god Utu of Larsa, he restored (Patibira) to Lugalemush of Emush.

Amargi, translated here “liberation”, which equals Akkadian *andurāru/durāru* means literally “return to the mother”, or [p 79](#) to its origin and it is interpreted thus in the above cited passage: “To the mother he restored her children, and to the children ... their mother (ama dumu-ni i-gi₄ dumu ama-ni i-gi₄)”. This conception is accurately reflected in the law of the Jubilee in Leviticus

25. There דרור, “liberation”, is an appointed time, at which “each man returns to his estate and his family” (v. 10 אל משפחתו תשבו ושבתם איש אל אחוזתו ואיש).

As we shall see, this definition of “liberation”—return to the family and the estate—is found in the Ancient Near East until the Hellenistic period. In the proclamations of liberation of the Ptolemaic kings we read that each should return to his own estate: εἰς τὰ ἴδια/εἰς τὰς ἰδίας πατρίδας.

The conception of the rest of the Enmetena inscription, according to which liberated cities return to their gods, is likewise reflected in the Jubilee law of Leviticus 25, wherein we find that every Israelite is the servant of God, and therefore cannot be sold as a slave (vv. 42, 55). This is the conception underlying the liberation of holy cities in the Enmetena inscription. The residents of these cities are properly the servants of their respective gods, since they were created in order to serve these gods. Therefore, their liberation from subjugation to an earthly kingdom is tantamount to their restoration to the gods.

The liberation of residents of certain cities from forced labor, in order to enable them to serve their gods alone, is found in the inscription of king Manishtushu, from the Old Akkadian period (22nd century B.C.E.). Like other western documents of liberation, this one is bound up with the god Shamash:

p 80 He (the god) opened up for me the path of *mīšarum* ... 38 cities were liberated for Shamash (*ana Šamaš lū uššur*), indeed, I sought no forced labor (*ilku*) from them, I drafted them not into military service. They shall serve in the Ebabar (Shamash) temple alone.

Similarly, the Kassite king Kurigalzu says of himself (14th century B.C.E.):

(The king) who established freedom for the people of Babylon, freed her people from forced labor (*ilku*) for the sake of the god Marduk, who loves his dynasty.

The same concept underlies the grants and edicts of freedom granted to temple estates in ancient Egypt. Thus, for example, we read in the proclamation of Pepi II to the people of the temple of the god Min:

They shall not be taken for labor other than their service of the god Min of Koptos.

This idea is further developed in the first millennium B.C.E. In texts dealing with the liberation of the residents of holy cities from royal service, it is expressly stated that the gods Anu and Enlil, or Anu and Dagan, instituted in their councils the freedom of the residents of holy cities, and therefore it is forbidden to enslave p 81 them, since they must serve their gods. The people of Enlil, Shamash and Marduk were required to work in the building of temples to these gods. As we shall see, the manumission formula for a slave included a declaration that the slave is devoted to the service of a god (specifically Shamash; in the Greek world: Apollo). Furthermore, in the Mesopotamian view, enslaving the servants of a god angers the gods, and the land shall be destroyed as a result of the violation of *kidinnu*, the special rights of the residents of holy cities. This is reminiscent of the punishments described in Leviticus 26:31–35 (cf. 2 Chr. 36:21), which come in the wake of the violation of the laws of the sabbatical and jubilee years (cf. Mishnah Abot 5:9).

2. The reform of Uru'inimgina = Urukagina (2370 B.C.E.) closes with these words:

He freed the sons of Lagash, who were imprisoned because of debts, taxes, theft and murder. Uru'inimgina established a covenant with the god Ningirsu,²³ not to hand the widow and orphan over to the powerful.

Here the freedom is juxtaposed with the protection of the widow and orphan, an idea that recurs often in the Mesopotamian *mīšarum* proclamation, and in Israelite prophecies regarding justice and righteousness. Similarly, we find here the motif of royal pardon (the freeing of thieves and murderers), which characterizes first millennium proclamations of freedom (see below).

p 82 3. In another inscription, the prologue to the laws of Urnammu (2111–2094) which dates 250 years after Uru'inimgina (Urukagina) we read that the king, in accordance with the command of Utu the sun god, established níg-si-sá (= *mīšarum*) in the land, and eliminated evil and evildoers (níg-erim, níg-a-zi) (ll. 104–106). He did not hand the orphan over to the rich, nor the widow to the powerful. He did not hand the possessor of one shekel over to the possessor of one mina (ll. 162–168).

4. Of Ishme-Dagan from Isin (1953–1935 B.C.E.) we read: I established níg-si-sá (= *mīšarum*) in Sumer (ke-en-ge-ra níg-si-sá hen-ni-in-gar)” and “judged righteously like the god Utu (= Shamash) (^dutu-gim di-si-sá ku₅-ru-mu-uš)”. In addition to these general statements, the king announces freedom and tax relief for the residents of the holy city Nippur:²⁷

A. I brought well-being to Nippur ... freeing her from taxes and the men from carrying weapon. I cancelled her taxes in favor of the temples of Enlil ... Ninlil ... Ninurta ... I freed them from service ... I established righteousness in Sumer ([ní-gi-na] ke-en-ge-ra hé-ni-gar) (TCL XV:9, IV:44–V:4).

B. Nippur, the beloved city of Enlil, did he free from taxation and military service ([eren] kaskal = *harran šarrim* (YOS IX, 25:6–12)).²⁸

C. When (Ishme-Dagan) freed the people of Nippur from military service, and posted the weight stones of Enlil ... and abolished the tithe (zag₁₀.bi) of Sumer and Akkad (UMBS V. 66 ii:1–10).

In this proclamation we find that rights are granted to a holy capital p 83 city, as in the Enmetena inscription cited above. As in that inscription, freedom from the king's service is tantamount to transfer to the god's service (“liberating her ... in favor of the temples of Enlil ... Ninlil ... Ninurta ...”). In fact, the freeing of holy cities from taxes and royal service (*kidinnūtu*), was quite widespread in the first century B.C.E., and as we shall see, holy cities in the Hellenistic kingdoms likewise benefited from such rights, Jerusalem among them.

The notice regarding the posting of weights is of interest. It is included in other reforms as well, and it is among the demands made by Ezekiel of the princes of Israel (Ezek. 45:9–15). It is also an important element of Solon's reform (see below).

5. Lipit-Ishtar, king of Isin (1934–1924 B.C.E), says in the prologue to his law code that he was called by Anu and Enlil to establish *mīšarum* (níg-si-sá) in the land ... to eliminate evil and the evildoer ... to bring well-being to the flesh of the people of Sumer and Akkad (col. I, ll. 25–35). Later he says that he established freedom (*amargi*) for the people of Nippur, Ur, Isin, Sumer and Akkad (col. II, ll. 1–15), and that he required the brothers in each clan to work only seventy days a year, and those in the “house of youths” to work ten days a month (ll. 31–35).

6. Another king, whose identity is unknown, says in a hymn:

p 84 In Nippur I have reestablished justice (níg.si.sá) and made truth (níg-gi-na = *kittu*), appear ... I brought well-being to the land. The tax on barley, formerly one-fifth, I have reduced to one-tenth. I have imposed forced labor upon the *muškenum* four days a month

... the donkeys and sheep of the palace that grazed in the fields ... prompting outcries to Shamash (god of justice), I have chased out of the fields.

This is reminiscent of Solomon's levy on Israel of 30,000 laborers, who were sent to work every third month in the Lebanon (1 Kgs. 5:27–28). Alternating levies of the king are found as well in Hittite documents, roughly contemporary with Solomon, which speak of the king's serfs. There it is stated that so-and-so shall work four days for the king and four days *for his house* (É.TI.ŠU). The last statement is parallel to the phrase “two months at his house”, used of Solomon's laborers (1 Kgs. 5:28).

These documents inform us that kings used to ease the corvée when they ascended the throne, and it can be assumed that the people who assembled at Rehoboam's coronation in Shechem likewise demanded a sort of *mīšarum*, which was customary at the beginning of a reign.

The forced labor, imposed by Solomon upon Israel, especially the house of Joseph (1 Kgs. 11:28), are described concretely in 1 Kings 5:27ff. 30,000 men were subjected to forced labor (סבל) and sent to work in the Lebanon (vv. 27–28), while 150,000 were employed as p 85 bearers of burdens and to chisel stone from the mountains (vv. 29–30). Apparently, the Hebrew terms מס (“corvée, forced labor”) and סבל (“bearing burdens”) are analogous to the Akkadian terms *ilku* and *tupšikku*. *ilku* (Aramaic: הלך, cf. Ezra 4:13) refers to service on behalf of the king. As can be seen from the root of the word (the verb *alāku*, “to go”) and the juxtaposition of the term with the word *harannu*, “road”, the service involved a journey. *tupšikku*, by contrast, refers specifically to carrying a basket, i.e. working in construction. Similarly the terms מס and סבל in Israel and surrounding countries. מס in Hebrew, *massu* in western Akkadian documents, refers to service involving a journey as is clear from 1 Kings 5:28 and the Alalakh documents, while סבל or *tupšikku* refers specifically to bearing burdens and construction work done locally.

These two types of royal service: that involving a journey and that involving local construction work, are reflected in the Hittite word-pair *šahhan luzzi*. Like the Akkadian *ilku tupšikku*, it too, is an asyndetic hendiadys. There is also a semantic identity between the terms. *šahhan* = *ilku*, conscription arising from an estate held by its owner, while *luzzi* refers to public works involving construction p 86 and building roads and bridges, for which every citizen was responsible (cf. 1 Kgs. 15:22, Deut. 24:5).

In ancient Egypt as well there was a distinction between these two forms of service. The most common terms for royal service are *k3t* (its determinative being a man carrying a basket on his head), which refers to construction and excavation work, and *zbit*, which is labor involving a journey. In addition, there is *mdd*, meaning the payment of taxes, and *šmsj hr*, military service.

The demand for an easing of the burden that followed Solomon's death can be understood in light of the statement of Lipit-Ishtar. Lipit-Ishtar commends himself for calling the people of a clan for service 70 days a year (approximately one-fifth of the year), while Solomon conscripted his laborers for a full third of the year.

7. *Mīšarum* and *andurārum* in Mari. As has been recently established by Charpin the institution of *mīšarum* and *andurārum* was in existence in Mari as well as in Syria (Aleppo and Kurda) before Hammurabi of Babylon. In Mari we find documents from the period of Yahdun-

Lim (1809–1797 B.C.E.), Šamši-Addu (1827–1810) and Zimri-lim (1775–1768) that contain renunciations of claims for *andurārum*, as for example: “the field (purchased) will not be subject to *andurārum*” (ARM VIII, 6). By the same token in a loan document of the time of Yahdun-lim a clause is added: “(The debtor) received the money after the *andurārum*” (M 11266) which p 87 means that the debtor will not be able to contest the return of the loan by claiming that the loan was cancelled due to an *andurārum*. Such clauses of renunciation show that the *andurārum* was not a fiction but a living institution.

In a document of the time of Šamši-Addu the official Hammanum asks the King to inform him concerning the *andurārum* for the slaves male and females (M 11009 + 11010). Like the שמיטה and יובל year in Israel and like the *seisachtheia* of Solon (see below) the *andurārum* applied to three kinds of remissions: of fields, of slaves and of debts (see below, pp. 168ff.). In one of the documents we find that the *andurārum* proclaimed by Hammurabi of Aleppo was applied to release of prisoners, a kind of release attested in the freedom proclamations in Egypt (see below) and in the neo-Assyrian period (see below).

The implementation of *andurārum* by the king was considered in Mari a religious act like in the other Mesopotamian regions. In one of the letters written to Zimri-lim a prophet (*āpilum*) of the god Šamaš says:

Your hand will seize him (Hammurabi of Kurda) and you should proclaim an *andurārum* (*andurārum tuwaššar*) in his country. Now, the whole country is given in your hand, when you conquer the city you will proclaim an *andurārum* then “your kingdom will last forever”.

This reminds us of the prophets of Israel who make survival of the kingdom conditional upon practicing justice and righteousness, cf. e.g. the oracle for the king of Judah in Jeremiah 22:1–4:

hear the word of YHWH, O King of Judah, who sit on the throne of David ... do justice and righteousness, rescue the robbed from the robber ... for if you fulfill this command, then through the gates of this palace shall enter kings on David’s line who sit upon his throne.

p 88 Compare 7:5–7:

if you execute justice ... I will let you dwell in this place ... forever.

Even more instructive, in this respect, is the prophecy of Jeremiah to Zedekiah concerning the דרור in Jeremiah 34. Because of taking back the slaves after their liberation, the prophet predicts the resumption of the siege by the Babylonians and the devastations of Judah. Similarly, we find in the Pentateuch that for not keeping the laws of release the country will be desolate (Lev. 26:34ff).

Elsewhere I argued that *šiptam nadānum/šakānum* in Mari is associated with *mīšarum* *šakānum* in Mesopotamia and שים משפט in Hebrew. Now this is verified by a letter to Zimri-lim which says⁵⁹

Thus your servant Samuila: Concerning the *uddurārum* which my Lord has proclaimed (*šiptam išpiṭuma*) ... my tablet has arrived ... he has written about the release of slaves.

The lifting of the golden torch that signifies the *mīšarum* proclamation in Mesopotamia and parallels the blowing of the horn that marks the proclamation of Jubilee in Israel (Lev. 25:9) (see below n. 70) is also attested in Mari⁶¹ and seems to be reflected in *ARM X 92*, II. 17–21 where a person asks the king as following: “Now you put light for the whole country put the light upon me too”. As we have seen above, (pp. 51–53) the implementation of justice by the king was expressed by “rising like the sun for the people”.

p 89 The most detailed document regarding social enactments in the Old Babylonian period is the proclamation of King Ammišaduqa (1646–1626 B.C.E.).

In this twenty-two paragraph document we find royal decrees accompanied by the formula cited above: “because the king has established *mīšarum* in the land”. These decrees deal with the cancellation of tax debts owed to the king by tax collectors, the cancellation of personal debts and accumulated interest, the manumission of enslaved debtors, the cancellation of certain royal taxes, and exemption from military service.⁶⁵

8. The most important paragraphs for our purpose are:

Paragraph 1: The arrears (= overdue taxes) of the farmers ... the shepherds, and other crown tributaries ... are released. The collector shall not sue for payment⁶⁷ from the household of any crown tributary.

Paragraph 2: The bourse of Babylon, the bourses of the country(side) ... their arrears dating from “year in which king Ammi-ditana remitted the debts which the country had contracted (= Ammiditana year 21) until the month of Nisan of the “year in which king Ammišaduqa ... rose forth steadfastly like the sun over his country and established the *mīšarum* for the whole of his people” (Ammišaduqa 1), since the king established the *mīšarum* the collector may not sue for payment.

p 90 Paragraph 3: Whoever gave grain or silver to an Akkadian or an Amorite as a loan with interest ... and wrote a tablet in this regard, since the king has established *mīšarum* for the land, the tablet shall be broken (= the document is void); he may collect neither grain nor silver on the basis of this document.

Paragraph 8: An Akkadian or Amorite who gave grain, silver or objects for trade ... his tablet shall not be broken (= cancelled); he shall pay (remit) in accordance with the agreement.

Paragraph 19: (A soldier or) “fisherman” who leased a field for three years shall not go into the king’s service this year since the king has established *mīšarum* in the land.

Paragraph 20: A resident of Numhiah, Emut-balum, Idamaraš, Uruk, Isin, Kisura, Malgum who was seized for debt, enslaving himself, his wife, or his children since the king has established *mīšarum* in the land he has been freed. His freedom has been established (comp CH §117).

It should be indicated here that—according to Charpin—literary formulation of Ammišaduqa’s edict was influenced by previous edicts such as Samsuiluna because the regions mentioned in paragraphs 10 and 20 did not belong to Babylon any longer.

Included in this edict are cancellation of taxes, release of debts, freedom from conscription, and the manumission of slaves. Although we do not find here the restoration of the land to its original owner as a component of *mīšarum*, the edict cancelling all **p 91** debts implies that property was also restored to its original owners, and this is specifically attested in the documents of Mari (see above) and other documents of that period. Especially important in this

regard is the document published by Finkelstein regarding a claim of a field that was “released in the *mīšarum*” (line 9), and the documents from Mari and Hana, in which the parties to a real estate transaction agree that the liberation shall not apply to this particular transaction.⁷¹ J. Lewy has shown that one of the Hana documents deals with a royal estate, which calls to mind Ezekiel 46:16–17, according to which the year of דרור applied to royal property.

It seems to be no coincidence that these documents were discovered among the Hana tribes, which retained the institution of tribal property. Furthermore, it can be assumed that the *mīšarum* tradition of the Amorite dynasty drew upon the Amorite nomadic p 92 background, which it shares with Israel.

9. In the Assyrian colonies of Cappadocia, in the 19th and 20th centuries B.C.E., we find the cancellation of debts by the *ruḫa’um* (“prince”) in a manner reminiscent of the Mesopotamian *mīšarum*. The expression used in these documents is *hubullum masā’um* (“erasing [lit. washing away] the debt”), referring to the erasing of the wooden or metal tablets upon which the debts were inscribed.

Two of the kings of Assyria at that time declared liberations (*addurārum*). Ilushuma says that he “established freedom for the people of Akkad and washed away their copper”. Erishum I says that he “established freedom on loans of silver, gold and copper ... from barley to straw”. Apparently, “washing away copper” in the Ilushuma document means cancelling the debts written on copper tablets. This form of freedom thus also involved the cancellation of debts.

10. Hatushili I, the Hittite king (mid-16th century B.C.E.), tells in his annals, which were recorded in both Akkadian and Hittite, that after he conquered the city of Hahum he removed (*uddappir*) the hands of the slavewomen from the millstone, removed the hands of the slaves from labor,⁷⁷ untied their bonds, installed them in the temple of the sun goddess, and gave them their liberty (*amargi*) under heaven.⁷⁹ In the Hittite version we find instead of “gave them p 93 their liberty under heaven”, “I freed them from *šahhan luzzi*”. The last pair of words is parallel to *ilku tupšikku*, or the biblical מס and סבל, “corvée” (see above, pp. 84–85).

Here, too, we find elements similar to those of the Mesopotamian liberation documents: manumission of slaves, abolition of the corvée, dedication to the sun goddess.

It is unclear whether “untying bonds” refers only to slaves, or to all kinds of prisoners. Releasing prisoners following the proclamation of *mīšarum* is found in a text from Mari (see above, p. 87) and, as we shall see later, the freedom of slaves in the first millennium B.C.E. included the freeing of prisoners as well. Concerning the dedication to the sun goddess we shall see later on that the tradition regarding dedicating the populations of cities to a god, quite common in Hittite documents (see below), continued in Asia Minor into the Hellenistic period.

11. Documents from Nuzi indicate that liberation was practiced there in regard to mortgaged properties. Many documents state specifically that the transaction took place after the *andurāru* (“liberation”) or after the *šūdūtu* (“royal proclamation,” see below, p. 158), which indicates that the proclaimed liberation has no effect on the transaction under discussion, a procedure found in the documents from Mari treated above, (pp. 86–7). In two documents, which speak of the release of mortgaged property, we find the p 94 formula: *kīme qibīti ša šarri ša arhi kinūnati ša āl ilāni*, “by decree of the king, in the month of Kinunatu, in the city of the gods”. The reference is to the proclamation of liberation in the festival month⁸⁴ in the temple city, similar to the proclamation of the Jubilee on the Day of Atonement. Müller correctly claims that this institution is identical with the Mesopotamian *mīšarum* and *andurārum*, on the one hand, and the Israelite Jubilee, on the other.

Among the documents from Kalah (Nimrud) from the neo-Assyrian period, we find two documents regarding slaves which mention the royal proclamation of liberation. In one document a slave is sold on condition, and the document states: “If the king shall establish liberation (*šumma LUGAL andurāru išakkan*)”. Unfortunately, the end of this paragraph is not preserved. In the second document Bēl-āli the scribe sells six slaves to his friend with the following proviso: “If these men shall be released in the liberation (*ina durāri ušû*), Bēl-āli shall return the silver to its owner.

In an unpublished bill of the sale of a slave from Nineveh we read that the bill was written “after the liberation”. Most recently the Harper letter no. 387 was collated and reedited by G. B. Lafranche and S. Parpola⁸⁹ and there we find that “through the proclamation of *durāru* a lot of people were released”.

“Freedom” applied also to fields in that era, but the parties had the right to stipulate in the bill of sale that if a liberation year is p 95 proclaimed, the land shall not revert to its original owner. In many neo-Assyrian documents dealing with the sale of fields, a paragraph is included which states that the buyer shall eat the yield of the field both in years of plowing and of lying fallow (*mērēše u karaphē*), and that the seller, who sold his field out of need, has the right to redeem (*ušeši*) his field if he has the money when the produce is gathered on the threshing floor. This is not an actual sale, but rather mortgaging the yield of the field in exchange for a loan with interest (ἀντιχρεῖσις).

This is similar to the situation described in Leviticus 25:14–24 fields sold until the Jubilee. There, too, “years of produce” are sold, rather than the field itself (v. 15), and the seller has the right to redeem his property when he can afford to do so (v. 24).

Thus we see that the liberation year, when land reverted to its original owner and slaves returned home, was an institution in Mesopotamia from the old-Babylonian period. These releases were due to the fact that the king proclaimed the cancellation of debts in the year of liberation. Normally, a man sold himself or his field because of a debt, and therefore the cancellation of debts involves the liberation of people and fields mortgaged because of a debt.

As we shall see, Assyrian kings would not only release their citizens from debt and slavery in the liberation year, but also free prisoners and restore exiles to their place of origin. This policy was apparently continued by the Babylonians. According to 2 Kings 25:27, Evil Merodach king of Babylon freed Jehoiachin king of Judah from prison upon his ascent to the throne. This was undoubtedly a part of the liberation and amnesty proclaimed by Evil Merodach at his coronation.

In Mesopotamia, Syria and Israel, there were two basic forms of liberation: (a) a one-time proclamation of liberation for the entire p 96 population of the land, which involved primarily the manumission of slaves and the return of property to its original owner, and (b) the bestowal of permanent rights to certain cities, among them freedom from corvée and military service. Sometimes the two forms of liberation were combined, as in the edicts of Ishmedagan king of Isin. In general, however, they were distinguished from one another.

Until now we have dealt mainly with the first form of liberation. Let us now turn to the second: the rights of specific cities and their residents.

PRIVILEGES AND FREEDOMS FOR TEMPLE CITIES

From the earliest times, temple cities and temple holdings were granted exemptions from corvée, military service, and the like, because the imposition of taxes and conscription in such holy places was considered a violation of the rights of the citizens and the rights of the temple. In later periods, these areas served as refuges for the enslaved and the pursued. In fact, holy cities and temple estates symbolized freedom: in a divine city or holy precinct man is subservient to the god alone, and the kingdom of man has no authority over him. As we learn from many Hellenistic documents, the holy city protected the rights of its residents as well as the rights of any outsider who came into the city.

Enlightened kings tried to protect the rights and privileges accorded to these cities. During the Hellenistic period, the status of a “holy and liberated city” (ἁγία και ἀφειμένη) was accorded to cities with a tradition of such privileges. These cities, sacred to the gods, were considered cities of truth and righteousness. Jerusalem, for example, is called עיר הקדש, “the holy city”,

עיר הצדק, “the city of righteousness” (Isa. 1:26; cf. Jer. 31:22: נוה הצדק) or עיר האמת,

“city of truth” (Zech. 8:2). In this city, also referred to as קריה נאמנה, “the p 98 faithful city” (= “city of truth”) in Isaiah 1:21, justice and righteousness must prevail. Murderers, thieves and bribe-takers do not belong there (Isa. 1:21–26), just as the unclean, foreigners, and worthless men are not permitted to enter it (Isa. 52:1; cf. Nah. 2:1; Joel 4:17). Psalm 101, in which the king announces that his house is to be cleansed of evildoers, liars and cheaters, concludes with a sentence that indicates the removal of evildoers from the city of God: “Each morning I will destroy all the wicked in the land, cutting off all the evildoers from the city of YHWH” (v. 8). In the view of the prophets, injustice in the holy city leads inevitably to punishment; God will purify the city, cleansing it of sinners (Isa. 1:24–25), and in the end the city will be redeemed through “justice and righteousness” (Isa. 1:27). In Ezekiel’s vision of Jerusalem, “the city of blood” (Ezek. 22), we read that God will blow fire onto the city, and all who are inside it will melt like silver in a furnace (vv. 19–22). Elsewhere the same prophet says that Jerusalem, the city of blood, will be like a pot placed upon the coals, “that it may become hot ... that its filthiness may be melted in it” (Ezek. 24:11).

Similarly, we find in the Mesopotamian inscription of Gudea prince of Lagash, in honor of the dedication of the Ningirsu temple, that “the vicious is kept from the house; the impure is removed from the city ... all strife will vanish”. Similarly, we read in the hymn to Enlil regarding his temple city of Nippur:³

Cries of murder ... perversion of justice, falsehood and crooked words ... violations of covenants ... the city shall not forgive these sins ... the corrupt and the evildoer shall not flee from her hands. The city that was granted truth, in which justice and righteousness shall last forever; the place where clean clothes are placed on the dock.

p 99 The same is true of Babylon and its temple, which took the place of ancient Nippur. Nebuchadnezzar’s inscription contains the following:

I filled this house with glory, splendor, power and awe; My glorious majesty fills its borders. The wicked and the unjust shall not enter it, and thus no troubling enemy shall disturb Babylon.

According to the Babylonians, too, injustice in the temple city of Babylon will lead to trouble. Esarhaddon states in his inscriptions that Babylon was destroyed because of the oppression of the poor, corruption and bribery. In a Babylonian text from the first millennium B.C.E. we read of a complaint that in Borsippa, “city of truth and righteousness” (*ál kittu u mīšari*), one encounters “troubles and disturbance, revolt and acts of violence”. This is said to call into question the city’s special status. A similar point of view is apparently found in the citadel inscription from Rabbath-Ammon, discovered recently.⁸ In this inscription, which is a warning to those who would violate the sanctity of the place, it is stated that righteousness shall lodge around the city (ובכל ס[בב]ת ילנן צדק), p 100 which is similar to Isaiah’s statement regarding Jerusalem: “Righteousness lodged (ילין) in her” (Isa. 1:21).

A similar conception is found in Egypt, although there it is limited to the precincts of the temple itself. In an instruction to the gatekeepers of a temple of Isis from the Ptolemaic period we read that the uncircumcised, the foreigner, and the lawbreaker (*thj mtn*) shall not be admitted to the temple precincts. As we have indicated, this conception is found in Israelite prophecy as well: “Awake, awake, put on your strength, O Zion; put on your beautiful garments, O Jerusalem, the holy city; for there shall no more come into you the uncircumcised and the unclean” (Isa. 52:1). A similar statement is found in Isaiah 35:8: “And a highway shall be there, called the holy way; the unclean shall not pass over it ...”. The same idea is found in the eschatological prophecy in Isaiah 60:18–19: “Violence shall no more be heard in your land, devastation or destruction within your borders ... the sun shall no longer be your light by day ... but YHWH will be your everlasting light, and your God will be your glory”; Joel 4:17: “And Jerusalem shall be holy and strangers shall never again pass through it”; in Zechariah 9:8: “Then I will encamp at my house as a guard ... no oppressor shall again overrun them...”; Nahum 2:1: “For never again shall the worthless (בליעל) come against you”. As in the Mesopotamian inscriptions, which prohibit the sinner and the enemy from approaching the temple and the city, so, too, our verses promise that strangers and evildoers will not approach the temple and the city. Moreover, just as in Babylonian inscriptions we found the concept of the beauty and the splendor of the temple juxtaposed with the prohibition against the entry of the evildoer, so in Isaiah 52:1 and 60:18–19 Zion’s splendor is mentioned in conjunction with the prohibition against the entry of the uncircumcised and unclean, and the concept of destruction. Although the uncircumcised and unclean are not mentioned in Babylonian inscriptions, we do find them mentioned in connection with entry into Egyptian temples, and we find that the unclean are to be removed from the temple of Ningirsu in Lagash in Mesopotamia.

p 101 In order to insure that evil does not infiltrate the holy city, it was necessary to establish adequate judicial institutions. When a person was found guilty, he was removed from the city, but one whose guilt was not yet proven was “arrested” and remained in the city until judgement was passed. These people were protected by the sanctity of the place, and it was forbidden to harm them. Sumerian documents tell of the prison in Ekur in the city of Nippur, where people who were awaiting trial and people who were awaiting pardon were kept. Similarly in Israel the “sanctified” (Josh. 20:7) cities of refuge were sanctuaries for those who awaited trial (Josh. 20:9). The same was true of the *katochoi* in Ptolemaic Egypt (see below). Thus the holy cities guaranteed the execution of justice: even those who were indicted but not yet found guilty were protected by virtue of their dwelling in the “city of righteousness”.

In short, the temple city, the territory of the god, was to be free of oppression and of obligations toward the government, since it was to be governed by the god alone. The innocent who were being pursued found refuge there, since only the god was able to grant them protection. The existence of these cities guaranteed the maintenance of justice and righteousness.

What do written documents tell us of the rights accorded these temple cities?

The Enmetena inscription of the third millennium already mentions liberation granted to the temple cities Erech, Larsa, and Patibira, along with the liberation granted to Lagash. It is explicitly stated that Enmetena returned the residents of these cities to their gods (see above, p. 78). At roughly the same time, Egypt granted liberation to the temple estates (from the fourth dynasty on, i.e. from the middle of the third millennium B.C.E.) as the farmers on these p 102 estates were considered the property of the gods, not to be enslaved by others.

Manishtushu, king of Akkad (2274–2260 B.C.E.), likewise declares that he has liberated cities from corvée and military service in order to enable them to work for the temple of Shamash alone (see above, p. 80). Ishmedagan of Isin declares that in addition to his general liberation of Sumer and Akkad, he is freeing the holy city of Nippur from various obligations (see above, p. 82).

The rights accorded to holy cities in Mesopotamia were called *kidinnūtu*, after the *kidinnu*, the banner erected at the gate of the city that signifies its freedom privileges and the protection given it by the gods, on the one hand, and the king, on the other. These symbols of freedom have age old roots in the Near East. This can be proven by the stelae (border posts) posted by the Pharaohs of the ancient dynasty in Egypt at temple gates. The freedom privileges of the temple workers were inscribed on these stelae, and on one of them, ordered by Pepi II of the sixth dynasty, it is stated explicitly that the document was copied onto the stela at the gate of the Min temple in Coptos “so that the officials in the area will see it and never take the priests of the temple for any royal service”. In Mesopotamia rights were given to all the residents of a temple city, and it would seem that these rights were listed on stelae at the gate of the city. Thus, for example, Esarhaddon states that he rewrote the “bill of rights” (*tuppi zakûti*) of Baltil, the old quarter of the city of Ashur. This writ refers to the *kidinnūtu* and *andurāru* of the city and was to be posted at its gate forever. Esarhaddon writes as follows: “The residents of the ancient holy city of Baltil, whose *kidinnūtu* was given them together with the people of (the gods) Anu and Enlil ... I, King Esarhaddon, who loved them like my own dear soul, was far more mindful of their freedom (*šubarrû*) than my predecessors. I rewrote their bill of rights and elevated, magnified, raised up and glorified them above what came before. I freed them from grain and produce taxes (*šibšunusāḫē*), p 103 from port customs, and travel taxes in my land. I erected the *kidinnu*-pole at their gate forever”.

The Hittites also used a pole or a tree erected by the gate of a city or a building to signify the freedom rights of the place. In the Hittite laws we find the erection¹⁹ of a pole or tree (*eyan*) in connection with the freedom privileges granted to the people of the three holy cities of Nerik, Arinna, and Ziplanta. In the Telepinu myth this tree symbolizes the return of Telepinu to his home. Like the freed man returning home, the god who was “exiled” from his land is now returning. Indeed, this return symbolizes liberation²¹ and freedom: altars are rebuilt, sheep and cattle return to their herds, the mother cares again for her son and the cow for its calf.

We indicated in the introduction that a raised banner symbolizes freedom, i.e. the return to the homeland, in Israel as well (Isa. 11:12, 49:22, 62:10). We shall see that kings in Hellenistic times also used to erect stelae at the gates of holy cities, on which the rights of the city were inscribed.

We have much evidence concerning holy cities and their rights among the Hittites. Thus, for example, Shupiluliuma, the great Hittite king (beginning of the 14th century B.C.E.) appoints Telepinu his son as priest (LÚ.ŠANGA), making him a servant of the god Teshup, and giving him Kummanni²⁵ (the area of Cilicia) as p 104 a holy estate. A. Goetze in his book on Kizzuwatna correctly posited that the status of Kummanni as a holy area governed by a priest is reflected in Hellenistic traditions,²⁷ as we can learn from Strabo. Strabo (*Geographia* XII, 2, 3) describes Kummanni in Cappadocia as governed by a priest, to whom the entire holy land belonged, and its six thousand residents as servants of the god (ιεροδούλοι) and subject to the priest (cf. XII, 3, 31), and the servants of the god were not to be sold. Similarly he tells of the temple city of Zela, whose holy land (χώρα ιερὰ) and residents belonged to the priest (XII 3, 37).

As scholars of the Hellenistic period have noted, this phenomenon did not originate in Hellenistic times; it was a continuation of the situation that existed in Asia Minor for hundreds of years before Alexander. The Hellenistic documents can shed light on the phenomenon, few details of which can be gleaned from surviving Hittite documents. Thus a document from the second century B.C.E. regarding Baetocaece tells that King Antiochus ordered that the city and all its estates be given to the god Neos, and its property and the income thereof be at the disposal of the priest chosen by the god. The temple shall have the right of asylum, and the town shall be exempt from royal duties.²⁹

Paragraphs 50–52 of the Hittite laws tell of the rights of Hittite holy cities, especially Nerik, Arinna, and Ziplanta. We have already cited the evidence of the liberation proclaimed by Hatushili I for the city of Ḫaḫum, which he dedicated to the service of the sun-goddess in Arinna.

p 105 Details of the sanctification of a temple city in the Ashḫarah mountains are found in a Hittite document about Kizzuwatna:

The villages, including both farmed and unfarmed properties with their gardens and fields and more, I have sanctified ... the villages belong to *entu* and to the priest of old ... I have exempted all the gods and priests from taxes ... these villages belong to the gods.

The Hittite document regarding the sanctification of the “stone house” mausoleum (E.NA₄) by Queen Eshmunikal (14th century B.C.E.) is especially instructive:

Thus says Eshmunikal, the great queen: This is what we have devoted to the stone house: the villages and their workers: ... farmers, cattleherds, shepherds ... gatekeepers ... (all these) are exempt from tax and burden (*šahhan luzzi*) (see above, p. 93). A barking dog that enters there shall be silent. Oil is spilled but these do not go out. In front of [the villages] a pole (*eyan* = the banner of liberation) shall be erected, and they shall not be taken for forced labor. Cattle and sheep shall not be taken from them, and they shall all be free.

When someone from the stone house commits a crime for which the penalty is death he shall be put to death, but his house shall remain part of the “stone house”.

The men of the stone house shall marry women. But they shall not give their young men and women to marry outside.

No field, orchard, garden or vineyard ... and no men of the house shall be bought.

The status accorded to this “sacred” property and the rights of the residents of this property are reminiscent of the status of *kidinnūtu* among the Assyrians, which is described in a similar manner. Just as we find that the residents of the Hittite property are granted absolute protection

(“a barking dog shall be silent in this city”), so we find the p 106 following in an Assyrian document concerning the holy city of Babylon.

Since Babylon is the center of the lands (*rikis matāte* = “the navel of the lands”), all who enter it his protection is assured ... even a dog entering the city shall not be killed.

The *eyan*, the tree or pole placed in front of the settlement according to the Hittite document, resembles the *kidinnu* pole placed in front of the holy city in Assyria and Babylonia, and it serves as the banner of liberation. H. Otten, the editor of the document, has proposed that the spilt oil mentioned in the Hittite document symbolizes freedom from bondage since the freed slave is anointed with oil.

The language of the Hittite document is surprisingly similar to that of a Hellenistic document concerning the dedication of a mausoleum in the Comagene region in northern Syria. In an edict of Antiochus of Comagene (64–34 B.C.E.) we read in connection with his mausoleum (which combined Iranian and Greek elements) as follows:

Neither king nor governor nor priest shall be permitted to take these servants of the god (ἱεροδούλοι) as slaves ... and the cities that I have dedicated to the gods may not be sold or given to anyone else.

There is no doubt that this is an eastern custom that was practiced in northern Syria and Asia Minor for hundreds of years. The same formula (“Neither king nor governor ...”) is found in a Hittite p 107 document concerning the dedication of a stone temple (*ḫekur*) to the god Pirwa:

If anyone contests this, be he master, prince, or crown prince ... and imposes *šahḫan luzzi* upon the people of the place ...

As we shall see, these types of formulae were common in grant documents from the middle of the second millennium B.C.E. to the end of the first millennium B.C.E.

Egypt also had holy cities, sacred to Amon god of Egypt. In the Harris Papyrus we read that Rameses III dedicated cities to Amon, among them nine cities in Canaan (Ḫaru). He also dedicated holy slaves (cf. *hierodouloi*) who were attached to these temples to which he also donated cattle, grain and oil. B. Mazar has compared these holy cities to the cities of the Levites, which he believes were founded during David’s reign. According to A. Alt,⁴¹ the Philistines were settled by the Egyptians in temple cities along the coast of Canaan (Gaza, Ashkelon, and others), and, as we shall see, the dedication of these cities was in a sense a declaration of independence for their residents; from now on, the Philistines were subservient not to the king of Egypt, but to the god.

These temple cities were in fact holy estates, protected from the corvée, et al. We find in Egypt, too, declarations to the effect that no commander or prince can intervene in the affairs of these estates. The holy cities apparently had the status of *asylia*, though the explicit evidence to that effect is found in Hellenistic documents (see however below, pp. 115ff.).

More detailed evidence regarding the status of holy cities is found in Mesopotamian documents from the first millennium B.C.E. The name *kidinnu* given to this institution means protection (its original p 108 meaning is the banner of liberation), and it is sometimes used as a synonym for *andurārum* (“liberation”), which in itself is a term used to describe the annulment of duties owed to the government, such as corvée and military service.⁴⁴ The declaration of *kidinnūtu* was often accompanied by the redistribution of lands among the citizens (ἀναδασμὸς

γῆς). Thus we read in a stela from the seventh year of the reign of Merodach Baladan, king of Babylon, who granted privileges to the city of Babylon and other holy cities in his kingdom:

Those dispersed among the lands he gathered and returned them to their place (II:28–30)

...

He sought out the temples of Nabu and Marduk, his gods, and he ordered that fields be granted to the people of the *kidinnu*, the people of Sippar, Nippur, and Babylon, the temple cities of Akkad. The fields of the people of Babylon, belonging to them previously, which were robbed by enemy forces ... the borders of which were forgotten and no borderstones were set up for them ... he returned and gave over to the people of the *kidinnu*, the people of Babylon and Borsippa, neglecting no one. He granted land to young and old alike ... and gladdened their hearts. He placed his shadow over the people of the *kidinnu*, whoever they were; he gave them gifts and granted them estates (III:35–38).

We read of the granting of lands in the wake of the conquest of lands from enemies in Micah 2:4–5, which also alludes to “casting p 109 the line by lot” (v. 5), a practice attested in ancient Israel, though no legal evidence has been preserved.

In the neo-Assyrian period the *kidinnūtu* included the restoration of exiles, the freeing of captives, release of prisoners, and clothing the naked. The following is said of Esarhaddon regarding the liberation that he established for the people of Babylon:⁴⁷ “The king said: The abandoned city I have resettled, establishing its liberation ... the king redeemed the Babylonians with silver from the traders; From Elam and the land of the Hittites he gathered them and freed them as a gift to Bēl and Zarpanitu ...”. In other inscriptions we read as follows:

I reestablished liberation for the enslaved Babylonians, the people of the *kidinnu* who were liberated (^{lu}*šubarrû*) by order of the gods Anu and Enlil. Those who were sold and carried off into slavery and distributed among the masses, I gathered them and counted them among the Babylonians. I returned their captured property; I clothed the naked and sent them on the road of Babylon ... the *kidinnu* right which was cancelled and stolen from them, I returned to its place, and I rewrote their tablet of rights (*tuppi zakûti*). I Esarhaddon ... build the temple of Ashur, restore Esagila and Babylon, return the stolen gods of the land to their places ... prepare continual offerings and meal offerings among them ... give many gifts and offerings to the temple, establish the *kidinnūtu* of Baltil and institute the *šubarrû* of Nippur, Babylon, Borsippa, and Sippar; I pay the damages due their residents, I gather the residents of Babylon who are dispersed, and settle them a restful settlement (*šubat nēḫti*).

p 110 In a recently published text from the reign of Sennacherib, we read of the liberation granted to the city of Ša-ušur-adad. After the destruction of the Babylonian temples and the pillaging of their gods the king decided to rebuild this city:

He freed the pillaged gods for Nabu-belshu (the local leader), he exempted them from corvée and forced labor (*ilku tupšikku*) and established their freedom (*šubarrû*). Nabugamil (the priest), of those who entered the temples of Ninurta and Bakur, held the hand of the goddess Bakur and led her to the city of Ša-ušur-adad, the holy city (*āl elli* = KÜ.GA), and she entered the house of rest (é-te-en-te-en) the fortress of residence. The king Bel-bani wrote the bill of rights (*tuppi šipreti ša zakûti*) for the city of Ša-ušur-adad,

and freed it for Nabu-belshu. From now on, whichever king, or king's son or prince or leader or judge or whosoever rises up ... and performs an evil act against the city ... Marduk will give his throne to his enemy.

The right of freedom thus included: (a) exemption from taxes; (b) the restoration of land and its redistribution among the residents; (c) restoration of temples and the return of their idols; (d) grants to the temples; (e) the return of exiles; (f) rebuilding cities; (g) freeing prisoners and captives; and (h) clothing the naked.

Rights of the Holy City of Jerusalem

Such rights were accorded to Jerusalem "the holy city" (see n. 1) by the Persian and Seleucid kings.

Cyrus proclaims the return of the exiles to Jerusalem in Judea (Ezra 1:4, cf. Isa. 45:13), the rebuilding of the Temple in Jerusalem (Ezra 1:2, 5:13; cf. Isa. 44:26–28), and the restoration of the Temple vessels (Ezra 1:7–8, 6:3–5; cf. Isa. 52:11). Darius and Artaxerxes proclaim

- p 111 1. the granting of money for the building of the Temple from the king's property (Ezra 6:8),
2. the allocation of cattle and sheep, or money to buy them, for the purpose of sacrifice in the Temple (Ezra 6:9, 7:21–22), see below,
3. the exemption of the Temple staff from taxes (Ezra 7:24),
4. application of the "ancestral laws" (Ezra 7:25), see below,
5. assistance in bringing wood from Lebanon (Neh. 2:8), see below.

Second Isaiah, who mentions Cyrus and his actions on behalf of Jerusalem, adds the liberation of prisoners and captives (Isa. 42:7, 49:9, 52:2, 61:1), the reconstruction of destroyed cities (49:8, 58:12, 61:4) and the observance of ancestral laws with reference to the sanctity of the city (banning the uncircumcised and the unclean, 52:1), a privilege granted by Antiochus III in connection with his orders regarding the sanctity of Jerusalem and the Temple, as we shall see below. The rebuilding of the holy city ends in Nehemiah's time (Neh. ch. 3; 7:1–5; ch. 11; 12:27–47). Nehemiah's practices in rebuilding the city and repopulating it are in fact those that were practiced by the founders of cities dedicated to a god in the ancient world. Thus according to Nehemiah 11:1–2, in order to populate p 112 the city which as yet had no houses (Neh. 7:4), lots were cast "to bring out one of ten to live in Jerusalem the holy city". This clearly refers to a tithe of persons for the purpose of populating the newly hallowed city (Neh. chapters 3 and 6, 7:1–4). Similar practices are found in the Greek settlement traditions. The colony of Rhegion south of Italy, founded circa 730 B.C.E., was settled, according to various traditions, by men of Chalcis who were dedicated as a tithe (*dekate*) to Apollo. Similarly, the Greeks preserved many traditions⁵⁷ regarding populations dedicated for settlement as a tithe (*dekate*) or as "firstlings" (*ἀπαρχή*), and considered the property of the god.⁵⁹ The phenomenon of temple estates dedicated, with their entire population, to a god, is found throughout the Ancient Near East. The dedication of a tenth of the population for settlement in Greece was done for religious reasons, and it would seem that the same is true of Nehemiah's actions in Jerusalem.

As befits a holy city, a consecration ceremony accompanied the erection of the gates: "They built the Sheep Gate, consecrated it and set its doors" (Neh. 3:1). Such ceremonies are known to

us from p 113 Mesopotamia, from the old Babylonian period to Seleucid period,⁶² and from Roman consecration ceremonies.

The most important ceremony was the dedication of the wall with sacrifices, thanksgiving and song (Neh. 12:27–43). These ceremonies are also found in Mesopotamia and among the Hittites in various periods.

In the Apocrypha (2 Macc. 1:19–2:7), we find a tale about holy fire (“perpetual fire” = אש תמיד) which Nehemiah retrieved from the pit in which it had been hidden when the First Temple was destroyed, in order to place it on the altar. This phenomenon belongs to the typology of founders of holy places in Greece: All who set out to found colonies brought with them fire from the eternal flame in Prytaneion. While the tradition in 2 Maccabees may have been influenced by the Greek stories, it is not impossible that we have before us an ancient Jewish tradition, and if so, it would seem that the original tradition must have referred to Zerubbabel, who built the Second Temple. Because Zerubbabel was later identified with Nehemiah (see b.Sanhedrin 38a) the tradition was transferred to Nehemiah. Nehemiah did not found a new city; he rebuilt an old city. But in his reconstruction he had recourse to the same means as did those who founded new settlements.

p 114 In addition to his reconstruction project, Nehemiah institutionalized the ancestral laws of the Judeans. He adjured them to follow the covenant (Neh. ch. 10), championed Sabbath observance (Neh. 13:15–21), and campaigned against mixed marriages (Neh. 13:23–27).

With the establishment of the holy city in the days of Nehemiah, the settlement in Judea became something akin to a holy estate, directed by the high priest, as is the case with other holy cities in the region.⁶⁸ Judea is no longer a kingdom or a people, it is a temple around which the people settle. The independence of the settlement depends upon the existence of the Temple, unlike the first commonwealth, in which the existence of the nation was dependent upon their settlement in the land. The fall of Judea in 586 B.C.E. was considered the “loss of the land” and “exile” (2 Kgs. 25:21: “Judah was exiled from its land”; cf. Deut. 11:17: “And you will quickly perish from the land” and Jer. 9:11: “Why was the land destroyed”). By contrast, the loss of independence in the second commonwealth was termed “the destruction of the Temple” (חורבן)

(הבית). Libanius, the great orator of Antioch who was active in the fourth century C.E., portrays in vivid colors the impression that the destruction of a temple made on an eastern settlement. According to him, a place whose temple was destroyed was considered blinded and no longer living; the temple was the soul and spirit of the settlement and the source of its social life. The fact that all of Jerusalem was considered holy territory at the time of the Restoration can be learned from the words of Zechariah: “Behold I come to dwell among you ... and YHWH shall settle his portion, Judah, on a holy ground” (Zech. 2:14).

p 115 Jerusalem’s rights as a “holy city” (עיר הקדש) were maintained in the Hellenistic period. During the reign of Antiochus III, a Judean representative, John the father of Eupolemus, who concluded the treaty with Rome requests that the privileges enjoyed by Jerusalem in days of old be reinstated (2 Macc. 4:11), and his request is granted (Josephus, *Antiquities*, XII, 138–146). Antiochus III issued a bill of rights similar to those issued by kings to various cities in their kingdoms. This bill of rights included the following items: (a) the reconstruction of the city of Jerusalem (§139); (b) the ingathering of its exiles (§139); (c) endowments for the Temple (§140);

(d) customs exemptions for the wood needed for construction in the Temple (§141); (e) the establishment of an administration based on ancestral laws (§142); (f) tax exemptions for Temple personnel (§142); (g) a three-year tax exemption for the entire population (§143); (h) the release of enslaved prisoners and their families (§144); and (i) the restoration of their property (§144).

To this writ a *programma* order is attached concerning the sanctity of the city and the Temple, which reads as follows:

No foreigner is permitted to enter the Temple precinct, and even Jews may not enter unless they cleanse themselves in accordance with their ancestral laws. Similarly the flesh of unclean animals, and their skins,⁷⁴ shall not be brought into the city.

p 116 In another bill of rights, which was issued by Demetrius I for Jerusalem and the land of Judea (1 Macc. 10:25–45), the following items were included: (a) tax exemption for Judea (v. 29); (b) exemption of Judea from tithes and customs (v. 31); (c) release of Judean captives (v. 33); (d) exemption from the conscription of cattle for royal service (v. 33); (e) permission to observe ancestral laws (v. 37); (f) endowments to the Temple from the royal treasury (vv. 39–40); (g) the right of refuge for the Temple in Jerusalem: “And whosoever takes refuge at the Temple in Jerusalem, or in any of its precincts, because he owes money to the king or has any debt, let him be released and receive back all his property in my kingdom” (v. 43); and (h) the reconstruction of the Temple, as well as the walls of Jerusalem and Judea, at the king’s expense (vv. 44–45).

This document is unique in that it refers not only to Jerusalem, the Temple city, but to all of Judea, because the Temple is the **p 117** religious center for all of Judea. In fact, Polybius speaks of the Jews in Antiochus III’s time as “dwelling around the Temple of Jerusalem”.

The bills of rights promulgated by Antiochus III and Demetrius I in regard to Jerusalem correspond to those promulgated by the Hellenistic kings in regard to the cities of Asia Minor. For example, in inscriptions from the second century B.C.E. we read with reference to a certain city in Asia Minor, that the king grants this city, which had suffered in war, the following rights: (a) the restoration of ancestral laws; (b) the reconstruction of holy sites; (c) the financing of temple expenditure and city administration; (d) the supply of animals for sacrifices; (e) provision of grain for sowing and nourishment; (f) return of fields to their owners; (g) the distribution of royal land for the needy⁷⁹; (h) release from taxes for five years.

The grant of all these privileges to temple cities by the Hellenistic rulers derives from the divine status of these cities. In the bill of rights written on the stelae, erected close to the city gate, as well as on coins we often find the appellation: divine and inviolable (refuge) = ἱερά καὶ ἄσυλος. These appellations express the idea of freedom already found in connection with the transfer of the city to the domain of god.

Jerusalem is named in the bill of rights of Demetrius “holy and free” (ἁγία καὶ ἀφειμένη, 1 Macc. 10:31). In the parallel source (Josephus, *Antiquities* 13:51) the city of Jerusalem is named “divine and immovable” (= ἱερά καὶ ἄσυλος) as in the titles of the Hellenistic cities.

p 118 The concept of liberation, that is rooted in holiness and attachment to God, is clearly expressed in the proclamation of the Hellenistic kings. Thus we read in the inscription of Antiochus III on the city gate of Xantos in Lycia, that the King Antiochus, the great, dedicated⁸³ the city for Leto, Apollo and Artemis, because of its connections to these gods. E. Bickerman rightly compares this dedication to the dedication of Ephesos by Alexander the Great, which is expressed by the decree to the people of Ephesos to transfer the taxes, which they owe to the Persians, to the goddess Artemis.

The dedication of a city to God means, then, freeing the city from taxes to men. Indeed this was the manner the Mesopotamians conceived the liberation. Freeing a city from taxes and levy or the slave from slavery is called “purification” or “dedication” (*elēlu ullulu*). Just as Antiochus III who purifies/dedicates the city to Apollo, i.e. frees it from taxes and levy, we find in Mesopotamia and Ugarit that the one who liberates a slave purifies him to Šamaš or puts his face toward Šamaš.⁸⁶ Šamaš is the god of justice who protects the freed slaves who are transferred to him when released. p 119 In Greece too the emancipated slave is dedicated to god or Apollo. In the documents from Elephantine we find that the released slave-woman is transferred to God (אנתי שביקא לאלהא). It also occurs that the declaration of the transfer of the slave to God implies the transfer of the slave to the temple. This belongs to the legal category of *paramone*⁸⁹ which means that the slave stays in the house of his owner or is handed over to the temple. This procedure of freeing a slave on the condition that he serves in the temple is known to us from the neo-Babylonian documents⁹¹ as well as from the Hellenistic world. In many cases the emancipation of the slave is pronounced by the formula of “belonging to God”. Thus the dictum in Rabbinic literature (Gittin 38b) that “whoever consecrates his p 120 slave, the slave gets his freedom and needs a bill of freedom (שחרור המקדיש את עבדו יצא לחרות וצריך גט)” is explained there that this does not mean that he is really “sanctified” but means that he belongs to the “holy people” (= עם קדוש). It should be indicated that in documents of slave releases discovered in southern Russia we read that the slave is released on the condition that he attaches himself to the house of worship and serves his God under the auspices of the Jewish synagogue: χωρὶς τοῦ προσκαρτερεῖν τῇ προσευχῇ ἐπιτροπεύουσος τῆς συναγωγῆς τῶν ἰουδαίων καὶ θεὸν σέβων.

Asylum and Refuge in the Holy City

Mesopotamian documents tell of the divine protection accorded to ancient temple cities. Residents of cities with *kidinnu* rights are called “freedmen of the great gods”, *šubarrê ilāni rabûti*, and in a Mesopotamian text from the eighth century, entitled “Advice to a Prince”, we read of the cities Nippur, Sippar and Babylon, that the “great gods ... established the freedom rights” of the residents of these cities.⁹⁶ From a letter of the Babylonian people we learn that “whoever enters into [Babylon] is assured the right of *kidinnūtu* ... and even a dog entering the city shall not be killed”. This is reminiscent of the cities designated as a place of “asylum”, granting protection to all who enter (see Hittite text above, p. 105). p 121 Elsewhere it is written that it is forbidden to shed the blood of a Nippurite, since he is dedicated to Enlil. The granting of the status of city of “asylum” to holy cities by the authorities has a long history in the Ancient Near East.⁹⁹ The oldest evidence about the Asylum right is that of Kylon in the insurrection against the archonship of Athens (632 B.C.E.). He together with his men took refuge in the temple of Athena. When they were asked to descend to the city in order to stand before the trial they tied themselves with a rope to the statue of the goddess Athena. The rope was torn and this was seen as a sign that the goddess withdrew her protection from the rebels. This enabled Megacles and his colleagues to kill them (Herodotus V, 72; Thucydides I, 126; Plutarch, *Solon* 12).

About Greek *asylum* in later periods we hear from Herodotus that the temple of Apollo at Didyma in Asia Minor was recognized as a place of asylum (I, 158–160). As H. W. Parke has

shown the claim of the Milesians for the right of asylum (by the patronage of Apollo at Didyma) since the days of Darius (Tacitus, *Annals*, III:60–62) has a basis in reality. The same applies to the Artemisium at Ephesos and to the sanctuary of the Persian goddess (Anahita) at Lydian Hierocaesaria. Both claimed the right of asylum since the days of the Persians (ibid.). The Phoenician temple of Melcart at Tyre was also considered as a place of asylum from old times. J. C. Greenfield has recently argued on the basis of the Aramaic Sefire treaty inscription (III, 4–7) that Aleppo in Syria which was the site of the storm god Adad/Hadad served as a place of asylum. This may support the notion that “cities of refuge” were existent all over Syria, Palestine and apparently also Mesopotamia in the first or even the second millennium B.C.E. The specific rights of “asylum” apparently varied from place to place. In Israel the asylum mainly referred to accidental manslaughter (see below, pp. 124ff., but we also find asylum in connection with political cases in the case of Adoniya (1 Kgs. 1:51). The common denominator of all the places was the protection given to the people who reside in the temple or the temple-city. The very term *a-sylon* means like *e-mancipation* “to put out the hand (of the power of the master)” = “to free of seizure” i.e. to declare free and independent. This goes back to the Sumerian terms *šu-bar* = open the hand (of the master) = to free (see above, p. 233).

Herodotus also refers to a temple of Heracles in the Western Delta which served as a refuge for slaves who fled from their masters (II, 13). This has been considered by some scholars as the temple of the Phoenician god Melqart, with whom Heracles had been identified. However, it is a fact that the Egyptians recognized the temple as a shelter from persecution of every kind from very ancient times. Indeed, the temple was named ‘wy *nht* or *mz* ‘ *nht* = place of protection/shelter. Therefore, a temple identified by Herodotus as a temple of Heracles actually constituted an Egyptian site of asylum since ancient times. We know that ancient cities in the Seleucid kingdom kept their status as cities of “asylum”, and the Seleucid kings respected this status.¹⁰⁷ It seems that in this matter the Ptolemies followed the Egyptian tradition, according to which only the temple precincts were places of asylum. Similarly, they respected the tradition, also ancient, that the temple serves as a refuge for all fugitives, including debtors, and not merely murderers and rebels.

In Israel the altar served as a refuge for murderers and fugitives (1 Kgs. 1:50–53; 2:28–29, cf. Ex. 21:14). But even in the earliest law code there is mention of the fact that God set aside a

“place” (מקום), for those who killed someone accidentally (Ex. 21:13). מקום in this context, like the Arabic *maqâm*, refers to a holy place and a temple, and thus the reference is to a temple that affords refuge. The Priestly Code (Numbers 35) and Deuteronomy (ch. 19) refer to *cities* of refuge. There is no reason to assume a development from temple to temple city, as certain scholars claim, because in the ancient world p 124 we find all three forms of refuge alongside one another: grasping the altar, refuge in the temple, and refuge in the temple city. In fact, grasping the altar should be distinguished from the others, in that it affords temporary protection to those in danger in any holy place (ικετεία), while the temple and city of refuge are granted a permanent right of asylum by the authorities. This distinction can explain the “words” spoken by the fugitive at the gate of the city of refuge, in the presence of the elders of the city, according to Joshua 20:4 “he will present himself at the entrance to the city and plead his case before the elders”. These are a request for *hiketeia*, temporary refuge for the fugitive before his trial; only after the trial (see Num. 35:24; Deut. 19:12) does he receive the right of permanent asylum.

We have evidence of the expansion of the refuge territory in Greece. Herodotus writes that when Croesus besieged Ephesos, the people dedicated the entire city to the goddess Artemis, by stretching a cord of the temple to the city wall (I, 26); but this does not reflect a development in

the institution of “asylum”. As we have seen, the institution of a holy city that offers “asylum” was prevalent in Mesopotamia from the earliest periods, and it should not be considered a late development, at least not in the east. On the contrary, cities that requested the right of “asylum” for either temple or city relied on bills of rights that they had been granted from earliest times.

It would therefore seem that in Israel, too, cities of refuge are not a creation of the monarchic period, but the continuation of a more ancient tradition. Jerusalem, which did not have this status before David’s conquest, was not made into a city of refuge afterwards. The p 125 cities west of the Jordan that were known as cities of refuge: Kadesh, Shechem and Hebron, preserved a sacred status that they had had previously; in fact, it is said of them that they were “hallowed”

(ויקדישו) for this purpose (Josh. 20:7). The cities of refuge in Transjordan, a region that was considered “unclean land” (Josh. 22:19), according to P were not “hallowed” for this purpose, but were rather נתן “set aside” or הבדיל “separated” (Deut. 4:41, 19:2) or הקרה “selected” (Num. 35:11). They were allowed to retain their status because it was impossible, at this point, to abolish their right of asylum.¹¹⁶ Thus even cities which were no longer temple cities in the Israelite period were allowed to serve as cities of refuge by virtue of their status in the pre-Israelite period. As I have shown elsewhere, Deuteronomy, which does not recognize temple cities other than Jerusalem, abolishes the sanctity of the cities of refuge. By demanding equidistance between the cities (Deut. 19:3), he contradicts¹¹⁹ the ancient tradition, according to which the Transjordan cities of refuge are Bezer, Ramoth and Golan (Josh. 20:8, cf. Deut. 4:43), which were not equidistant (see n. 116). By contrast, the priestly code preserves indications of the holiness of the p 126 cities of refuge. They are the possession of the Levites, and the fugitive murderer must remain in the city until the death of the high priest (Num. 35:25, 27), which indicates the necessity of expiating the sin, for the high priest was the one who bore the sins of the people, expiating them with the plate on his forehead (Ex. 28:38).

The death of the high priest in whose days the sin was committed marks the end of one era and the beginning of another. According to Delekat, this can be explained in light of the *paramone*, the rule according to which the adopted slave was freed upon his master’s death. The high priest was responsible for the city of refuge, and upon his death, the refugee who sought shelter in his city is free. From Egyptian documents concerning refuge we learn that the chief priest was indeed responsible for those who sought shelter in the temple. Just like the slave who is freed in the Jubilee, of whom it is said “In this jubilee year, you shall return, each to his own estate (אחזתו)” (Lev. 25:10, 13, 41), it is said of the fugitives: “After the death of the high

priest, the manslayer may return to his estate (אחזתו)” (Num. 35:28), and as we have seen, “return to the family and the estate” is a stylistic formula found in connection with liberation and amnesty in every period. The rabbis already compared the “return” of the jubilee with that of the fugitive (b. Makkot 13a).

We have no explicit evidence that the Israelite temple was a haven for fugitives, but the Psalms indicate that this was indeed the case. As Dinur and Delekat have noted, some of the Psalms can be understood as requests for refuge. Of special interest in this regard is p 127 Psalm 27, in which the persecuted complains that his enemies wish to devour his flesh (v. 2), and he asks that he be allowed “to dwell in the house of the Lord ... for he will hide me in his shelter in the day of trouble; he will conceal me under the cover of his tent” (vv. 4–5). Further on, he asks

that God refrain from hiding his face (v. 9), and that God “take him in (אסף)” (v. 10). The verb אסף, “to take in” in the sense of “to provide haven”, and the verb ישב “to dwell” in the sense of to live in a city of refuge, are both found in Joshua 20:4: “And they shall take him in (ויאספו) into the city ... and he shall dwell (ישב) with them”. The phrase “hiding face”

(הסתיר פנים) in Psalm 27 is also used in the context of a request for haven and refuge. Cain, who asks God’s protection after he kills his brother, complains that God has hidden his face from him, exposing him to danger: “Behold you have driven me away today from the face of the earth, and I shall be hidden from your face; I shall be a fugitive and wanderer on the earth, and whoever finds me will slay me” (Genesis 4:14). God’s response is to grant Cain a protective sign, “so that all who find him will not slay him” (v. 15). This sign serves to protect him from his pursuer as he seeks refuge, a phenomenon attested in Egypt in connection with fugitives seeking refuge. Thus Herodotus writes of fugitives in Egypt: “If the slave of one of the people flees to [the temple of Herakles in Egypt] and they have inscribed upon him holy signs (ἱερὰ στίγματα), since he has given himself over to the god, it was forbidden to touch him. This was the practice from the early times until now” (II, 113).

In later periods, fugitives who enjoyed asylum in Egypt carried protective labels. One reads as follows: “Do not pursue me ... I carry the chest of the god Osiris and I am going to bring it to Abydos.” In fact, Cain’s sign is interpreted by the rabbis as a sign given to fugitives on their way to a city of refuge: “Hanin said: It is a sign for killers who flee to cities of refuge and are saved”. In the end, Cain goes to “dwell in the land of Nod, east of Eden” (Gen. 4:16), i.e. under protective custody, as is said of the fugitive killer in Joshua 20:4, “and he shall dwell among them”, and of the p 128 supplicant in Psalm 27:4 “One thing I ask of YHWH ... to dwell in the house of YHWH all the days of my life”.

This protective “dwelling before the Lord” is mentioned a number of times in the Psalms, but it is not always clear whether the reference is to a fugitive fleeing from pursuers, as in Psalm 27, or to a man who took upon himself a vow of “dwelling in the temple” because he seeks communion with God (Psalm 73:28, cf. v. 17), or to a man who was devoted to the service of God. Studies of temple refuge in Egypt show that three categories of people dwelt in the temples: (a) fugitives seeking refuge and protection; (b) those who dedicated themselves to the god;¹²⁷ (c) slaves who were freed by their masters to become servants of the god (*paramone*).

In addition to the sufferer who seeks communion with the god in the temple, to whom we referred in connection with Psalm 73 above, there were various types of sick people who dwelt in the temples of Ptolemaic Egypt.

p 129 The temple was administered by the priests, and was an autonomous zone protected from outside elements (cf. Neh. 6:10—“Let us meet together in the house of God, within the Temple, and let us close the doors of the Temple, for they are coming to kill you, at night they are coming to kill you”). It would seem that this sort of autonomy was given to any city that was granted the right of asylum. This type of city was protected from the authorities, both from the point of view of taxes and conscription, and from the point of view of imposition of punishments; the king himself was commanded to guarantee these rights. Asylum rights shared with the *mīšarum* edicts the status of *philanthropia*, acts of charity.

It would seem that the demand made of Rehoboam in Shechem for freedom from forced labor (1 Kgs. 12) was rooted in the rights previously enjoyed by the holy city of Shechem.

Rehoboam failed because he refused to put these rights into practice. Similarly, Sargon portrays the failure of his predecessor Shalmanassar V as the result of “his imposition on the city of Ashur obligations of tax and corvée (*ilku tūpšikku*), and therefore the god Ashur decided to put an end to his kingdom and raised Sargon in his stead”. According to Rabbinic tradition, other priestly and levitical cities also had the right of asylum,¹³² but this tradition of sanctity and asylum was of later origin and therefore less binding.

The right of asylum resembled the right of liberation in the Jubilee years that just as one could stipulate that liberation should not apply to a given loan, so one could stipulate that asylum in the temple should not free the debtor from his obligation to pay his debt. The right of asylum was sometimes given on a personal p 130 basis: a letter from the king, a letter of rights, is a phenomenon well-attested in Mesopotamia and among the Hittites.

It would seem that the roots of this institution are to be sought in ancient Elam, from which the Assyrians and Babylonians borrowed the term *kidinnūtu*. As we have seen (above, p. 102), *kiddinnu* in Elam referred to the banner or symbol that indicated the holiness of a place and assured it protection from external claims. Thus *kidinnu*, *kubussû*, and *šullu kubussû* are terms used for “liberation”, which in fact consists of protection from claims (above, p. 26), but *kidinnu* also refers to the place of protection or the holy place, the refuge. Thus we hear of entry into *kidinnu* and exit from it, as well as “dwelling in *kidinnu*”. The term is mentioned in the stela of *Shutar*, priest of *Aanshushenak* in Shushan, from the first millennium B.C.E., and the reference there is to grants to the temple, temple slaves, and the protection granted of the place, which reminds us of the rights of temple cities surveyed in this chapter.

It seems that the institution, which developed in Elam, moved to Mesopotamia, and from there to Asia Minor, Syria and Palestine.

In our survey of the rights of holy cities in the Ancient Near East, we have seen that we are not dealing with a homogenous institution. p 131 On the one hand there were holy cities that had no status as cities of refuge (such as Jerusalem), while on the other hand there were cities of refuge that were not temple cities (such as those on the east bank of the Jordan). Needless to say, once Jerusalem was established as the only site of worship (in the days of Hezekiah and Josiah), the cities of refuge lost their sanctity.

There was also no rule as to the extent of the site of refuge. In some places, only the temple and its precincts surrounded by a wall (περίβολος) protected the fugitive, such as in Egypt. In other places, however, such as Syria, Palestine, Asia Minor, and probably Mesopotamia (*kidinnūtu*), in which whole cities served as refuges for fugitives. Nor was there any rule as to those entitled to refuge. In Israel only murderers were included, but in Egypt slaves, rebels and debtors also fled to the refuge. We also saw that there is a distinction to be made between *hiketeia*, temporary refuge for a protection from a present danger, and *asylia*, permanent refuge. They are alike in that both reflect the principle that in holy places a man is protected from pursuit, whether by the authorities or by individuals.

Needless to say, it was not in the interest of society to have criminals reaping the benefits of these places of refuge, and therefore the institution was supervised in some way or other. In Israel the supervision took the form of careful distinction between intentional and unintentional killing; the killer was tried before the community, and only if it was determined that he acted unintentionally was he permitted to reside in the city of refuge.

Holy cities and their temples had an important social function. Fugitives of various sorts were permitted to find shelter in the shadow of the god, and thus they were saved from their

persecutors and oppressors. After the institution of the city of refuge was p 132 abolished, its function was served by the religious and spiritual institutions: synagogues and churches.¹⁴¹

p 133 Chapter Six

RIGHTS AND FREEDOMS OF ESTATES AND INDIVIDUALS

Rights and freedoms granted by the government were not limited to temple cities and temple estates; private estates were also granted such privileges. Thus in Elam, from the old-Babylonian period on, the *mašûtum*, an exemption to a private estate, was granted, e.g.:² “The prince has granted a *mašûtum*, [the owner of the estate] shall not be taken on a campaign, he shall not dig [canals], and he shall not be drafted for military service”.

There were similar exemptions granted in Alalakh in the old-Babylonian period, where they were called *zakûtum*. In Alalakh we read: “[City x] in all the border of its freedom”, *patašu gamram zakûssu*. And in another document: “Liberated lands, from which taxes and conscriptions were not taken”.⁵

But, from the middle of the second millennium B.C.E. and on, we find detailed bills of rights for estates in both Mesopotamia and Egypt. In the *zakûtum* documents, which Kraus has analyzed in p 134 detail, we find, among other things, exemptions from the following obligations: (a) a tax (tithe?) on cattle and sheep (*šibtu*); (b) giving of donkeys to the tax-collector (*mākisu*); (c) supplying wood, hay, straw and barley; (d) corvée, forced labor, canal digging (*ilku tupšikku herē nāri*); (e) providing carriages, oxen, donkeys and men (for royal service); (f) building walls, fixing roads, building bridges (*titurru*); (g) military service.

Usually the bill of rights was accompanied by a warning that no government official had the right to abrogate the provisions.

There were similar grants in Ugarit. Thus we find that (a) the king liberated the city of Shakna from *pilku* service: “their oxen, donkeys and men shall not go to the royal service”; (b) the king frees x from the royal service (*šipri šarri*); (c) x shall no longer work p 135 for the palace or the king’s officer; (d) x is free, he shall no longer enter the king’s field to plow.¹⁵

It should be noted that we do not always know the reason for these exemptions and privileges. Usually the reference is to officers of the king, who receive grants of estates that are exempt from taxes and impositions. Sometimes the grant is given to allow for supplies to be given a temple, in which case we are dealing with a temple estate, freed from royal service and taxes because the workers are dedicated to the god, an issue surveyed in the previous chapter. Some Ugaritic documents can be interpreted as such, as for example the document of grant of Niqmadu,¹⁷ king of Ugarit, to his daughter Apapa and her husband, in which we read that the city of Aknnabi is given to them, with its tithes, taxes and offerings (*qadu ešrétiša, qadu miksiša, qadu širkiša*) in which context the Baal temple at Khazi mountain (“Zaphon”) is mentioned. Apparently, the references to a grant for a temple estate in which the daughter and son-in-law of the king of Ugarit serve as priests who collect tithes and offerings for the sacred place, like Telepinu, who was appointed by his father Shupiluliyuma priest of Kizzuwatna. We mentioned elsewhere that, like the Ugaritic officers, who received the right to collect tithes in the cities

given to them, the Levites had the right to collect tithes in the levitical cities.¹⁹ The grants in Israel and Ugarit thus served, according to this view, for the maintenance of sacred estates.

p 136 The Hittites also used to give grants such as these to holy estates. Hatushili III (13th century B.C.E.) dedicates an estate to Ishtar of Samukha and exempts it from corvée and forced labor (*šahḫan luzzi*); sheep taxes; supply of grain, hay, straw and wood; providing packhorses for royal service; building and fortification work; conscription for field-work.

Similarly, we read about the dedication of the stone house to the god Pirwa, about a grant that ends with the formula common to the middle-Babylonian period on: “Whoever challenges this, be he lord or prince or crown-prince or anyone else ...”²²

Similar provisions are found in the liberation proclamations of Seti I king of Egypt (1300 B.C.E.), issued to the temple of Osiris at Abydos, according to which temple estate employees are to be “protected and immune”, *ḥwj mkj*, a phrase found in the liberation document of Pepi II of the sixth dynasty, which is reminiscent of the hendiadys *šullu kidinnu* “shelter and protection”, used in Elam (see above). Like the liberation documents of the middle-Babylonian period and those of the Hittites, the Egyptian documents stipulate that “no commander, officer, vehicle owner ... shall involve himself in matters pertaining to the estate” (*passim*).

The paragraphs connected with liberation stipulate as follows: (a) no one shall be taken from the estate for forced labor (*bri bh*) (ll. 32ff.); (b) no one shall be taken from the estate for plowing and p 137 harvesting (*ibid.*); (c) no donkeys or animals shall be taken from the estate (ll. 35ff.); (d) no slaves shall be transferred from the estate to work elsewhere in the land (ll. 44ff.).

The documents end with a curse on anyone who does not prosecute one who violates these rights: “The god Osiris ... shall chase him, his wife and his children, to blot out his name, to cut off his soul, and will not give him rest in his grave”. Similar curses are found in the *kudurru* stones, on which the *zakûtu* rights are inscribed, and in Assyrian grant documents, as we shall see.

The types of rights and exemptions with which we are dealing are found quite often in the neo-Assyrian documents collected by J. N. Postgate. These documents, too, refer to both grants to individuals (loyal officers, etc.) and to grants designed to allow for the supply of temple needs. Of the second type, Postgate distinguishes between three categories: (a) grants to individuals to allow them to supply temple needs; (b) grants to priests or temple officials for the temple; (c) grants to the temple itself.

Of course, it is not always possible to determine the exact purpose of the grant, but the general trend is clear.

The grants contain the following elements, among others: (a) exemption from taxes on grain and straw (*ŠE šibšu nusāḫū*); (b) exemption from taxes on cattle and sheep (*šibtu*); (c) exemption from corvée and forced labor (*ilku tupšikku*); (d) exemption from p 138 military conscription (*dikût māti*); (e) exemption from claims of the officials (*šišit nāgiri*); (f) exemption from travel and port taxes (*miksi kāri nēbiri*).

As in the documents from the second millennium, these, too contained curses aimed at anyone who violated the rights of the citizens, or anyone who harmed the grave of the grantee. Similarly, the phrase found in middle-Babylonian documents “Any king or prince who abrogates, etc.” is found here as well. This formula found its way into Aramaic (*sgn wmr*’, etc.) and Greek (μήτε στρατηγὸς, μήτε ἀρχὴν) documents as well.

These documents shed light on the law of the king found in 1 Samuel 8, in which we find all the royal obligations for which exemptions are granted in the *zakûtu*: conscription into the royal guard and the army (v. 11); plowing and harvesting for the king (v. 12); giving up fields and

vineyards to the king (v. 14); the tithe of seed and sheep given to the king (vv. 15, 17); providing slaves, donkeys and cattle for the royal service (v. 16).

Since the author of 1 Samuel 8 wished to paint a dark picture of the king's law, he mentions the harsh obligations that the king places upon his land-owning subjects. But the verse in 1 Samuel 17:25 teaches that the king would free certain estates from the tax burden: "The king shall enrich whoever slays [Goliath] with great riches ... his father's house shall be free in Israel". This freedom, p 139 like the Egyptian freedoms and the Mesopotamian *zakûtu*, applies not to individuals but to an estate, a "father's house". Contrast the individual exemption in Deuteronomy 24:5: "He shall not be conscripted into the army, nor shall any other obligation be imposed upon him, he shall be free at home one year" (cf. 1 Kgs. 15:22). It seems that the freedom of the "father's house" proclaimed in 1 Samuel 17:25 included freedom from the obligations described in 1 Samuel 8.

p 140 Chapter Seven

PROCLAMATIONS OF "FREEDOM" IN EGYPT, PERSIA AND GREECE

Just like the kings of Mesopotamia, the kings of Egypt proclaimed the "liberation" of slaves, prisoners, and the like upon ascending the throne. Like the biblical "liberation", and the *amargi* (= *andurāru*) in Mesopotamia, liberation in Egypt meant the return of each man to his house and his ancestral estate.

Like the Israelite דָּרוּר and the Mesopotamian *andurāru* and *kidinnūtu*, the Egyptian "liberation" involves the release of various types of debtors, the freeing of prisoners, the restoration of temples, etc. But unlike those in Israel and Mesopotamia, which were directed primarily at debtors and slaves, the Egyptian freedom proclamation stresses the liberation of prisoners and rebels. It should be kept in mind, however, that included among the prisoners are those imprisoned for debt, whether to the royal treasury or to individuals.

The Egyptian "liberation" has a continuous two thousand years tradition, like that of Mesopotamia, and as in Mesopotamia, the institution developed over time. The following are the key documents attesting liberation in Egypt:

1. In the hymn celebrating the coronation of Ramses IV (or the anniversary of his coronation) we read:

p 141 It is a good day (*hrw nfr*). Heaven and earth rejoice, because you are the great lord of Egypt. Fugitives have returned to their cities, those in hiding have come out. The hungry are sated and rejoice, the thirsty are satisfied, the naked are clothed with good linen clothing ... The chained are released, those who are bound now rejoice. The houses of the widows have been opened, the exiles return....

Liberation is thus said to involve the release of various types of debtors and their return home, feeding the hungry and clothing the naked, release of prisoners and return of exiles. All these elements are found in Esarhaddon's announcements of "liberation" and *kidinnūtu* (see above),

and they are also reflected in Second-Isaiah's prophecy concerning "liberation" and the establishment of justice in the land. Thus we read in Isaiah 61:1–2: "The spirit of the Lord YHWH is upon me, because YHWH anointed me to bring good tidings to the afflicted; he has sent me to bind up the brokenhearted, to proclaim liberty to the captives, and the opening of the prison to those who are bound; to proclaim the year of YHWH's favor, and the day of vengeance of our God". The one who announces "liberation" in this passage is a royal personage, anointed by God and sent to proclaim liberty to prisoners and captives. A similar figure appears in Isaiah 42:1–4, the servant of YHWH, whose task is "to establish justice in the land" (v. 4), an expression that corresponds to the Mesopotamian phrase *mīšaram ina mātim šakānum*, that is used in edicts of "liberation". His mission, as explained in v. 7, is "to open blind eyes and to release the prisoner from the dungeon", expressions used in the "liberation" proclamations of Assyrian kings.

A similar passage, continuing the words of God to his servant, is found in Isaiah 49:8–10. As in the passages cited above, the servant is sent to say to the prisoners "come forth", and to those who are in darkness "appear" (v. 9). As in the Egyptian hymn and the Esarhaddon proclamation, those liberated "shall neither hunger nor thirst" (v. 10). Elsewhere, the prophet speaks of "a fast and a day p 142 acceptable to YHWH", on which day one should "loose the bonds of wickedness, undo the throngs of the yoke, to let the oppressed go free ... share bread with the hungry and cover the naked" (Isa. 58:5–7; cf. Ezek. 18:7, 16). The fast spoken of here is often seen as the Fast of Atonement, on which liberation was proclaimed (Lev. 25:10), and the chapter is read in the synagogue on the Day of Atonement (see above, p. 18). The passage is part of a prophetic rebuke in regard to justice and righteousness (v. 2), which supports our assumption that justice and righteousness are connected to the liberation, although it must be noted that the prophet addresses the individual Israelites here, and not the leadership.

The rejoicing of heaven and earth, which accompanies the liberation in the hymn of Ramses IV, also accompanies liberation and redemption in Israel. Thus Second-Isaiah says, in connection with the liberation of Israel from its masters: "Remember these things, O Jacob, and Israel, for you are my servant ... I have swept away your transgressions like a cloud ... return to Me, for I have redeemed you. Sing, O heavens, for YHWH has done it; shout, O depths of the earth; break forth in singing, O mountains, O forest and every tree in it. For YHWH has redeemed Jacob, and will be glorified in Israel" (Isa. 44:21–23).

Israel becomes the servant of YHWH and is thus liberated from enslavement by others and returns to God, as a liberated slave returns to his family and estate in the Jubilee year (Lev. 25:10). The redemption and liberation inspire the joy of the universe, as in the proclamation of Ramses IV. The citation from Isaiah 49:8–9 also speaks of a liberation involving the resettlement of estates (v. 8), the release of prisoners (v. 9), the return of exiles from foreign lands (v. 12), and the subsequent rejoicing of the universe: "Sing for joy, O p 143 heavens, and exult, O earth; break forth, O mountains, into singing!" (v. 13). Similarly, the rejoicing of heaven, earth, and sea is mentioned in conjunction with the judgement of the earth in the coronation psalms, Psalm 96:10–13, 98:6–9, and as we have seen, the fourth eclogue of Virgil also speaks of the heavens, earth and sea as moved by the appearance of the savior. The Roman emperor Caracalla, proclaiming the liberation of the empire upon his coronation (212 C.E.), also describes the rejoicing of the universe: "All the universe shall rejoice, the accused exiles shall return ..." (Dio Cassius 78, 3).

Clearly, the hymn to Ramses IV contains some exaggerations, and the description cannot be accepted as an authentic historical text. However, the basic historical fact lying behind the hymn

should not be denied: prisoners were liberated and fugitives were brought home on the coronation day. As we shall see, Ptolemaic kings were accustomed to proclaim liberation under similar circumstances, and the documents attesting to those proclamations are not exaggeration, but papyri copied by the citizens of the state for normal judicial purposes.

At the end of the hymn to Ramses IV it is said that the king acts justly and kindly as a messenger of the god, and thus the acts of charity are attributed to the god, who is embodied by the king: “The king of Upper and Lower Egypt, the king Hikamera, chosen by Amon, once again carries the white crown, son of Ra ... all nations say to him: Horus is beautiful on the seat of Amon Re”.

The restoration of order realizes, according to the Egyptians, the ancient ideal of the rule of King Osiris, before the god Seth attacked him.

As we shall see, the reign of “truth and righteousness” is attributed to divine initiative, and, needless to say, in Israel it is God who establishes justice and equity in Jacob.

2. In a hymn to Merneptah, we read:

p 144 He liberated prisoners in every district, gave gifts to temples, had incense brought to the deities, had the property of the great restored, and the poor returned to their villages.

Here we find, in addition to the release of prisoners and the support of the poor, grants to temples, which are also important components of the liberation, as we have seen.

3. As in Mesopotamia, the liberation proclaimed by Egyptian kings are defined as “the establishment of justice and righteousness in the land”. At the end of Ramses III’s proclamation of the release of the lands of the god Chnum in Elephantine, it is said that the king performed his gracious acts after “establishing righteousness in the land”, in order to please the gods.

4. In light of these proclamations, we are justified in accepting the testimony of Diodorus (citing Hecataeus) concerning the “amnesty” of “Sesostris”, who is none other than Sesostris I (1971–1928 B.C.E.). Here we are told that Sesostris “acted kindly toward the entire people as best he could, turning some toward him with gifts of money, others with gifts of land, and others with exemptions from punishment. All were drawn to him because of his equity and good attitude, for he freed without punishment all those who owed the king, and released the debts of all those who were jailed for debt” (Diodorus I 54).

This description is undoubtedly influenced by Hellenistic descriptions of *philanthrōpa* proclamations, but the event described agrees with that which is known to us of the Egyptian kings. As we shall see, Ptolemaic kings continued the tradition of granting “liberation”.

p 145 Liberation in Persia, Greece and the Hellenistic World

The custom of proclaiming liberation for the populace when a new ruler took office, or at critical junctures or during social crises, was practiced in Greece and Persia as well.

The reform of Solon (594–593 B.C.E.), which, according to Greek tradition, included the release of slaves, the cancellation of debts, and the cancellation of liens on property, was defined by Androtion as (φιλανθρώπευμα, and it would seem that this act of Solon’s was rooted in the Greek heritage, which borrowed from the east the custom of proclaiming liberation at the king’s ascension. Herodotus writes that the Spartans, like the Persians, have the custom that when one king dies and another takes his place, the king releases the populace from debts to the king and the state (Herodotus VI 59). Similarly we learn from Herodotus that Pseudo-Smerdis, the

Persian, performed great acts of kindness (εὐεργεσίας μεγάλας) toward his subjects in the first year of his reign, and announced a three-year release from taxes and military service (Herodotus III 67). This type of release is known to us from the Book of Esther. Ahasuerus grants a “release” to the provinces when Esther is crowned, in addition to the great banquet that he gives for his courtiers, and the gifts that he gave with royal liberality (Esth. 2:18). Shalmanassar III (859–824 B.C.E.) in fact gives a banquet and gifts in conjunction with his proclamation of liberation. When he proclaims liberation, *kidinnu* and *šubarrû* to the residents of Babylon and Borsippa, he prepares a banquet for them, clothes them grandly, p 146 and gives them gifts. It would seem that David’s bestowal of gifts when the ark is brought to Jerusalem (2 Sam. 6:19) is to be understood in a similar light (compare Solomon’s action in 1 Kgs. 8:66).

Greek rulers and “tyrants” would proclaim the cancellation of debts and the distribution of land, using their special authority. Thus Aristodemus of Komai (504 B.C.E.), who cancelled debts and redistributed land (γῆς ἀναδασμός), and thus Agathokles of Syracuse (316–315 B.C.E.),¹⁵ and Agis king of Sparta (243–242 B.C.E.). In the latter’s reign, debt bills were collected in the marketplace and burned (Plutarch, Agis XIII, 2–3).

More in line with the eastern type of liberation are the proclamations of *philanthrōpa* by Greek dynastic princes, who would announce the cancellation of debts and taxes, as well as the manumission of slaves, upon taking office. Thus we read of Dionysius the Younger of Syracuse (367–366 B.C.E.), that he freed 3000 imprisoned debtors and abolished taxes for three years. Polybius tells of Perseus, king of Macedon, who proclaimed a liberation when he ascended the throne (179–178 B.C.E.), and in his proclamation were included the following: (a) freedom for all fugitive debtors; (b) freedom for all those sentenced to exile; (c) freedom for all exiled rebels. Upon their return, they were to be assured protection and the return of their property. The Macedonians were freed from taxes, and prisoners, who had acted against the king, were freed (XXV 3:1–3).¹⁸

p 147 In the Hellenistic period many προστάγματα τῶν φιλανθρωπῶν were issued, whether at the ascension of the king or at the anniversary of the coronation. Let us survey some of these.

1. The famous Rosetta Stone is in fact a document in which King Ptolemy V Epiphanes is thanked for the liberation that he proclaimed in 197 B.C.E., at his coronation. The proclamation of liberation, according to this document, included among other things grants to temples, cancellation of taxes owed the king, remission of debts owed by citizens to the king, freeing of prisoners, cancellation of debts owed by the temples to the king, pardon for exiled rebels who had returned to Egypt, remission of the debts owed by priests to the king, and the restoration of temples.

We have thus seen that the elements of liberation proclamations from ancient Egypt and the neo-Assyrian period are found here as well, along with the privileges granted to holy cities in the Seleucid kingdom.

2. For our purposes, the proclamation of Ptolemy VIII Euergetes II from the year 118 B.C.E. is most informative. This proclamation follows a long period of civil strife, and its purpose is to renew the regime and strengthen it.²²

The proclamation opens with the following words: “King Ptolemy and Queen Cleopatra ... proclaim liberation for all their subjects for unintentional and intentional crimes (ἀγνοήματα καὶ ἁμαρτήματα) p 148 and transgressions ... except those who are guilty of intentional murder and profaning the sacred”.

The decrees following are: permission is granted to those found guilty of theft and the like to return home (ll. 6ff.); cancellation of the remainder of the debt owed the king in grain or silver

(ll. 10–13); cancellation of obligations of forced labor (*leitourgia*) (l. 49); cancellation of debts owed by temple priests (ll. 62–64); establishing weights and measures (ll. 85ff.); prohibition against enlistment of citizens or their cattle for forced labor (ll. 178ff.).

3. The Seleucids dealt in a similar fashion with the Hasmonean kingdom. We mentioned above the letter of Demetrius I concerning the liberation of Jerusalem in 1 Maccabees 10:25–45, and mention should be made of the letter of Demetrius II concerning freedom from taxes (1 Macc. 11:30–37). Most interesting, however, is the liberation proclaimed by Demetrius II (142 B.C.E.), which plays a part in the establishment of Judean freedom and independence.

Upon Simon the Hasmonean's request, King Demetrius promises the people of Judea liberation (ἀφέματα), pardon for intentional and unintentional crimes (ἀγνοήματα καὶ ἁμαρτήματα), cancellation of the crown tax which they owed, and no collection of taxes which were formerly collected in Judea (1 Macc. 13:37–39). At the end of the document we read that in the year 170 (= 142 B.C.E.), the yoke of the nations was lifted from Israel, and the people began to date documents: "In the first year of Simon, the High Priest, commander of the army and prince of the Jews".

There is undoubtedly a connection between the liberation and the beginning of Simon's principate. As in Egypt and Mesopotamia, the liberation here is connected with the beginning of a reign. Josephus does not even mention the proclamation of Demetrius II, but rather states:

When Simon was appointed high priest by the community, he freed the people, in the first year of his high priesthood, from enslavement to the Macedonians, and no longer paid them p 149 taxes. The freedom (ἐλευθερία) and cancellation of taxes came for the Jews after 170 years of Syrian kings, since Seleucus, called Nikator, conquered Syria. So great was the love of the people for Simon, that they wrote in contracts between themselves and in public letters: "The first year of Simon ..." (Antiquities XIII, 213–214).

It is interesting that Nachmanides cites Josippon as saying that the Jubilee was proclaimed in the time of the first Hasmonean king.²⁷ Perhaps the reference is to the liberation in the first year of Simon Maccabee, as reported by Josephus. This event is reflected in Megillat Ta'anit 16: "On the third of Tishrei **אֲדָרְכַּתָּא/אֲדָרְכַּתָּא** was cancelled from documents". If the reading

אֲדָרְכַּתָּא is correct, the reference is to the cancellation of the effect of documents because of the proclamation of liberation.³⁰

4. Roman kings would also proclaim liberation and pardon upon their coronations or at critical junctures. Nero, upon ascending the p 150 throne, abolished taxes, distributed 400 sastracs to each man, and gave an unusual grant to senators who had no property (Suetonius, Nero 10).

It is said of Hadrian that he cancelled debts to the government upon ascending the throne, and ordered the cancellation of debts every 15 years and the burning of the bills of debt in the forum.

Marcus Aurelius, when he returned from Athens in 178 C.E., distributed 800 sastracs to each man, and announced the cancellation of debts to the royal treasury for 45 years, and he ordered the public burning of the bills of debt.

Caracalla, after securing his rule (212 C.E.), announced in the senate: "All the world shall rejoice, for exiles accused of any accusation shall return".³⁵ In the Giessen papyrus this

proclamation was preserved in a form that is reminiscent of the prostigmata of the Ptolemies: “Everyone must return to the estate of his fathers”.

5. The freeing of slaves in the Roman period is echoed in rabbinic literature. Thus we read that a slave is freed “with the freedom of kings (בחירות של מלכים)” (y. Gittin 4:4), a phrase whose meaning has been much debated.

In light of the above, it would seem that the reference is to proclamations of liberation issued by kings that apply to slaves. The royal manumission of slaves is also reflected, in my opinion, in the formula for the sale of a slave instituted by R. Judah (b. Gittin 86a). The sold slave is פטיר

ועטיר מן חרורי ומן עלולי ומן ערורי מלכא ומלכתא, which is best translated “free and exempt³⁹ from manumission [by p 151 royal decree] and from entering [royal service] and from any challenge by king or queen”.

A similar formula is found in writs of sale of slaves in the neo-Babylonian period: pūt sēhī pāqirānu arad šarrūtu u mārbanūtu ... našū, “the guarantee [of the seller] against any who challenge or protest, against [a claim] that was the slave belongs to the king’s palace or that he is free [by virtue of royal decree]”.

As we have seen, it was customary to stipulate in cases of absolute sale that various forms of liberation should not apply to the object sold, be it a slave or a field. As we learn from the above formulae, it was possible to stipulate that royal obligations as well should not apply to the object sold. Needless to say, if such obligations were imposed, the seller, who agreed to the terms of the sale, guarantees to reimburse the buyer who lost his money.

p 152 Chapter Eight

SABBATICAL YEAR AND JUBILEE IN THE PENTATEUCHAL LAWS AND THEIR ANCIENT NEAR EASTERN BACKGROUND

The manumission of slaves at the command of a king occurs explicitly in the proclamation of liberty in Jeremiah 34. In this incident, the participation of the officials and representatives of the people is instructive: the covenant into which “the officers of Judah and Jerusalem, the officials, the priests, and all the people of the land” entered, made the manumission of slaves obligatory (v. 19). A similar course of action appears in the proclamation of *mīšarum* by the Babylonian King Samsu-iluna (1749–1712 B.C.E.). This king wrote a letter to his commanding officer Etel-pī-Marduk in which he made known to him his proclamation of *mīšarum* and in consequence of this proclamation, he commanded him (Etel-pī-Marduk) to come to him together with the elders of the land.

p 153 We do not know the connection between the regulations concerning the Sabbatical year and Jubilee in the pentateuchal laws and the royal initiative behind the “liberty” as it is described in Jeremiah 34. The author of this chapter sanctions the proclamation of “liberty” by Zedekiah and his ministers with the law of the slave in Deuteronomy 15:12 (Jer. 34:14). However, this scriptural support is built on an artificial basis, for in Deuteronomy 15 (as in Ex.

21) it is the number of years of an individual slave's service that is being referred to, whereas in Jeremiah 34, Zedekiah proclaims manumission for all slaves in the same year without consideration of the number of years of service of each individual slave. Indeed, the proclamation of manumission for all slaves corresponds more closely to the law in Leviticus 25 concerning the year of Jubilee in which "liberty" (דָּרוֹר) was proclaimed to all the inhabitants of the land in consequence of this every man returned to his own property and family (Lev. 25:10) (parallel to the Mesopotamian *andurāru(m)*), rather than to what is said in Deuteronomy 15:12ff. concerning the manumission of a slave after six years of service. However, even this law in Leviticus 25 does not correspond to the occurrence in Jeremiah 34 with historical precision, for in Leviticus 25 it is not an action initiated by a king in making a special covenant for the occasion that is being referred to, but rather, a commandment having a religious, sacral nature which was to be fulfilled every fiftieth year "and you shall hallow the fiftieth year" (v. 10), without consideration for the economic and social conditions existing at the time.

p 154 The covenant of Zedekiah and his ministers, which was made in order to give validity to the obligatory manumission of slaves at the time of the siege, is interpreted in Jeremiah 34:12–15 as a confirmation of the ancient covenant from the time of the exodus from Egypt:

I made a covenant with your fathers when I brought them out of the land of Egypt, the house of bondage, saying: "In the seventh year each of you must let go any fellow Hebrew." ... but your fathers would not obey Me, or give ear. *Lately you turned about ... and you made a covenant* accordingly before Me in the House which bears My name (Jer. 34:13–15).

The "liberty" which was proclaimed by the king in the covenant *made at this time* was understood as a renewal of the ancient covenant from the days of the exodus from Egypt. The writer of Jeremiah 34:12–15—and it is not important to our subject whether he was the prophet, or a member of his school, or an editor who reworked the words of the prophet⁷—interpreted the "liberty" which the king proclaimed as based on the law of Deuteronomy but was also to a certain extent dependent on the priestly law. He saw what p 155 was written in Deuteronomy 15:12 as corresponding to the Sabbatical year, an interpretation which has particular support in the Book of Deuteronomy itself, in which the law concerning the manumission of a slave is juxtaposed to the law on the remission of debts. However, by referring to ancient laws, the writer of Jeremiah 34 removes us from the actual reality of the deed, which was the proclamation of the manumission of slaves against the background of siege conditions (see note 1). Jeremiah's approach is also not based on the law, for he implied the absolute abolition of bodily slavery,¹⁰ similar to that which Solon and Nehemiah accomplished. According to the prophet, Zedekiah's covenant bore the meaning: "that no one should keep his fellow Judean enslaved", אישי לבלתי

לבלתי עבד במ עוד (v. 9) "and not keep them enslaved any longer" (v. 9). That is to say, no man should keep his fellow Judean enslaved. This is similar to what Nehemiah did in connection with the cry of the people against "their brother Jews" (5:1) in order to abrogate their "pressing claims on loans made to their brother" (v. 9).

p 156 In contrast to this, the pentateuchal laws assume slavery to be an existing situation; it was indeed necessary to overcome it in various ways, such as setting a slave free after six years (Ex. 21:1–6; Deut. 15:12–18) or in the Jubilee (Lev. 25:39–42), but it was not suggested to put an end to it altogether. According to Leviticus 25:39 it is clear that the Israelite brother was

permitted to sell himself on account of poverty. The background of these laws is ancient and they are rooted in the reality of the Ancient Near East, but they are also permeated with idealistic-utopian elements, as one can learn from Leviticus 25:20–42 and Deuteronomy 15:7–11. We find a similar situation in Mesopotamia, where there was no accord between the laws and the legal documents which reflected the actual conditions. In Israel, as in Mesopotamia, the collections of laws were edited by scribes whose object was to present the *desirable* rather than the actual and hence the gap between the laws and the legal documents, which reflected the actual reality.

However, one cannot repudiate the real historical basis reflected in the pentateuchal laws of the Sabbatical year and the Jubilee year, just as one cannot deny the actual reality standing behind the Mesopotamian laws. As we shall endeavor to show in the following paragraphs, the announcement of the Sabbatical year in Deuteronomy 15 and also the proclamation of “liberty” in Leviticus 25 are, functionally speaking, identical with the Mesopotamian *mīšarum* and *durāru(m)*, except that they have been woven into a literary framework and have thereby received a utopic coloring.

p 157 Let us now bring up the features common to the laws of the Sabbatical year and Jubilee and to the *mīšarum* and *durāru(m)* in Mesopotamia.

1. In Israel as in Mesopotamia, a *proclamation* of release and liberty was issued. We read in Deuteronomy 15:2: “for the remission *proclaimed* (קרא) is of the Lord”, whereas in Leviticus 25:10 it is written “you shall *proclaim* (קראתם) release throughout the land for all its inhabitants”. This language is also taken up in connection with the “liberty” that was proclaimed by Zedekiah in Jeremiah 34: “to *proclaim* (לקרא) a release among them” (v. 8 cf. vv. 15, 17). Also in Isaiah 61 we read of the *proclamation* of “liberty” and of the year of the Lord’s favor (v. 1–2), behind which undoubtedly stands the idea of the year of liberty known to us from Leviticus 25.

Concerning the *proclamation of mīšarum* we may learn from the preamble to the Edict of Ammišaduqa: “the tablet ... which (they were commanded) to hear when he (the King) established (*mīšarum*) throughout the land”. These proclamations of the year of “liberty” in Mesopotamia and Israel were accompanied by a ceremony: in Mesopotamia they raised a golden torch,²⁰ whereas in Israel, they blew the horn on the Day of Atonement in order to proclaim the Jubilee (Lev. 25:9) and indeed, torches (= burning signals) on the one hand and the blowing of a horn on the other hand served as an p 158 authentic means for the transmission of information to the community. See for example Jeremiah 6:1: “Blow the horn in Tekoa, set up a signal in Beth-haccherem.”

The proclamation which was made in order to release fields from mortgage and men from enslavement was called in Nuzi *šūdūtu* = announcement and, as scholars have already observed, this is connected with the proclamation of *andurāru* = liberty”.

It is instructive that also in Nuzi, the proclamation was made by the command of the king at a time of festive celebration and in a sacred place: “according to the king’s command, in the month of *kinūnu* (the month of Nissan) in the city of the gods”. According to this document²⁴ the mortgaged fields were released as a consequence of the decree of liberty.

2. In Israel and Mesopotamia the idioms bound up with the release of slaves and lands in consequence of the proclamation of p 159 liberty are parallel: יצא ביוכל—in the Bible (Lev. 25:28) *ina durāri/mīšari ašû*—in Mesopotamia.

The expression *andurāru* in Akkadian appears in Sumerian in the form *ama-ra-gi₄* whose literal meaning is: return to the mother, and certainly this is the definition of liberty and Jubilee in Leviticus 25:10: “each of you shall return to his holding and each of you shall return to his family”. This idiom became a sort of stereotype in the proclamation of “liberty” up to the Hellenistic period, for so we read in the inscription on the Rosetta Stone which describes the proclamation of “liberty” by Ptolemy V in respect to the return of each man to his private holding: κατελθότας μένειν ἐπὶ τῶν ἰδίων κτήσεων (OGIS, no. 90) and in other proclamations of liberty from the Greek and Hellenistic periods regarding the return of a man to his home and family we read: ἀπιέναι δὲ ἐπὶ τὰ ἑαυτῶν ἕκαστον (Xenophon, Hellenica, II 4, 38) and in 3 Maccabees 7:8: καὶ προστετάχαμεν ἕκαστῳ πάντας εἰς τὰ ἴδια (the proclamation of Ptolemy Philopator) “and we have ordained for all of them to return, each to his own”.

The names for “liberty” in both Akkadian and Hebrew are connected with the idea of free movement. The Akkadian name *mīšarum* is derived from *ešēru*, a verb which includes the meaning “to go straight ahead”, whereas *durārum* has the meaning “to roll without restraint”.

Julius Lewy interpreted the Hebrew word דָּרוֹר p 160 “liberty” according to this meaning and we also find in Rabbinic literature an identical explanation: “R. Judah said, what is the meaning of this word דָּרוֹר? It means, as free as one who lodges (מְדִייר) on an innkeeper’s (דִּיירָא) premises and engages in business in any province that he wishes” (Sifra, B^ḥar, 2). Although the word מְדִייר, “to lodge” here comes from the root דָּוַר, “to reside” and not from דָּרַר, “to form a circle, to go around”, the sense is clear: *to move about freely*. It is now clear that one can also interpret the term יוֹבֵל (Jubilee) in the same way. Nahmanides, in his commentary on Leviticus 25, already derived יוֹבֵל from יָבַל (to carry, convey) and connected it to a slave’s going out free to be carried away (הוֹבֵלָה) and transported (הוֹלָכָה) by his feet to his possession. He also

connected the term with יְבֵלֵי מַיִם זֹרְמִים (= flowing streams of water). Recently J. M. Grintz confirmed this interpretation in reference to the Akkadian term *wuššuru*. It is interesting to note that *durāru/nadarruru* and the synonym *nagarruru* are found in both Akkadian and Hebrew in connection with the idea of flowing, thus strengthening the proposal of the connection between יוֹבֵל (Jubilee) and יוֹבֵל (stream of water). Indeed, the deed of releasing is usually expressed by means of phrases connected with loosening the bridle or going without restraint: שָׁלַח לְחַפְשִׁי

(let go free) (Ex. 21:26, p 161 27), שָׁלַח חֲפְשִׁי/חֲפָשִׁים “set free” (Deut. 15:12, 13, 18; Isa.

58:6; Jer. 34:9, 10, 11, 14, 16; Job 39:5). In Jeremiah 34:16 the idiom שָׁלַח חֲפָשִׁים לְנַפְשָׁם “to give them their freedom” is found, an idiom which is parallel with the idiom expressing release in Akkadian: *ana napšāti muššuru* and also with that in the Mishnah, Gittin 9, 3: “The essential formula in a writ of emancipation is, ‘Lo, thou art a freed woman; lo, thou belongest to thyself’ (הֲרִי אֶת לְעַצְמָךְ). The Akkadian term *šubarrû*, whose origin is in the Sumerian *šu-*

bar, has the meaning (*sending away by*) *letting go of the hand* like Hebrew שָׁמַט יָד (see below)

and Akkadian *qātam nadû*; compare Latin *manu-mitto* release by hand, and the opposite *mancipatio* = *manu-capere* “to seize” (see above, p. 33, note 29).

In the Greek documents of manumission, the expressions are similar: the one released is one “who does whatever he wishes and goes wherever he wishes” (ποιεῶν ὃ κα θέλει καὶ ἀποτρέχων οἷς καὶ θέλει).

p 162 3. The law concerning the remission of debts in Deuteronomy 15 is reminiscent, both in its proceeding and in its details, of the proclamation of *mīšarum* in Mesopotamia and it possibly reflects a real proclamation of liberty that was actually carried out in Israel. This law begins with a commandment formulated like an edict: “every creditor shall remit שִׁמַּט יָד literally, “loosen his hand”, whoever claims a debt from his neighbor shall not dun his neighbor or kinsman, for the remission proclaimed is of the Lord. You may dun the foreigner, but you must remit whatever is due to you from your kinsmen” (v. 2–3).

The ordinance takes the form of the absolute infinitive (*infinitivus absolutus*): שָׁמוּט “shall remit”, phraseology which is found in laws bound up with an obligatory, official proclamation (edict) such as that in Numbers 15:35: (the whole community) “shall pelt (רָגְזוּ) him with stones” (the death penalty for gathering wood on the Sabbath); in Numbers 25:17: “Assail (צָרְרוּ) the Midianites” (a proclamation of war against the Midianites); Numbers 27:7: “You shall give (נָתַן) them” (a new commandment in connection with the inheritance of the daughters” and also “remember” (זָכוֹר), “keep” (שָׁמֹר) in Exodus 13:3; 20:8 (= Deut. 5:12) which refers to observing the Sabbath and the other religious holidays. This form of ordinance was recently discovered in the Arad Inscriptions in commands which were transmitted from the central rulers to the commander of the citadel, Eliashib.

The expression שִׁמַּט יָד, “loosening or letting go of the hand” which we find in Deuteronomy 15:2, 3 and, according to some scholars, should also be read in Jeremiah 17:4 וּשְׁמַטְתָּ יָדְךָ מִנַּחֲלָתְךָ “your hand shall let go of your inheritance”, is clarified for us in Akkadian, where *aḥam nadû* (“to loosen the hand”) expresses the idea of “abandoning” and “not working” and, in relation to the p 163 matter under discussion, of “not collecting a debt”. That the verb *nadû* has the meaning “to release” (שִׁמַּט) and “to leave” (עָזַב) may be learned from the fact that like Hebrew שָׁמַט Akkadian *nadû* is used also to express the idea of letting a field lie fallow: *qaqqaram eqlam nadû*.

In its content and stylistic structure, the commandment in Deuteronomy 15:2–3 is reminiscent of the Mesopotamian proclamations of *mīšarum*, in particular, the detailed proclamation of Ammi-šaduqa:

a. In both the proclamation of *mīšarum* of Ammi-šaduqa and the commandment of Deuteronomy 15:2–3, the legislator prohibits the lender from claiming his debt after the remission has been proclaimed. The expressions used are congruent from a semantic point of view and the style of address is also identical. We read in the proclamation of Ammi-šaduqa:

Whoever gave corn or silver as a loan (with interest) (*hubullum*) or *melqētum* to an Akkadian or an Amorite ... his tablet shall be broken (= the debt cancelled) for the King has established *mīšarum* throughout the land ... he shall not exact grain or silver according to this tablet (paragraph 4).

A lender who claims a debt (*qayappanu sa [niqīpušum]*) p 164 from an Akkadian or an Amorite shall not exact (the debt). If he should exact it, he shall be put to death (end of paragraph 6).⁴⁶

The legislator opens, therefore, with an announcement of the remission of debts and adds a warning that the lender may not exact his debt. A similar formulation is found in Deuteronomy 15, which begins with a proclamation of remission of debts: “Every creditor shall remit etc.”, and continues with a prohibition against exacting the loan: “whoever claims a debt ... shall not dun ...” (concerning the division of the verse in this way, see below).

b. The Mesopotamian legislator substantiates the remission of debts by the fact that “the King has established *mīšarum* throughout the land”. Similarly, the author of Deuteronomy explains the cancellation of debts: “for the remission proclaimed is of the Lord”. Although a proclamation of liberty in Israel also came about on the initiative of the king (Jer. 34), the proclamation in the laws that are before us is made by dint of a divine decree: “a Sabbath of the Lord” in Leviticus 25:4 and “the remission proclaimed is of the Lord” in Deuteronomy 15:2, and not on the strength of the King’s authority (see below).

c. In the proclamation of Ammi-šaduqa the apodictic opening formula: *ša* “who” (cf. “the man who”, *awēlum ša* in Akkadian), which is characteristic of public proclamations, is prevalent. So also in the commandment concerning the remission in the Book of Deuteronomy, in

juxtaposition with the absolute infinitive שְׁמוֹט “shall remit” which, as we saw above, expresses a definitive command, we find the form אֲשֶׁר יִשֶׁה “whoever claims a debt” (from p 165 his neighbor shall not dun his neighbor). Another example of this was found in Deuteronomy 19:4–5 which is also set in the context of a public proclamation.

The discovery of the apodictic relative clause in this verse solves a great difficulty. As is known, biblical interpreters and scholars differed over whether the word יָדוּ in v. 2 was related to שְׁמוֹט or to מִשָּׁה (according to the punctuation, the Massoretes understood here the construct state with יָדוּ [Nomen rectum] belonging to מִשָּׁה [Nomen regens]), in spite of the fact that in v. 3 the connection between שְׁמוֹט and יָד is beyond doubt. The interpretation which separated שְׁמוֹט and יָד in v. 2 was motivated by the continuation אֲשֶׁר יִשֶׁה which cannot be easily explained if שְׁמוֹט כָּל בֶּעַל מִשָּׁה יָדוּ “every creditor shall remit” is read as an independent sentence, for the clause אֲשֶׁר יִשֶׁה ברעהו appears to be superfluous, duplicating the previous words. Accordingly, those who interpreted the verse in this way saw אֲשֶׁר יִשֶׁה as the object of the preceding sentence: שְׁמוֹט כָּל בֶּעַל מִשָּׁה יָדוּ (every creditor shall remit) אֲשֶׁר יִשֶׁה

אשר ישה ברעהו (that which he claims from his neighbor). However, if we interpret אשר ישה ברעהו (whoever claims a debt from his neighbor) as the subject of לא יגש (he shall not dun), the difficulties disappear and we can confirm the expression שמת יד “loosening of the hand” in v. 2 as in v. 3.

The creditor בעל משה here is the same as בעל חוב of later Hebrew and is parallel to the Akkadian *bēl ḥubulli*, and the p 166 Aramaic מרי רשו. Thus Onkelos rendered בעל משה as גבר מרי רשו, whereas in the Peshitta it is rendered נברא מרא תובא. Since we have not found in the cognate languages a parallel for the expression בעל משה יד in the sense of “lender”, as some have tried to postulate in Deuteronomy 15:2, ידו must necessarily be connected to שמת in this verse.

We should add that an Aramaic ostrakon from Arad from the 4th century B.C.E., where the subject is also the collection of money, opens with a formula identical to that which we have been discussing: זי נשא כסף—“whoever claims a debt of silver ...” It is possible that this potsherd, which has a text longer than that on other sherds, is a copy of a proclamation of the remission of debts.⁵⁴

d. The second sentence in Deuteronomy 15, which excludes the foreigner from those whose debts are remitted in the seventh year is most instructive, for we find that in the proclamation of Ammi-šaduqa, the *mīšarum* applied only to the Akkadian and Amorite who were the earliest known local inhabitants. They are therefore the equivalent of the אח “brother” and רע “neighbor” to whom the law of remission applied in Deuteronomy 15:2. In the Edict of Ammi-šaduqa it was also added that the Akkadian and Amorite who borrowed for the purpose of trading or investment had to return the debt and the *mīšarum* was not applicable to p 167 him (paragraph 8), because this was a transaction rather than a loan. It appears that an identical phenomenon can be found in Deuteronomy 15, for the foreigner was usually engaged in trade, and therefore the remission was not applicable to him,⁵⁶ as in the case of the Akkadian merchant, who did not enjoy the privileges of the *mīšarum*.

e. The same problems which arise in connection with the remission in Deuteronomy 15 also recur in connection with the proclamation of *mīšarum* of Ammi-šaduqa. In fact both the problems themselves and the way in which they were solved are identical. So, for example, not a word is said, either in Deuteronomy 15 or in the proclamation of Ammi-šaduqa, concerning the fate of land that was taken over by the lender in exchange for a debt, whether it was returned to its owner in consequence of the remission of the debt, or not. On the other hand, we know that in the year of Jubilee in Israel (Lev. 25:10, 14–16) and also in the year of the *mīšarum* in Mesopotamia, immovable property was returned to its owner (see the document quoted in n. 20).

The reason given for the failure to mention the return of land to its owner in the Edict of Ammi-šaduqa is that, with the cancellation of the debt, the return of land to its owner was self-understood. So, it appears, was the case in Deuteronomy 15.

Another problem which arises in connection with both the Mesopotamian *mīšarum* and the remission of Deuteronomy 15 is that of moratorium: whether the debt was cancelled completely, or whether it was only deferred until the following year. Concerning this matter we can learn from Mesopotamia where the performing of *mīšarum* is expressed by means of the idioms: “to break the tablet” p 168 *tuppam hepû*, or “to efface/obliterate the debt” *hubullam masā’um*, which teach us of the absolute cancellation of the debt. It is difficult to imagine that the legislator would order the obliteration of the document if the intention was only for the deferment of the time of payment. In the opinion of most scholars, the absolute remission of a debt is also intended in Deuteronomy 15, and this is certainly how the law was understood in the Second Temple period. The proof from Mesopotamia is likely to strengthen this viewpoint.

Remission of Debts in the Time of Nehemiah

The act of Nehemiah, as it is described in Nehemiah 5, is firmly set in the framework of the “liberty” and the *mīšarum* known to us from Mesopotamia from an earlier period and from the remission of debts in Greek tradition. In actual fact, the work of Nehemiah bears closer resemblance to the reform of Solon than to the Mesopotamian proclamations of liberty, for Nehemiah did not intend that the remission of debts should be of a temporary nature as in Mesopotamia, but rather, as an abiding principle. The Jews were never to enslave their fellow Jews again. It was not possible, in his opinion, that a Jew should be pressing claims on loans made to his brother (v. 7) and therefore, he gave expression to the idea of Jeremiah 34 that a Jew should no longer press claims against his brother (vv. 9–10). Nevertheless, the reform itself, in its character and its extent, is similar to both the Mesopotamian reforms, such as p 169 that of Ammi-šaduqa, and to the reform of Solon and the proclamations of liberty in the Hellenistic period.

Nehemiah’s work included: the remission of debts of grain and silver (v. 10); the manumission of sons and daughters who were subjected to slavery on account of private debts, the return of fields and vineyards that were mortgaged on account of debts to the king (vv. 4, 12).

Similarly, we find in the *mīšarum* reforms of Ammi-šaduqa: the remission of the individual’s debts in grain and silver (*še’um u kaspum*) (paragraph 4); the manumission of men and their children who were enslaved on account of debt (paragraph 20); the cancellation of taxation arrears to the king (§2).

It is true that we do not find here the return of fields, but in other proclamations of *mīšarum* from the same period, this matter, as we mentioned above, was obviously included.

p 170 The *Seisachtheia* (disburdening ordinance) of Solon also included: remission of individual debts; the manumission of those enslaved for debt; the release of mortgaged property.

The term *σεισάχθεια*, used as a name for the reform of Solon, has the literal meaning *the shaking off or discharge of a burden* (σειώ + ἄχος) and what is most interesting is that an identical expression lies behind the description of Nehemiah’s reform. Nehemiah turns to his

brothers and says: מִשָּׂא אִישׁ בְּאָחִיו אַתֶּם נוֹשְׂאִים “Are you pressing claims on loans made to your brothers?” (v. 7) and he asks them to abandon these claims (v. 10). Although the reading of the letter “ש” is pointed on the right as šin, in מִשָּׂא and נוֹשְׂאִים, a manuscript has been

found in which the letter “ש” in these words is pointed on the left as śin, a reading which is reflected in several translations.⁶⁷ In my opinion, we have here a paronomasia, for the writer

intended p 171 the word מִשָּׂא (= debt) which can also be interpreted as מִשָּׂא (a burden) which needs to be loosened from off the shoulders.

The same phenomenon occurs in Jeremiah 23:33–40. The section opens with the casting off a burden מִשָּׂא, with the letter šin pointed on the left (v. 33) and closes with the forgetting and casting off a debt מִשָּׂא with the letter šin pointed on the right. Tur-Sinai correctly saw in this prophecy of rebuke the conception of the people of Israel as a debt (among the nations), which the Lord as it were remits and does not claim from the “borrowers”, the nations. In my opinion, there also occurs in Jeremiah 23:33–40 a paronomasia on מִשָּׂא and מִשָּׂא which the prophet intentionally uses. Indeed, it is appropriate to point out here that the verbs used for both מִשָּׂא and מִשָּׂא=שָׁמַט, נָטַשׁ, עָזַב are also used in two senses: the discharging of a burden and the remitting of a debt. For the sense remitting a debt see: Deuteronomy 15:2, 3 (שָׁמַט); Nehemiah 5:10 (עָזַב); 10:32 (נָטַשׁ); Jeremiah 23:39 (נָטַשׁ), whereas for the sense discharging or unloading a burden see 2 Samuel 6:6 (נָמַשׁ); Exodus 23:5 (עָזַב).

In addition to this, we find in Jeremiah 23:33–40 the use of the concept of *amnesty* (“forgetting”) of the debt. God says: “I will p 172 utterly forget you and I will cast you away” (v. 39), which means: I will forget you and I will abandon you as one forgets and relinquishes a debt, and if this is so, we have before us the “forgetfulness” whose meaning is the remission of a debt. The idiom *mašûtu*, which was commonly used in Elam for the remission of debts (CAD M II, 403) and was also current in Greece (ἀμνηστία), can also be found here in the Bible in the same meaning (see below, appendix).

The verb שָׁמַט, whose original meaning was the putting down by means of shaking (the shoulders), like the Akkadian *nadû*, was used in Israel from ancient times in connection with a debt which is described as a yoke or burden. It seems that this linguistic usage was strange to the Greeks and accordingly Plutarch took the trouble of explaining it (Plutarch, Solon 15). We are entitled to assume, therefore, that the term came from outside Greece and, indeed, scholars have long since proposed that Solon was influenced in his reforming enterprise by eastern states.⁷⁶ In addition to the remission of debts, the reform of weights and measures, a matter which also served as an important element in the Mesopotamian *mīšarum* was attributed to Solon.

In the method of legislation and the responsibility for the implementation of Solon’s reform, one also finds many similarities to the Mesopotamian and Israelite reforms. The regulations of Solon were accepted as “permanent” laws, and he became the legislator par excellence in Greek tradition. His reforms were inscribed on the *axones* and the people swore to fulfill them.

Similarly, in the reform of Nehemiah, the remission of debts and release of lands were made into a binding regulation by means of a p 173 pact to which the people swore (Neh. 5:12–14, compare 10:32). We also find in Mesopotamia that the *mīšarum* reforms served as a point of departure for the promulgation of the law codes. In Israel also, the reforms of Moses served as a point of departure for the crystallization of the law codes.

Just as Solon put the people under oath in order to obligate them to keep his reforms, so also Nehemiah committed the people to remit debts by means of a ceremonial oath (Neh. 5:12) in the presence of the priests and the assembled people. The pact of Nehemiah took place in the presence of ministers, Levites, priests and all the people (Neh. 10:1, 26). The proclamation of liberty in the days of Zedekiah was also performed with a covenant and an oath in the presence of the officers, the officials, the priests and the people of the land (Jer. 34:19). In Mesopotamia also, the king used to proclaim the *mīšarum* in the presence of his ministers and officials (see above, p. 152), and it goes without saying that Moses obligated the people to keep the laws with a ceremony of covenant and oath (Ex. 24:3–8; Deut. 29:9ff.).

The proclamation of “liberty” of Ptolemy VIII from the year 118 B.C.E., which is among the longest and most detailed proclamations preserved for us from this period, gives concrete form to the continuity of tradition in the Ancient East concerning the subject under discussion. It includes many elements mentioned in the proclamation of Ammi-šaduqa, king of Babylon.

The proclamation opens with the announcement that the king and queen pardon the transgressions (intentional) and sins (unintentional) of the citizens, except for those guilty of “wilful murder and sacrilege”. All those who left their houses on account of p 174 various offences *shall return to their houses and shall recover their property*. The arrears of *grain and silver* will be remitted ... (l. 10ff). *Arrears of corvée* (λειτουργία) will be remitted (l. 49). Overseers and officials in the temples *are exempted from paying arrears of taxes* (l. 62ff). Ministers and office bearers appointed over taxes and the king’s scribes shall re-examine the *measures* ... (85ff.). No one from the ministers or officials shall *dun* (ἔλκειν) *the citizens for taxes and corvée* ... (l. 78ff.).

This proclamation, like the *mīšarum* of Ammi-šaduqa, opens with a general announcement of “liberty”. The return of people to their houses and property, mentioned here and in other proclamations of liberty from the same period, is expressed, as we have seen, in the definition of liberty in Leviticus 25:10 as well as in the most ancient term for “liberty”: ama-ra-gi₄ (= return to the mother).

The remission of arrears of debts for the palace is also found in the *mīšarum* of Ammi-šaduqa, and this matter was frequently the climax of the reform, cf. e.g. Exodus Rabbah 15,13 (lopos = λοιπός), see below, p. 245, note 34.

As with the Edict of Ammi-šaduqa and the remission proclaimed by Nehemiah, so here *silver* and *grain* are explicitly referred to. The release of officials and tax-collectors from their debts to the royal treasury is discussed here extensively and, as in the edict of Ammi-šaduqa and similar to the *mīšarum* of Ammi-šaduqa and the law of remission in Deuteronomy 15, so also here, there comes a warning against dunning debtors after the proclamation of liberty has been issued. A re-examination of weights and measures played an important role in the Mesopotamian reform and also in that of Solon.

p 175 The Institution of Jubilee and Its Background

In contrast with Mesopotamia, where the “liberty” was proclaimed by the king at the time of his ascension to the throne, the “liberty” in Israel was a recurring institution which possessed a sacral nature—seven times seven years, a period which had sacral significance (cf. the Festival of Shavuoth which comes after the counting of seven weeks, Lev. 23:15–21). Although this number is distinctive to Israel, one cannot exclude the possibility that there also existed a *cyclical liberty* in Mesopotamia. In the time of Samsu-iluna and Ammi-šaduqa several proclamations of

liberty took place and the possibility that this reflects a recurring institution, similar to that of Israel, has already been proposed. In any case, the institution is undoubtedly rooted in an ancient patriarchal tendency to preserve the ancestral holding and the family framework of the patriarchal clan, a tendency which is most characteristic of nomadic society.

It was possible to draw up conditions at the time of the purchase of a field or a slave so that the “liberty” would not apply to the transaction, and the sale thus became an “absolute” sale,⁸⁶ or לצמיתות “beyond reclaim”. Indeed, documents from Ugarit have been found in which it is

written that the field has been sold with money which is *ṣamit* (= in Hebrew צמוד, “tied in or bound”) to the buyer p 176 and his progeny forever—an expression which is reminiscent of what is said in Leviticus 25:30 in connection with a *dwelling house in a walled city* which is not to be redeemed in the Jubilee: “the house ... shall become legal possession to the purchaser beyond reclaim (לצמיתות) throughout the generations” (לדורותיו).

Certainly, the law on the expropriation of houses in walled cities from the Jubilee laws in Leviticus 25:29 actually comprises a deviation from the law of Jubilee and is a necessary consequence of social development. In large cities in which the tribal-patriarchal differences became indistinct on account of the burgeoning of professional circles which were no longer connected to the land and to tribal ancestry, it was not possible to fulfil the law of Jubilee and therefore the legislator was compelled to compromise with reality. The non-appliance of certain transactions to remission which we mentioned above also comprises an attempt to circumvent the liberty for reasons of social change.

Nevertheless, the Israelite legislator established as a principle that neither a man nor the land could be sold beyond reclaim: “But the land must not be sold beyond reclaim, for the land is Mine” (Lev. 25:23), “For they are My servants whom I brought forth out of the p 177 land of Egypt; they shall not be sold as slaves” (Lev. 25:42).

There are no extant economic documents from the First Temple period and therefore we do not know whether the Israelites used to make stipulations in transactions of sale with respect to the inapplicability of the liberty as they did in Mesopotamia. However, a document from the Second Temple period discovered at Murabba‘at could teach us that there were indeed stipulations of this kind in Israel. In this document of loan it is written that *the loan must be paid in full and even in the year of remission*. In Ptolemaic Egypt, where the kings used to proclaim liberty (προστάγματα τῶν φιλανθρωπῶπων) we also find stipulations between the parties on the inapplicability of the remission.

The institution of the remission and the Jubilee in Israel is of ancient origin and was, in our opinion, inherent in tribal society of the pre-monarchial period. However, during the monarchial period, when the patriarchal-tribal framework continually weakened, it became increasingly difficult to maintain these institutions. Nevertheless, the ancient laws of remission and Jubilee were preserved in *theory*, even though they were not carried out in *practice*. Certainly, there were attempts to graft these laws onto existing conditions, but this incorporation was artificial. So, for example, Zedekiah’s manumission of slaves (Jer. 34) was understood by prophetic circles as a fulfillment of the pentateuchal law (Lev. 25, Deut. 15). In reality, however, the “liberty” was proclaimed by the king, by dint of political motives. It appears that with respect to the remission of debts and the return of land in the Jubilee a similar situation also prevailed, because in the social reality of the monarchial period it was difficult to carry out these laws. It would p 178 appear that their non-fulfillment is alluded to in Leviticus 26:34f. (cf. 2 Chr. 36:21). Certainly,

righteous kings who “did that which was right in the eyes of the Lord” (such as David), attempted to carry out the principles embodied in these laws, and proclaimed “liberty” as formerly, but they did not do this according to the laws of remission and Jubilee written in the Pentateuch.

As to the feasibility of the arrangement of the return of land every fifty years, one can find some idea of such a settlement on the islands of Lipara south-east of Sicily. According to Diodorus Siculus (5, 9, 4–5), who drew on ancient sources, the men of Lipara divided the land of the islands into holdings which could be transferred for a period of twenty years. After the expiration of this period the holdings returned to their former situation. One should possibly see the origin of the institution of Jubilee in Israel in communal tribal society, similar to that of the Liparians, even though the motives for the formation of the communal system were certainly different in the two societies.

Similarly, one should mention that fifty years as a maximum time for the mortgaging of a man for debt (*itiddenūtu*) has been found in a Nuzi document, and the fact that a connection between the institution of “liberty” and the institution of *šūdūtu* has also been found (see above) increases the importance of the Nuzi documents for the matter of Jubilee which we have been discussing.

p 179 Chapter Nine

GOD WHO ESTABLISHES EQUITY (מִישְׁרִים) AND PERFORMS RIGHTEOUS JUSTICE (מִשְׁפָּט וְצִדְקָה)

Although there have been numerous studies of the concept of צִדְקָה in the Bible, there has not yet been a separate monograph devoted to the subject of divine צִדְקָה, an area deserving of consideration in its own right. F. Crüsemann attempted to elucidate this important subject and observed, quite rightly, that in order to understand the biblical passages concerning this subject, it is insufficient to define precisely the term צִדְקָה per se, but that one must concentrate upon the context in which the term is used, in light of the background of the unique beliefs and hopes of the people of Israel in various periods. Hence, he attempts to classify the use of the term צִדְקָה in terms of various periods, giving the following outline of its development: (a) in pre-monarchical sources (Judg. 5:11, Deut. 33:20–22), צִדְקָה is used to refer to the victories of God, in connection with His triumphs in Israel’s battles; (b) צִדְקָה as salvation from trouble, particularly in the Psalms; (c) during the period of the Restoration, in the prophecies of Second-

Isaiah, צדקה refers to the salvation brought about by the Creator and Redeemer God; (d) in p

180 Third-Isaiah, צדקה is used in an eschatological sense, as a result of the disappointment and non-fulfillment of the promises.

To Crüsemann's credit, one ought to say that his explanations of the concept of צדקה in these various contexts generally make sense. However, both the above scheme of classification and the historical framework which he attempts to impose upon the material are based upon subjective assumptions concerning their chronology, making it difficult to accept; in some of the passages, his interpretation is also not convincing. We shall now attempt to deal briefly with his arguments.

1. His assumption that the wars of God were only understood as 'צדקות ה' at the time of the Judges, while the use of the same phrase in 1 Samuel 12:7 ("the צדקות that YHWH has done to you") and Micah 6:5 ("and you will recognize the צדקות of YHWH") is anachronistic, is an arbitrary one. Crüsemann himself admits that 1 Samuel 12:7 must draw upon an ancient tradition, as this kind of language does not appear in the Deuteronomist. If so, what ground is there for dating it late and attributing it to the Deuteronomist? In his opinion, it is inconceivable that Micah 6:5 was written before the Exile. But again, what proof has he for this contention? His explanation of Deuteronomy 33:21 is likewise implausible. That verse speaks of צדקה ומשפטים in connection with the Lawgiver; what reason, then, is there for understanding it in terms of warfare, rather than the giving of laws?

2. Crüsemann quite arbitrarily states that the connection between צדקה and punishment is a late eschatological approach, originating in Third-Isaiah. Against this, one may cite the following verses:

Zion shall be saved in judgement (משפט)

Her repentant ones in righteousness (צדקה).

But rebels and sinners shall all be crushed,
and those who forsake YHWH shall perish (Isa. 1:27–28).

p 181 Yea, man is bowed, and mortal brought low;
brought low is the pride of the haughty.

And YHWH of Hosts is exalted by judgement (פשפט)

the Holy God proved holy by צדקה (Isa. 5:15–16)

Destruction is decreed: צדקה comes like a flood (Isa. 10:22)

Each of these verses, occurring in Isaiah, refers to צדקה in a context detailing destruction.

In order to resolve this difficulty, Crüsemann needed to place all these verses much later, in the post-Exilic period, rejecting the views of other scholars and commentators in a rather unconvincing fashion.

3. As we have attempted to show thus far, and as we shall see below, the idiom **משפט**

וצדקה bears a unique meaning, which does not correspond to the sense of **צדקה** by itself.

Crüsemann did not recognize this point at all.

There seems to be insufficient evidence to establish the course of development of this matter.

On the other hand, it is possible to classify the concept of **צדקת ה'** and particularly **משפט**

וצדקה of YHWH, according to the different contexts: the Creation of the World, the redemption of Israel, and the redemption of the peoples of the world in the future. All this, without abandoning the basic significance of doing justice and righteousness, or the establishment of equity (**מישרים**), which is the activity engaged upon by the king when he ascends the royal throne. While we shall deal primarily with those passages using the phrase **משפט וצדקה**, it is superfluous to add that the concept indicated by this pair of terms is at times indicated by a pair of synonyms, such as **צדקה ואמת** (justice and mercy), or through the use of the term **צדקה** alone. We shall thus have cause, in the course of our discussion, to p 182 refer to verses in which only part of the concept pair is brought.

The connection between God's enthronement and His performance of righteous judgement is particularly striking in the coronation psalms in Psalms 96–99. In these hymns, the regnant God judges peoples in equity (**מישרים**) and rules with justice and faithfulness (Ps. 96:10, 13); God's righteousness is proclaimed by the heavens, and there is joy on account of His edicts (**משפטו**) (Ps. 97:6, 8); the entire cosmos rejoices because God comes to rule the world with justice (**צדק**) and equity (Ps. 96:8, 9). Finally, all praise His name in the proclamation:

Mighty king who loves justice,

It was You who established equity (**מישרים**)

You who worked **משפט וצדקה** in Jacob (Ps. 99:4).

The relationship between God's enthronement and the proclamation of righteousness (**צדק/צדקה**), judgement (**משפט**) and equity (**מישרים**) which appears in these passages may be understood in light of a widely accepted Ancient Near East practice, by which a king, upon his ascension to the throne, performed equity (*mīšarum*)—that is, “justice and righteousness”.

This connection is particularly striking in the last verse, cited from Psalm 99:4, in which **כוונת**

מישרים “you established equity” is parallel to **משפט וצדקה עשית** “you did righteous

judgement”. We have learned a great deal from Mesopotamia about the meaning of equity (*mīšarum*) with regard to a new king. A similar parallel between **מישרים** (equity) and judging with righteousness obtains regarding the ascension of a king to the throne in Psalm 9:8–9:

YHWH abides forever;

He has set up His throne for judgement (**משפט**);

it is He who judges the world with righteousness (**שפט תבל כצדק**)

the people with equity (**מישרים**).

Here, however, **מישרים** refers to the entire world and all the nations, whereas in Psalm 99 it is performed in Jacob. As we have [p 183](#) suggested, the idea of God’s righteous judgement appears in three different realms: (1) Israel; (2) the peoples of the world; (3) the Creation. We shall therefore begin our discussion of **צדקה ומשפט** on the national plane.

“Justice and Righteousness” in Jacob

1. The meaning of the phrase, “righteous judgement in Jacob” (**משפט וצדקה ביעקב**), in Psalm 99:4, may be inferred from the subsequent verses. After mentioning the establishment of equity and the performance of righteous judgement in Jacob in verse 4, there follows a phrase which speaks about Moses and Aaron, to whom God spoke in a pillar of cloud, and from whose hands they received “decrees and law” (**עדות וחוק**; vv. 6–7). This association of ideas

indicates that equity (**מישרים**) and righteous judgement (**צדקה ומשפט**) are connected with the giving of the Law, and that the situation portrayed in the Psalm generally is that of the theophany of God at Sinai as a king in order to establish equity in Israel—that is, in giving laws to Israel by means of Moses.⁹ The performance of righteous judgement in Jacob is similar to the establishing of testimonies in Jacob and the giving of the Teaching of Israel in Psalm 78:5: “He established a decree (**צדות**) in Jacob, ordained teaching (**תורה**) in Israel”. But with this, we must remember that “righteous judgement in Jacob” also implies the sense of graciousness and salvation, and that the Torah is given to the people in order to guide it and lift it above the other peoples (see [p 184](#) Ps. 147:19–20; Neh. 9:13; and cf. Deut. 4:6–8). Thus, a connection is drawn between **משפט וצדק** as law, and **משפט וצדקה** in the sense of salvation. Indeed, this connection is strongly felt in Psalm 103:6–8:

YHWH executes righteous acts (**צדקות**)

and judgements (**ומשפטים**) for who are wronged.

He made known His ways to Moses,

His deeds to the children of Israel.

YHWH is compassionate and gracious,
slow to anger, abounding in steadfast love.

Justice and righteousness acts are rendered to all the oppressed, and are therefore considered as salvific acts. However, in the course of the reference to justice and righteous acts, the poet is led into associations concerning Moses, who performed justice and righteousness in Israel (see below), so that when the poet comes to mention Moses, he includes in his petition the qualities of God as these were revealed to the father of the prophets. Moses asks YHWH to let him know His ways (Ex. 33:13), and YHWH, in response, causes all His goodness to pass before him (Ex. 33:19) and calls out his attributes: “YHWH! YHWH! A God compassionate and gracious, slow to anger, abounding in kindness” (רחום וחנון ... ורב חסד) (Ex. 34:6). The author of this psalm alludes to these ideas: “He made known His ways to Moses, ... YHWH is compassionate and gracious, slow to anger, abounding in steadfast love” (רחום וחנון ... ורב חסד).

As we have already seen above, the Mesopotamian *mīšarum*, which is parallel to משפט in Israel, is fundamentally a legalistic proclamation of the king, signifying clemency and release. Hence, the subject of משפט וצדקה in Israel ought to be understood in a like manner. While the concept of righteous judgement is basically connected with commandment and law, as given to Moses by God, it implies salvation of the oppressed and pardon for the unfortunate.

2. God’s righteous judgement, performed in Israel by Moses, likewise appears in the Blessing of Moses in Deuteronomy 33. This blessing opens with a portrayal of YHWH’s appearance from Sinai: “YHWH came from Sinai; He shone upon them from Seir”, etc. The description in Judges 5 characterizes salvation: “O YHWH, when p 185 you came forth from Seir, advanced from the country of Edom ... Before YHWH, Him of Sinai”, etc. (Judg. 5:4–5). However, in Deuteronomy 33 the following theophanic description is introduced:

Moses charged us with the Teaching as the heritage
of the congregation of Jacob.
Then He became King in Jeshurun,
When the heads of the people assembled the tribes of
Israel together (Deut. 33:4–5).

I. L. Seeligmann has already explained that the king alluded to here is God, at the moment of His coronation as king over Israel. Thus here, as in Psalm 99, the reigning of God is connected with the Torah, given to Jacob by Moses in the presence of the leaders of the people. This idea is repeated in v. 21 of the same chapter, which is associated with verse 5:

He chose for himself the best,
for there is the portion of the revered chieftain,
Where the heads of the people gather.

He established righteousness (צדקת) of YHWH and his
judgements (משפטי) for Israel.

It seems that what is spoken of here is Moses the lawgiver, who performed righteous justice in Israel in the name of God—that is, [p 186](#) who proclaimed a system of laws in the presence of the heads of the people, similar to what is stated in verse 5. Furthermore, if the remarks of Z. Weismann are correct—namely, that Deuteronomy 33:19 also concerns the same subject: “They invite their kin to the mountain, where they offer sacrifices of righteousness (זבחי צדק)—then what we have here is an allusion to the sacrifices offered at the time of making the covenant and the giving of the laws to the people (cf. Ex. 24:3–8, see also Ps. 50:5).

It may be that the assembly of the heads of the people in connection with the performance of משפט וצדקה—referred to in the blessing of the tribe of Gad, “in whose territory the inherited land portion of the lawgiver was to be found”—is related to the covenant made at the steppes of Moab, near Mount Nebo, opposite Beth Peor. We thus have here an early reference to a covenantal assembly from the time of Moses himself, held in Transjordan, from whence there originated the tradition concerning the covenant on the steppes of Moab, which was fully developed in the book of Deuteronomy.¹⁵

[p 187](#) 3. In Psalm 50, צדקה ומשפט are likewise mentioned in connection with the giving of the Torah to Israel and the making of a covenant over a sacrifice. God appears in a storm (v. 3), in a revelation whose description is reminiscent of that in Deuteronomy 33:2–5, which we have just discussed. Compare:

From Zion, perfect in beauty

God appeared (הופיע)

—let our God come ... (יבא) (Ps. 50:2).

with

... YHWH came (בא) from Sinai;

He appeared (הופיע) from Mount Paran (Deut. 33:2).

Following this epiphany, the pious ones make a covenant over the sacrifice, and the heavens relate the righteousness of God, the judge; thereafter, the opening of the Ten Commandments is cited (v. 6–7). As we understand it, what is referred to here is the act of צדקה ומשפט of the giving of the Torah, similar to what we have seen in Psalm 99.

4. References to צדק or צדקה in connection with God’s Law also appear in the following verses:

Your righteousness (צדק) is eternal,

Your teaching (תורה) is true (Ps. 119:142).

which is parallel to the verse,

Your righteous decrees are eternal (Ps. 119:144).

Listen to Me, you who care for righteousness

O people who lay My teaching (תורה) to heart (Isa. 51:7).

p 188 The performance of righteous judgement in the context of the Giving of Torah is reminiscent of the establishment of *kittum u mīšarum* in Mesopotamia. The latter may be interpreted as an *ad hoc* system of regulations—i.e., the declaration of *mīšarum* at the beginning of the reign of a new ruler, similar to the edicts of *mīšarum* of the Mesopotamian kings—or as the crystallization of a collection of laws, such as the Hammurabi Code, which was the result of an extended literary process. According to J. J. Finkelstein, the Mesopotamian proclamations of *mīšarum* served as a spring-board for the formulation of a code of laws. If we agree that the establishment of *kittum u mīšarum* implied the formulation of a code of laws, this act is not isolated from the performance of *mīšarum*, which was the reform itself, so that the crystallization of a code of laws in effect only completed the reform (compare the role of Solon as Reformer and Solon as Lawgiver). It seems that the practice of משפט וצדקה in Israel may be understood in a similar manner. The shaping of “the Book of the Covenant”, alluded to in Exodus 24:3–8, may represent the conclusion of a process which began with a series of concrete social legislation, specifically concerning the nullification of debts and the freeing of slaves (cf. Ex. 21:2–11), and concluded with a clearly formulated collection of laws, with a literary character and filled with an idealistic tendency. The performance of “justice and righteousness” in Jacob also expresses the act of “liberation” which, as we have seen above, implies—similar to the *Paramone*—a complete separation from the Egyptian oppressors and the acceptance of the yoke of the God of Israel by accepting His Law.

p 189 Righteousness and Justice as Political Salvation

While the kings of Mesopotamia, in the introductions to their legal compilations, were accustomed to boast in particular of their activities to establish “justice and righteousness” in the land, alongside this they also mentioned their activities in war and their victories over the enemies of their state (see, e.g., the Introduction to the Code of Hammurabi). *Mīšarum*, the main aim of which was to save the weak from the strong and the oppressed from his oppressor, was applied, not only within the internal social context, but also in the external, political one: the king saves the poor from the rich, and his exploited nation from the enemies who threaten it. In Israel, too, we find משפט וצדקה used, alongside the social sense, in the sense of salvation and victory on the battle field. Samuel declares to the people all the victories (צדקות) which the Lord has done for Israel (1 Sam. 12:7), i.e., in saving them from their enemies. We read of these acts in Judges 5:11: “Let them chant the gracious acts of the Lord (צדקות ה'), His gracious deliverance of Israel”, and likewise in Micah 6:5. In Isaiah 63:1, God returns from a victory over Edom saying: “It is I, who contend victoriously (המדבר בצדקה), powerful to give triumph”. This prophecy concludes with the verse: “So My own arm wrought the triumph, and My own rage was My aid. I trampled peoples in My anger ...” (v. 5–6). As has already been shown by H.

L. Ginzberg, “arm” (זרוע), here and in many other passages in Second Isaiah, designates God’s righteous salvation. Indeed, Isaiah 59:16–17 explicitly states that, when God sees that there is no justice, His arm saves him and His justice supports him:

His own arm won Him triumph,
His victorious right hand (צדקתו) supported Him.

He donned victory (צדק) like a coat of mail,
With a helmet of triumph on His head ...
So shall He repay fury to His foes;
He shall make requital to His enemies,
Requital to the distant lands (Isa. 59:15–18).

p 190 צדק ומשפט in the sense of victory over one’s enemies appears as well in Psalm 48.

This hymn portrays the journey of the kings who pass by next to Jerusalem, evidently attempting to attack it, but are unsuccessful:

See, the kings joined forces;
they advanced together ...
as the Tarshish fleet was wrecked
in an easterly gale ...
The praise of You, God, like Your name,
reaches to the ends of the earth;

Your right hand is filled with righteousness (צדק)
Let Mount Zion rejoice!
Let the daughters of Judah exult, because of Your
justice (Ps. 48:5, 8, 11–12).

Instead of “forearm” (זרוע) we read here “right arm” (ימין) (cf. Ps. 98:1—“His right hand, His holy arm [זרוע] has won Him victory”); it is clear from the context that this refers to victory over one’s enemies. We have already mentioned that Psalm 97 contains a similar verse to that in Psalm 48:12: “Zion, hearing it, rejoices, the women of Judah exult, because of Your judgements, O Lord” (Ps. 97:8), although there it refers to the victory of God over all other gods (v. 7b. 9). Further on in that psalm, it speaks about the saving of God’s pious ones from the hand of the wicked (v. 10), a central subject in the typology of *mīšarum*.

Equity (מישרים) in the World and in the Nations

Alongside Psalm 99, which speaks about equity and righteous justice in Jacob, there is a group of Psalms (96–98) concerned with equity and righteous judgement in the world and among the nations: “YHWH is king!... He judges the peoples with equity. Let the p 191 heavens rejoice and the earth exult ... at the presence of YHWH, for He is coming ... to rule the earth; He will

rule the world justly and its peoples in faithfulness” (Ps. 96:10–13). “With trumpets and the blast of the horn raise a shout before YHWH, the king ... Let the mountains sing joyously together at the presence of YHWH, for He is coming to rule the earth; He will rule the world justly (כצדק) and its peoples with equity (במישרים)” (Ps. 98:6, 9 cf. 96:13).

We must note that, apart from משפט, מישרים and צדקה, we also find in these passages the term אמונה (“faith”, Ps. 96:13)—a word used interchangeably with מישרים in the parallel verse in Psalm 98:9. Indeed, אמונה ומישרים exactly overlap the meaning of *kittum mīšarum* in Akkadian.

The meaning of מישרים in Psalms 96 and 98 will be understood more clearly if we also consider here Psalm 67; peoples and nations exult because God rules the earth with equity (במישור), He guides the nations of the earth (v. 5), and makes His ways known on earth (v. 3): “that Your way be known on earth ... Nations will exult and shout for joy, for You rule the peoples with equity (מישר), You guide the nations of the earth. Selah”.

The nations’ joy and exultation in connection with God’s appearance in order to judge them equitably מישור/במישור, that is to save them—resembles the rejoicing of the earth and its fullness in Psalms 96 and 98. From verse 7 on: “May the earth yield its produce”, we learn that this also refers to the salvation connected with the fruitfulness of the land, which is evidently the result of the judgement of the land with justice, found both in Psalm 96:13 and 98:9. Therefore, it speaks there about the rejoicing of the fields and the exulting of the trees of the forest (96:12). On the other hand, p 192 His guiding of the nations upon the earth and making known to them the ways of God, which will in the final analysis bring them to fear of God (v. 8), reminds one of the universal—eschatological prophecies of Isaiah 2, according to which God will show the nations His ways and they will walk in His paths: all this in wake of the teaching and the word (דבר/תורה) which will go forth from the God-king in Zion—i.e., a kind of מישרים (see above).

The universal salvation which will occur in wake of God’s equitable judgement (מישרים/מישור) (Ps. 67:5; 98:9) is expressed in the same manner. In both psalms, God announces his salvation among the nations, and all “the ends of the earth” see and fear it:

That Your way be known on earth,
Your deliverance among all nations ...
And be revered to the ends of the earth (Ps. 67:3, 7).

Psalm 98

The Lord has manifested His victory

has displayed His righteousness = triumph (צדקתו) in the sight
of the nations.

p 193 ... all the ends of the earth beheld the victory of our God (Ps. 98:2–3).

The image of God guiding, leading the nations and judging them with equity is taken from the realm of earthly kings. Thus, in connection with Hammurabi we read:

The laws of righteousness which Hammurabi, the strong king, established, and by which he guided the earth in the true path and the way of mercy (CH XXXIV:1–8).

The joy of the cosmos in light of the performance of מִישָׁרִים/equity, such as in Psalms 67, 96 and 98, and in Isaiah 44:23 and 49:13, is also expressed in Egypt, where the kings were accustomed to proclaim a release upon their ascension to the royal throne, or when they celebrated the anniversary of their coronation. In connection with the release declared by Ramses IV (1166–1160 B.C.E.), it is stated:³¹

A goodly day (*hrw nfr*), let the heaven and earth rejoice because you are the great lord ... Those who fled have returned to their homes in their cities ... Those who are in chains rejoice ... The pride of the light rejoices the heart of people ...³³

p 194 Ramses, the son of the god Re, has taken the place of his father. All the nations say to him: beautiful is Horus on the throne of Amon ... who restores all the people.

Ramses takes the place of his father, the god, whom nations praise for the acts of justice which he has done, in a manner similar to that which described in the “equity” psalms of the Bible. Thus, Psalm 67:

Peoples will praise You, O God;
all peoples will praise You.
Nations will exult and shout for joy,
for you rule the peoples with equity, You guide the
nations of the earth. Selah.
The peoples will praise You, O God;
all peoples will praise You (Ps. 67:4–6).

Likewise, in Psalm 99, we read:

They praise Your name as great and awesome;
He is holy ...
It was You who established equity,
You who worked righteous judgement in Jacob (Ps. 99:3–4).

The same is true of Psalm 75. This psalm, which speaks of God as an equitable judge (v. 3), who humbles the proud and lifts up the humble (see below), opens with a chorus of thanksgiving:

We praise You, O God;
we praise You;
Your presence is near (Ps. 75:2).

The nature of this praise becomes clearer to us [by a comparison with] the thanksgiving-inscriptions of the priests to the Ptolemaic kings in Egypt, because the latter did favors for them

and declared freedom (*philanthropha*) on their behalf. Similar words of gratitude are inscribed on the famous Rosetta Stone, as well as on various steles in Egypt. It would seem to us that the thanks offered to God for His “equity” and “righteous judgement” in the above-mentioned p 195 psalms, originates in this custom of giving thanks to the king for declaring freedom. These expressions of thanks are made against the background of the petitions which were given to the kings in connection with these acts of release (ἐντευξις); once their request was fulfilled, the kings are thanked for their response to them.

Righteousness and Justice in the Eschatological Sense

The Divine King, who establishes His throne with “justice and righteousness”, judges both the righteous and the wicked. There likewise follows from this what is in effect a punitive side. Zion, which is redeemed with “justice and righteousness” (Isa. 1:27), undergoes a process of purification and refining; the rebels and sinners and all those who forsake God are destroyed (v. 28), while the righteous are redeemed. The same is true of Isaiah 5:15–16:

Yea, man is bowed,
and mortal brought low;
Brought low is the pride of the haughty.
And the Lord of Hosts is exalted by judgement (במשפט),
The Holy God proved holy by righteousness (צדקה).

Like Psalm 99, in which the holy, great and exalted God (Ps. 99:9) is enthroned, establishing equity and doing “justice and righteousness,” so in Isaiah 5, the holy God is lifted up (גבה) by acts of justice. Here, however, it does not speak of the giving of laws but of punishment: the casting down of the high and the arrogant. This concept of the destruction of the arrogant and the wicked is characteristic of the functioning of מִישְׁרִים, and likewise appears in p 196 Psalm 75, which also speaks of God the king as judging with equity (Ps. 75:3). The same God who sets a time for judging in equity declares to the wicked that they may not lift up their horns (v. 5, 6), while He lifts the horn of the righteous (v. 11).

The concept of “justice”/“righteousness” (צדקה/משפט) as a form of universal salvation in the world and among the nations is elaborated most fully in the prophecies of Second-Isaiah. Like the psalms which we have mentioned, these prophecies speak of justice to the peoples and to the islands (Isa. 42:3–4; 51:4–5; etc.)—משפט being connected with the recognition by the nations of the God of Israel. There are some verses in which this judgement-salvation is connected with the appearance of Cyrus, by means of whom “they may know, from east to west, that there is none but Me. I am YHWH and there is none else” (Isa. 45:6). Immediately thereafter, however, it states:

Pour down, O skies, from above!
Let the heavens rain down victory!
Let the earth open up and triumph sprout,

Yes, let righteousness (צדקה) spring up:

I YHWH have created it (Isa. 45:8).

Similarly, following the prophecy about the great bird swooping down from the east, i.e., namely, Cyrus (Isa. 46:11), it is stated that God has brought close His righteousness (צדקה) and salvation (ישע) and that it will not tarry (v. 13). While these things are stated here in connection with the salvation of Israel—"I will grant triumph in Zion to Israel, in whom I glory"—we may infer from the previous chapter that the justice which begins with the redemption of Israel is in practice a stage in universal salvation:

p 197 Was it not I YHWH?
Then there is no god beside Me,
No God exists beside Me
There is no god other than I, righteous and saviour
Turn to me and be saved
all the ends of the earth!... By Myself have I sworn,
from My mouth has issued truth (צדקה), a word that shall not turn back:
To me every knee shall bend,
Every tongue swear loyalty (Isa. 45:21–23).

The message of judgement, righteousness and salvation, which comes from the God of Israel to the nations and to the remote islands, finds its full expression in Isaiah 51:4–6:

Hearken to Me, My people
And give ear to Me, My nation,
For teaching shall go forth from Me,
My way for the light of peoples.
In a moment I will bring it:
The righteousness (= triumph) I grant is near
The salvation I give has gone forth
My arms shall provide for the peoples;
The coastlands shall trust in Me
They shall look to My arm.
... My victory shall stand forever
My righteousness (= triumph) shall remain unbroken.

Here too, as in Psalms 96 and 98, God judges the nations with his "forearm", that is, with His justice, thereby bringing them salvation. Elsewhere in this prophet, it is stated that the observance by society of "justice and righteousness" will bring about the revelation of salvation and righteousness by God: "Observe justice, and do righteousness, for my salvation is near to come, and my righteousness to be revealed" (Isa. 56:1).

p 198 In Psalm 98:2, we have read about the righteousness which is to be revealed, in connection with God's right hand and holy arm, and the salvation to be seen by all the ends of the earth. The same idea is expressed in nearly identical language in Isaiah 52:10:

YHWH will bare His holy arm,
in the sight of all the nations,
And the very ends of earth shall see the salvation of our God.

It is worth observing that the idea of a God who reveals his justice at a time of trouble or in battle also appears in Hittite literature. The concept (*para*) *ḫandandatar*, cited in these contexts, is equivalent to *NÍG. SI. SÁ*, which is the Akkadian *mīšarum*. Indeed, we find (*para*) *ḫandandatar* used in Hittite literature in senses and contexts similar to those used in the Bible.

Righteous Judgement at the Time of the Creation

In addition to the “righteous judgement” performed by God with His people at the time of the Exodus from Egypt, and the justice, righteousness and equity (משפט וצדקה ומישרים) that He will perform with the peoples of the world in the future, there is also a form of Divine justice and righteousness [that was expressed] at the time of the Creation. The latter form of justice appears in Psalms 33, 89 and 93, as well as in the prophecies of Second-Isaiah.

p 199 1. In Psalm 33 a new song is sung to God (cf. Ps. 96:1; 98:1), to the accompaniment of trumpet blasts, for His word and actions performed with uprightness and faith (ישר ואמונה)—terms parallel to the *kittum* and *mīšarum* used in Mesopotamia. God’s word and acts become clear to us from the sequel:

By the word of YHWH the heavens were made,
by the breath of His mouth, all their host.
He heaps up the ocean waters like a mound,
stores the deep in vaults (Ps. 33:6–7).

In this context, the poet informs us that God loves “righteousness and justice” and that his lovingkindness fills the earth (v. 5)—teaching us that, in the Israelite consciousness, the Creation of the world as reflected in this psalm, is connected with uprightness (ישר), faith (אמונה),

mercy (חסד), justice and righteousness (משפט וצדקה) which express, as we have seen, the proclamation of the Divine redemption. This redemption encompasses all the inhabitants of the earth: “Let all the earth fear YHWH; let all the inhabitants of the world dread Him” (v. 8). As we shall see below, in Psalms 96–98, as well as in the prophecies of Second-Isaiah, the former redemption is combined with the latter redemption. Therefore, one may see verse 8 as expressing a universal motif.

2. In Psalm 89, God establishes faith and mercy (אמונה וחסד) in the heavens (Ps. 89:3); the base of His throne is *justice and righteousness*; and kindness and truth precede him (v. 15). The p 200 “holy beings” in the heavens praise His “faithfulness” (vv. 6, 8), and praise God who subdues “the swelling of the sea”, crushes the [great monster] “Rahab” and scatters His enemies (vv. 10, 11). All these images appear against the background of the establishment of the world and its fullness (v. 12), while underlying this description is the image of the king who declares “equity” and frees the world by, on the one hand, subduing the proud and, on the other, raising up the horn of the humble (see v. 18). As we have shown above, the act of equity is indeed

characterized along these lines. The “holy ones” praise God for the revelation of His arm and his right hand, His faith and justice and judgement, His kindness and truth, just as the nations praise Him for saving them and for judging them with “uprightness and justice”, as in Psalms 67 and 99, and as the earth and its fullness sing before Him, in Psalms 96 and 98.

3. Psalm 93 is likewise a hymn of praise to the Divine King who established the earth “that it stand firm; it cannot be shaken”, thereby securing His throne. He overcomes the “mighty waters”—that is, he subdues the powers of destruction and thereby saves the world. Here, instead of “justice and righteousness”, we find the enduring decrees (עֲדוֹת; Ps. 93:5). These decrees combined with “law”, appear in Psalm 99:7, which parallel there “justice and righteousness” given to Jacob (99:4).

4. Righteous judgement is also mentioned in connection with the Creation in the prophecies of Second-Isaiah, just as it is mentioned in the realm of universal-eschatological salvation. As is the way of this prophet, who combines “new things” with “first things,” so too “righteousness” in the Creation and “righteousness” in the Eschaton are mentioned in conjunction with one another. Particularly characteristic is the section in Isaiah 45:18–25:

p 201 For thus said YHWH,
The creator of heavens who alone is God,
Who formed the earth and made it,
who alone established it—

He did not create it a waste (תֵּהוּ)
But formed it for habitation:
I am YHWH, and there is none else.
I did not speak in secret,
At a site in a land of darkness;
I did not say to the stock of Jacob,
“Seek me out in a wasteland (תֵּהוּ)”.

I YHWH, speak righteousness (דְּבַר צֶדֶק)

announce what is true (מִישָׁרִים).

Come, gather together,
Draw nigh, you remnants of the nations ...
By Myself have I sworn,
From My mouth has issued truth,
A word that shall not turn back:
To Me every knee shall bend,
Every tongue swear loyalty.
They shall say: “Only through YHWH

Can I find צֶדֶק and might ...

All His adversaries are put to shame.
It is through YHWH that all the offspring of Israel

Have vindication (צדקו) and glory.”

The justice and righteousness announced (i.e., revealed) by God in the Creation contrast here with the speech performed in hiddenness and darkness. In other words, it refers to a public declaration of righteousness, such as that performed when freedom and equity were declared. The proclamation of justice and equity by the God of Israel when the world was [first] inhabited is also effective for the p 202 future of humanity, as we read in the continuation of this prophecy (v. 20–21). A similar sequence of ideas appears in Isaiah 48:13–16, whose opening is reminiscent of Psalm 33, which we cited above.

My own hand founded the earth,
My right hand spread out the skies.
I call to them, they stand together
Assemble, all of you, and listen!
Who among you foretold these things:
“He whom the Lord loves
Shall work His will against Babylon,
And, with his arm (= might) against Chaldea”?...
Draw near to Me and hear this:
From the beginning, I did not speak in secret;
From the time anything existed, I was there ...

Here, too, the public [act of] speech at the time of the Creation is mentioned: “From the beginning I did not speak in secret” (v. 16); the message of redemption concerning Cyrus (v. 14) is likewise placed in conjunction with the description of the Creation. The prophet uses a similar language of address in both passages: in Isaiah 45:20, after mentioning the Creation, there is an appeal to the nations: “Gather together, draw nigh”, and in 48:14, “Assemble, all of you, and listen!” following the passage on the creation of heaven and earth.

The idea of the “redemption” at the time of Creation also appears in Mesopotamia, where it even serves as a point of departure for the description of the Creation of Man, although there the redemption is directed toward the assembly of the gods rather than to human beings (see below). The Saga of Atra-hasis, from the second millennium B.C.E. opens with a description of the heavy burden p 203 imposed upon the minor gods in their service before the great gods. This great burden⁵³ is the *tupšikku*, which is identical, as we have seen above (pp. 84–5), to the burden (סבל = סל) of manual labor done on behalf of the kingdom. The minor divinities throw off this burden and rebel against the great god Enlil. They call for a struggle, burn their tools, and lay siege to the home of Enlil. Enlil goes out to confer with Anu, the god of heaven, who decides, together with the god Ea, to create man to carry the burden of this labor, thereby freeing the gods from their servitude. Thus, upon the creation of man, it is stated that the gods have thereby merited “freedom” (*andurārum*), and that henceforth man will carry the burden (*tupšikku*) of the gods.

Similarly, in the Babylonian Creation Epic (Enuma-Elish): the god Mardukh imposes the service of the gods upon man, and [thereby] frees the gods (*umtaššar*). The minor gods (*Anunnaki*) give thanks to the god Mardukh for this liberation (*šubarrû*), and p 204 decide to build him a temple. After building the temple and establishing the dwelling place of Mardukh, the gods assemble and “they exalted Mardukh and bowed down to him” (vi. 96).

It should be noted that the praise of the Creator God by the “holy ones” and the divine beings after the Creation, connected with [His] acts of kindness, faith, justice and righteousness, appears in Psalm 89:6–15. As in the Babylonian Creation Epic, so in Psalm 89 the divine beings praise God for subduing the Sea and Rahab and scattering His enemies. The praises of the Creator and Liberator God by the divine beings in Mesopotamia, which we have already mentioned (“exalted Mardukh and bowed down to Him”), duplicates almost literally the praise of the nations to God in Psalm 99:5, 9 for establishing equity, justice and righteousness (**מישרים משפט וצדקה**):

“Exalt the Lord our God and bow down to His footstool/His holy mount”.) It may also be compared to the verse, “all divine beings bow down to Him” in Psalm 97:7.

There is a parallel between the scriptural verses and the Mesopotamian epic in the very praise of the divine beings to their great king for vanquishing the primeval enemy, and for the “righteousness and justice” which he imposed during the Creation. However, unlike the Mesopotamian epic, the scriptural story makes no mention of the enslavement of man at the time of Creation; on the contrary: “Man is created free”. Moreover, according to the epic of Atrahasis, mankind multiplied greatly, disturbing the peace of the gods, for which reason the gods plotted against them and sought to destroy them. In the final analysis, the gods solved the problem by creating barren women, priestesses, sacred prostitutes and the like.

p 205 In contrast to this approach, the biblical account sees mankind’s proliferation as a blessing. This blessing is repeatedly mentioned in the account of the Creation (Gen. 1:28) and in the renewal of mankind following the flood (Gen. 9:1). In a passage that we have already cited: “He did not create it a waste, but formed it for habitation” (Isa. 45:18), the anonymous prophet would even seem to be [specifically] polemicizing against the Mesopotamian approach to this matter, as if to say that the Creator intended from the outset to make humankind fruitful and not to decrease it, in the manner depicted in Mesopotamia.

Hence, we learn that God, the ruler of the universe, proclaims “freedom” and “liberation”—that is, performs **צדקה ומשפט** in His world—three [separate] times: at the time of the Creation, when he reigns for the first time; at the Exodus from Egypt, when he became king over Israel (see Ex. 15:18), redeemed them and took them out to “freedom”; and in the [messianic] future, when He **p 206** shall reign over the entire earth.

This three-fold scheme of redemption finds its full expression in the liturgical proclamation: “God has reigned, God reigns, God will reign forever and ever”, and serves as a basic element in the philosophy of Franz Rosenzweig, whose book, *The Star of Redemption*, revolves around Creation, Revelation and Redemption.

p 207 The self-same scheme of three-fold redemption underlies the idea of the Sabbath: the Sabbath of Creation, the Sabbath in the present, and the future Sabbath—“a day which is entirely Sabbath [and?] rest for the life of eternity” (Mishnah Tamid 7:4). In practice, the proclamations of “freedom” (**דְּרוּר**) discussed here are also based upon the idea of the Sabbath: the seventh year is the Sabbath of the Lord (Lev. 25:4), while seven sabbatical cycles bring about the sanctified Jubilee year, in which a trumpet-call is passed through the land and “freedom” declared to all the inhabitants thereof, while the future redemption is understood by the rabbis as the Sabbath of millenia: “Just as the sabbatical year brings cessation [of labor] every seventh year, so does the world cease for a thousand years every seven thousand years ... and recites: ‘A Psalm, a song for the Sabbath day’, the day which is wholly Sabbath” (b. Sanhedrin 97a).

The blowing of the horn accompanying the proclamation of “freedom” in the Jubilee year likewise accompanies the three divine declarations of “freedom” which we have discussed here. On New Year’s Day, which is the anniversary of the Creation of the World, the shofar is blown for the coronation of the King of the Universe (Lev. 23:24; Num. 29:1); the revelation on Mt. Sinai was marked by the sounding of the shofar (Ex. 19:13, 16, 19); and the same is true of the future redemption (Isa. 27:13): “And in that day, a great ram’s horn shall be sounded; and the strayed who are in the land of Assyria and the expelled who are in the land of Egypt shall come and worship the Lord on the holy mount, in Jerusalem”. As is known, this last petition appears in the ninth blessing of the **עמידה** prayer in the Jewish weekday liturgy. Particularly interesting is the text of this [p 208](#) benediction from the *Genizah* of Cairo, whose source is Palestinian: “A day of freedom call, the jubilee draw close, blow the shofar of freedom for our end” (TS N 198:96), cf. above, pp. 14–15.

The Day of Atonement and Freedom

The freedom proclaimed on the Day of Atonement (Lev. 25:10) underwent a process of spiritual metamorphosis during the Second Temple period, so that the proclamation of freedom brought about not only the physical liberation of slaves and of land, but also the liberation of the soul and its restoration to its pure source. Thus, for example, Philo of Alexandria says in connection with the Day of Atonement: “We find it (the number ten)⁷² in Jubilee (ἄφεσις), in the complete freedom of the soul, which shakes off (ἀποσειομένης = **שמט**) from its misleading (ways) and returns to its heritages”.

This concept of Yom Kippur as proclaiming freedom to the soul—that is, the return of the soul to its pure source by means of abandoning sin—appears in the Qumran scrolls: “And that which is said, ‘in this year of jubilee, each of you shall return to his holding’ ... and called to them freedom, that they may abandon [the burden] of all their sins” (1. 1–6).

It seems, indeed, that the motif of forgiveness and atonement in the Day of Atonement liturgy was influenced more than a little by the erasing of debts and sins in the declaration of “freedom” and amnesty. As we have seen, in the Hellenistic period, the royal amnesties opened with the forgiving of errors and deliberate sins (ἄγνοήματα, ἁμαρτήματα), expressions which later found their way into the religious realm (Tob. 3:4). Indeed, the prayers and [p 209](#) confessions of Yom Kippur ask forgiveness for both deliberate and unwitting transgressions.

The statements concerning the erasure of transgressions and sins in Isaiah 44:22 are made against the background of the proclamation of freedom.⁷⁸ An analogy to this may be seen in Sargon’s declaration of freedom: “their iniquities will be no more, their transgressions will be reduced, their sin will be erased, their violations will be an abomination”.⁸⁰

Together with the erasure of sin, one finds in Isaiah 43:25 the refusal to remember—that is, the forgetting of sin: an expression widely-used in Greek in connection with the proclamation of liberation (*amnestia*); as we have seen above, it also occurs in Akkadian (*mašūtu*). The most concrete example in the realm we are discussing is the phrase, “Erase our notes of indebtedness” in the *Abīnū Malkēnu* prayer recited on Jewish fast days, which is [p 210](#) undoubtedly influenced by the act of liberation entailed in the nullification of debts.

In Israel, the declaration of freedom (**מישרים**), which had served in the Ancient Near East to bring about equality and social rights of the citizens, became a model for the redemption of the

soul and of forgiveness of sins on Yom Kippur. Just as liberation (דָּרוֹר) served as a model for the redemption of the individual, and particularly for the forgiveness of sins, so did it serve as a model for the redemption of the collectivity and the erasure of its sins at the End of Days. In the Qumran Scrolls, in the Melchizedek midrash (11Q Melch.) cited above, the verses from the Torah concerning the sabbatical year and the release (Lev. 25; Deut. 15) are interwoven with prophecies from Isaiah 61:1–3, in which the prophet informs the people that he is sent “as a herald of joy to the humble” and “to proclaim release to the captives”. Isaiah 61:1, “release” is interpreted there as a day of forgiveness of sins (see above) and as the day which concludes the year of grace of Melchizedek (cf. 1. 9). The “end”—i.e., the time of redemption—will come during the first Sabbatical cycle of the p 211 Jubilee following nine Jubilee cycles, and will take place on the Day of Atonement. On this day, all the peoples of the earth will be judged: Melchizedek will execute vengeance for the Divine judgements (cf. Isa. 61:2: “and a day of

vindication by our God” (יּוֹם נִקְם לֵאלֹהֵינוּ). It is to this day that the Qumran midrash applies the words of the prophet: “How welcome on the mountain are the footsteps of the herald announcing peace, heralding good fortune, announcing salvation” (Isa. 52:7). The author of the scroll goes on to say (line 18) that the harbinger is “the anointed one of the spirit, of whom Daniel said, ‘until the (time of the) anointed leader is seventy weeks’ ” (Dan. 9:25).

The notion of release is here intertwined with the calculations of the end found in Daniel, connected with the “seventy sevens” (Dan. 9:24), i.e., $7 \times 70 = 490$ years, which indeed corresponds to the end of the tenth Jubilee cycle (50×10), according to the calculations of the pešer of Qumran given here. Melchizedek thus fulfills here a function of the Messiah of the spirit, who foretells the redemption during the year of grace, which is [also] the year of release. Such an exegesis of Isaiah 61:1–3 must have lain in the background of Luke 4:16–19, in which Jesus sees himself as bearing to the reader news of freedom and a year of grace from the Lord.

The prophecy in Isaiah 61:1–3, whose source is connected with the Jubilee of years which passed between the destruction of the Temple (586) and the declaration of Cyrus (536), acquires mystical-apocalyptic significance during the period of the Second Temple being motivated by calculations of the end of seventy sabbatical years (Daniel) and ten Jubilees (Midrash Melchizedek). It thus became a focus for the longings for redemption in both Judaism and Christianity.

p 212 The connection between the earthly “release of debts” and the divine one seems to be very old. It is not only found in Leviticus 25, where “the day of atonement” (יּוֹם הַכִּיפּוּרִים) is also the day of release of slaves and land (vv. 9–10), it is found to our surprise also in Ugarit.

In the Ugaritic text KTU 1.40 we find a Ugaritic ritual ceremony concerning the expiation of the sins of the children of Ugarit men and women, king and queen and the foreigners (גַּר חִמִּית)

אֲגַרְתָּ who live in Ugarit. The citizens of Ugarit have sinned with anger (אִף) and impatience

(קִצְרַנְפֶּשׁ) and they undergo an act of forgiveness while offering sacrifices. It was A. Caquot

who identified the ceremony with the ceremonies of Yom Kippur. Recently G. del Olmo let

suggested that the term מִשָּׁר which appears in this text so often is none other than Akkadian

mīšarum which signifies a royal decree of freedom: release of debts etc. Here it applies to sin and debts of religious nature, like the Israelite Jubilee.⁸⁷ As in the Ugaritic text the expiation of sins

in Leviticus applies to the Israelites as well as to the alien residents (Lev. 16:29). Another text that is pertinent to the Ugaritic ceremony is Numbers 15:22–26 where after an expiation offering brought on behalf of the people (vv. 24–25) we read: “The whole Israelite community and the foreigner residing among them shall be forgiven”. This formula is actually recited on the eve of **יום כיפור** in the synagogue until our day.

p 213 Here is a tentative partial translation of the Ugaritic text that we relate to:

lines9–17: One offers the lamb of “release” (**משר**) the “release” of the children of

Ugarit ... and the area (**נפי**) of Ugarit ... the area ... Hurrian, Hittite etc.

in your impatience (**קצר נפשכם**) and in the loathful deed
which you committed ... we shall offer sacrifices ...

18–25 one offers a sheep for the “release” of ... the foreigners of the walls of Ugarit
... You sinned with

your anger (**באפכך**) and in your impatience (**קצר באפכך**) ...
we shall offer sacrifices ...
the father of the children of Il ... to the assembly of the gods.

26–34 one offers a donkey for the “release”, the release of the children of Ugarit ...
the “release” of Niqmadu ... with your anger with your impatience.

p 214 35–41 He returns to recite ... “release” of the children of Ugarit ...
of the foreigners of the walls of Ugarit the expiation of *Nititu* (the queen)
We shall offer sacrifice ... the father of the children of Il.

The confession is recited here on behalf of the people, the foreigners, the king and the queen apparently by a priest, as we find it in the Yom Kippur ceremony according to Leviticus 16:21 (compare Mishna Yoma).

Atonement on behalf of the people and its leaders, as we find in the Ugaritic text, actually appears in Leviticus 4 where purification offerings are prescribed for the high priest, the community, the chieftain and the commoner. Similarly in the Yom Kippur ceremony the high priest offers purification offerings on behalf of himself and his household (Lev. 16:11) and on behalf of the people (Lev. 16:24).

p 215 Chapter Ten

JUSTICE AND RIGHTEOUSNESS AS THE TASK OF THE INDIVIDUAL

One cannot always determine whether a biblical passage which speaks of justice and righteousness applies to acts performed by the government (= monarchy) and its leaders, or

whether the intention is of good deeds carried out by the individual. So, for example, the verse Genesis 18:19: "... that he may instruct his children and posterity to keep the way of the Lord by doing righteousness and justice ..." could be interpreted in two ways: (a) the sons and posterity of Abraham representing the future leaders of the people of Israel, who in the future would serve as an example of the execution of justice and righteousness (2 Sam. 8:15, and see above, pp. 46–7), (b) the sons and progeny of Abraham representing the entire people of Israel who in the future would descend from him and would be diligent to perform justice and righteousness every man with his neighbor, in contrast with the people of Sodom and Gomorrah, who did not support the poor and needy (see Ezek. 16:49) and who violated moral principles (hospitality).

The first interpretation finds support in Psalm 72, which refers to a king who performs justice and righteousness for his people (vv. 1–2, 4, 12, 13; see above, pp. 48–9) and as a result of this, all nations bless themselves by him (וּתְבָרְכוּ בּוֹ כָּל גּוֹיִם v. 17), p 216 a juxtaposition of ideas

which we found in Genesis 18:19: ... וּנְבָרְכוּ בּוֹ כָּל גּוֹיֵי הָאָרֶץ כִּי יַדְעֲתִיו לַמַּעַן אֲשֶׁר ...

וּלְעֲשׂוֹת צְדָקָה וּמִשְׁפָּט, "and all nations on earth will bless themselves by him. For I have chosen him, so that ... by doing righteousness and justice (vv. 18–19). The King of Israel, who performs justice and righteousness and by whom all the nations bless themselves referred to in Psalm 72, could therefore be compared with Abraham and his progeny, by whom all the nations of the earth bless themselves. However, we must also concede the possibility that in Genesis 18 there occurred a democratization: not only Abraham the leader, who served as a prototype of David,⁴ but all his descendants as well would perform justice and righteousness and, although the context continues with the words that all the nations of the earth will bless themselves by him, that is, in Abraham, the intention might have been not precisely *in him* personally, but rather, in all his descendants. We found similar interchanges of identity between the king on the one hand and the nation and its forefather on the other hand, in connection with the appointed task of ruling over the nations. In Psalm 72 it is written that kings and nations will bow to the King of Israel and serve him: וַיִּשְׁתַּחֲווּ לוֹ כָּל מַלְכִּים כָּל גּוֹיִם יַעֲבֹדוּהוּ "Let all kings bow to him and all nations serve him" (v. 11), whereas in Genesis 27, this destined position is said in reference to Jacob: יַעֲבֹדוךָ עַמִּים וַיִּשְׁתַּחֲווּ לָרָאשִׁים "let peoples serve you and nations bow to you" (Gen. 27:29). Also in Jeremiah 4:2 the justice and righteousness of Israel is accompanied by the blessing of the nations: וְנִשְׁבַּעַת חַי ה' בְּאֵמַת בְּמִשְׁפָּט וּבְצִדְקָה וְהִתְבָּרְכוּ בּוֹ גּוֹיִם וְבוֹ

וְיִתְהַלְלוּ "and if in a truthful, just and righteous way you swear, 'As surely as the Lord lives', then the nations will bless themselves by Him and in Him they will glory". Even though the combination of ideas in this verse p 217 is in the context of an oath, (cf. Isa. 48:1), it appears that as in Genesis 18:19 and Psalm 72, the writer alludes to an appointed task of performing justice and righteousness as a result of which the nations will bless themselves by Israel. The language of Jeremiah 4:2 is reminiscent of Psalm 72:17: וּתְבָרְכוּ בּוֹ, כָּל גּוֹיִם יֵאָשְׁרֶהוּ "All nations will bless themselves by Him, and they will count Him happy", and it is not impossible that Jeremiah 4:2 was influenced by Psalm 72, except that the mission was transferred from the king to Israel, for the section begins with the words: אִם תָּשׁוּב יִשְׂרָאֵל "If you return, O Israel."

This oscillation between justice and righteousness in reference to the king and justice and righteousness in reference to the people is also found in Hesiod, in a passage which reminds us of the story of the overthrow of Sodom and Gomorrah. In “The Works and Days”, Hesiod addresses the wise kings who issue straight decisions (δικας ... ἰθείας διδοῦσιν) to the strangers and to their own citizens and who do not turn from the path of righteousness (lines 225ff.). From the rulers, Hesiod passes to the people of such a kingdom and contrasts these people with the city which suffers for one bad man (line 240) on account of whom the population perishes and cities and camps are destroyed (lines 246–247). Hesiod then addresses the kings again with respect to justice and righteousness, reminding them that the immortal spirits go up and down among men shrouded in dark mist, observing those who pervert justice (lines 249ff.). Such interchanges between the king and his people are understandable, for, as the one responsible for the ordering of justice p 218 in his land, the king is to be held accountable for its perversion.

In Proverbs 21:3 “To do what is just and right is more desired by YHWH than sacrifice”, it is also difficult to decide whether the intention is to a leader’s performing of justice and righteousness with his community or to justice and righteousness between a man and his neighbor.

The concept of justice and righteousness as the appointed task of the people of Israel is also found in the parable of the vineyard in Isaiah 5:1–7: the vineyard, which symbolizes the people of Israel and which ought to have brought forth **משפט וצדקה** (justice and righteousness)

produced instead **משפח וצעקה** (violence and a cry). The word **משפח**, which is usually translated “violence” or “bloodshed”, could also have the meaning “annexation” and here refers to the annexation of the property of the poor to the property of the rich, as one can learn from the use of the verb **שפח** in 1 Samuel 2:36 and Isaiah 14:1, whereas the word **צעקה** means the cry of the oppressed, known to us from biblical usage (see Ex. 22:22; Ps. 9:13; Job 34:28) and from the Ancient Near East. It appears that by means of the juxtaposition of the words **צדקה** (justice)

and **צעקה** (a cry) Isaiah is alluding to the story of Sodom and Gomorrah, where p 219 we find, as we have already mentioned, that the reference to the justice and righteousness as the appointed task of Abraham and his descendants (Gen. 18:19) is contrasted with the cry of Sodom and Gomorrah **זעקת סדם ועמרה** (v. 20), its cry **כצעקתה** (v. 21) and the cry of its inhabitants

אודיעה נא (Gen. 19:13). Likewise, we find in the vineyard song of Isaiah the words **אודיעה נא** “and I am going to tell you *what I will do* to my vineyard”

Isaiah 5:5 which is reminiscent of those in Genesis 18:17 **המכסה אני מאברהם את אשר** **אני עשה** “Shall I hide from Abraham *what I am about to do*”. Both passages are concerned with the announcement of carrying out a verdict of judgement.

The rebuke in the parable of the vineyard is addressed to the rich oppressing the poor, as one can learn from the passage juxtaposed with it, which speaks of those who **מגיעי בית בבית** **ומקריבי שדה בשדה** “*add house to house and join field to field*” (v. 8) and to those who

prepare banquets without taking thought for the works of YHWH (vv. 11–12). Nevertheless, it is clear that the responsibility for the violation of justice and righteousness, which in the parable is represented by the destruction of the vineyard, is laid on the shoulders of the leaders as it is written in Isaiah 3:

YHWH will bring this charge
Against the elders and officers of His people:
“It is you who have ravaged the vineyard.
That which was robbed from the poor is in your houses.
How dare you crush My people
And grind the faces of the poor?” (Isa. 3:14–15)

The vineyard here is none other than the people of Israel, identified with עמי “My people” and עניים “the poor” (v. 15 cf. 14:30).

Justice and righteousness within the sphere of the individual is given even clearer expression in Ezekiel 18, where the righteous man who practices justice and righteousness is defined in a negative as well as in a positive manner:

	p 220 If he has not wronged anyone;
	and has taken nothing by robbery;
negative	If he has not lent at advance interest,
manner:	nor exacted accrued interest
	If he has given bread to the hungry
	and clothed the naked.
positive	If he has abstained from wrongdoing
manner:	and executed true justice between man and man

(Ezek. 18:7–8 cf. vv. 16–17)

The phrase יעשה משפט does not mean to pass a righteous verdict in a court, but rather, to perform deeds of righteousness and truth, as indeed it was translated in the Jewish Publication Society (1978) translation—“execute true justice”. The same applies to the verses in Jeremiah 7:5–6: “If you execute justice between one man and another, if you do not oppress the stranger, orphan and the widow ... etc.” and also in Zechariah 7:9–10: “Thus says the Lord of Hosts: Execute true justice; deal loyally and compassionately with one another. Do not defraud the widow, the orphan, the stranger, and the poor: and do not plot evil against one another”. In all of

these verses it is not the passing of a verdict in a court which is being referred to, but rather, the preservation of the existence of right social relationships between a man and his fellow.

Justice and righteousness within the sphere of the individual are also included in the prophecy of Second-Isaiah. Thus we read in Isaiah 58 that the people desire the nearness of God “like a nation that does what is *right* צדקה and that has not abandoned the *laws* משפט of its God” (v. 2), that is, as if it had not left off doing justice and righteousness; they ask God for the right way and are eager for His nearness (v. 2), but the prophet says that the true meaning of justice and righteousness is: “to unlock the fetters of wickedness, and untie the cords of the yoke, to let the oppressed go free ... to share your bread with the hungry and to take the wretched poor into your home; When you see the naked to clothe him and not to ignore your own kin” (vv. 6–7).

Like Amos and Hosea, who set mercy, justice and righteousness over against ritual, this prophet also contrasts משפטי צדק “righteous judgements” with fasting (Isa. 58:2). The demand for righteous acts p 221 is formulated, as in Ezekiel, both negatively and positively: the release of prisoners, the setting free of the oppressed, on the one hand, and the supplying of the needs of the poor and indigent on the other hand. However, unlike in Ezekiel, where matters of ritual are also included, in Isaiah, all the actions which are mentioned are taken from the social sphere.

In Isaiah 59 there is also a rebuke against those who violate the principles of righteousness, justice and truth (vv. 4, 6) and the prophet grieves over justice and righteousness which have been driven back (vv. 9, 14). Here also, to a certain extent, there is an enumeration of the sins: lawless acts, the shedding of innocent blood (vv. 6, 7), treachery against YHWH, the fomenting of oppression and the uttering of revolt and deceit (vv. 13–14), i.e. sins which are between a man and his neighbor.

It seems to us that the application of justice and righteousness to the sphere of the individual by Ezekiel and Second Isaiah should be viewed against the background of the Exile. Since, during this period, there were no kings and leaders upon whom to place the responsibility for perversions of social justice, the appeal is made to individuals. Together with this, the hope for a renewal of leadership and the restoration of Israel to its land is fostered, and therefore the idea of justice and righteousness takes on an eschatological dimension. Whoever wishes to be accounted worthy of the rapidly approaching redemption, the vindication which YHWH is about to reveal, must excel in doing what is right and just. “Observe what is right and do what is just. For soon My salvation shall come and My deliverance be revealed” (Isa. 56:1). The vindication of the Lord is made conditional upon the individual’s practicing justice and righteousness and it is worthwhile to pay attention to the following verse: “Happy is the man who does this, the man who holds fast to it” (v. 2).

This reciprocity between the justice and righteousness of man and the justice and righteousness of God, is given clear expression in Isaiah 59:

No one sues *justly* / Or pleads *honestly* ...
Their deeds are deeds of mischief,
Their hands commit lawless acts
p 222 Their feet run after evil
They hasten to shed the blood of the innocent ...
They do not care for the way of integrity

There is no justice on their paths ... (Isa. 59:4–8).

These deeds bring about the removal of justice and righteousness, i.e. the salvation of God:

This is why *justice* (משפט) is far from us

And *righteousness* (צדקה) does not reach us (v. 9)

and similarly, in the continuation:

And so *justice* (משפט) is turned back

And *righteousness* (צדקה) stays afar

Because honesty stumbles in the public square

And uprightness cannot enter (v. 14)

A similar point of view is expressed in Psalm 106, which is from a later period. The psalmist opens with the words:

Happy are those who *act justly* (שמרי משפט)

Who *do right* (עשה צדקה) at all times

Be mindful of me, O YHWH, when you favor Your people

Take note of me when You deliver them

That I may enjoy the prosperity of Your chosen ones,

Share the joy of Your nation,

Glory in Your very own people (Ps. 106:3–5)

As a consequence of this acting justly and doing what is right, the person praying is entitled to be remembered at the time of favor and to be taken note of in God's salvation. After a survey of the history of the people of Israel in vv. 6–43, the psalmist reverts to the idea of being remembered by God (v. 45) and asks to be delivered with his people (v. 47). The entire psalm therefore refers to the salvation which the one who acts justly and righteously at all times is entitled to receive.

Acts of Righteousness by the Individual

The requirement of *giving bread to the hungry and clothing to the naked* (Ezek. 18, Isa. 58) belongs to the humanistic ideal of wisdom literature. So we find in Job 31:16–20:

p 223 Did I deny the poor their needs
Or let a widow pine away
By eating my food alone
The fatherless not eating of it also ...
I never saw an unclad wretch
A needy man without clothing
Whose loins did not bless me

As he warmed himself with the shearings of my sheep

and also in Job 22:6–7: “You exact pledges from your fellows without reason, and leave them naked, stripped of their clothes. You do not give the thirsty water to drink; You deny bread to the hungry”.

Since these ideals are from the sphere of wisdom literature which is the heritage of the Ancient East, it is not surprising that we have found them in Ancient Eastern literature from the earliest period. So, for example, we read in autobiographies on tombs in Egypt from the same period:

“I gave bread to the hungry, clothing to the naked, I brought the boatless to land”.

The same is true for inscriptions on tombs from the later Egyptian period:

I gave bread to the hungry, water to the thirsty, clothing to the naked.

I guided the one who had gone astray in the right path, I gave a tomb to him who had none.

I did good to the men of my city;

I saved the poor man from the strong;

I was a shield to the oppressed.

p 224 Who gave bread to the hungry, clothing to the naked, removed suffering, subdued the one doing evil, buried the honorable men, supported the elderly.

These descriptions are not a form of instruction for the novice, but are rather intended as glorification of the names of Egyptian princes and officials. Nevertheless, this behavior is represented as a desirable ideal which includes not only assistance to the poor, but also concern for the sick and elderly and even for matters connected with burial of the dead. What is alluded to here are values embodied in the Jewish concept of גמילות חסדים (charity) as we shall see below.

The same ideal, formulated in a similar way, also appears in Hittite and Assyrian literature. So, for example, one finds in the instructions of a Hittite prince a type of sermon on acts of righteousness and mercy:

Gather them ... anoint them ... put bread in their hands ... have regard for the sick and give him bread and water, when the heat harms him, put him in a cool place, and when the cold harms him, put him in a warm place and so the servants of the king shall not die at our hands; avenge the blood of the servants ... to the hungry give bread (to those who have been abandoned) ... give oil, to the naked give clothing ...

Here also, there is no address to the people as in biblical literature, but rather, the instruction of a prince to his ministers with regard to the soldiers. Although indeed a command to avenge the blood of the servants of the king is also interwoven into these p 225 instructions, it is clear that the motive underlying them is a humanistic one.

The Assyrian king's concern for the poor, the sick etc., is given fitting expression in the letter of Adad-Šumi-ušur to Assurbanipal, his king:

Why then, since Your Majesty has pardoned persons condemned to death for their crimes,

and has released those who for many years had been imprisoned,
and since those who had been sick for many days have gotten well,
the hungry have been sated with food, the lean have become fat (cf: those who had
received blows in their bodies have been anointed with oil) and those who had been
destitute have been clothed in sumptuous garments ...

Here again, the words are not spoken to the people in the form of a sermon or reproof, as in
the biblical literature, but rather, in the form of an account of the deeds by which the king is
magnified.

During the Second Temple period, these ideals were expressed by means of the idioms
צדקה וחסד “righteousness and kindness” and **גמילות חסדים** “benevolence” or “charity”.
The Book of Tobit, whose central theme is that of charity, in particular with respect to the burial
of the dead, expounds extensively on this theme and in fact opens with the declaration: “I Tobit
walked in the ways of truth and in acts of righteousness all the days of my life and I did many
alms-deed to my brethren ...” (Tob. 1:3) and later he specifies the **p 226** deeds which are
congruent with those enumerated in Isaiah 58:7 and Ezekiel 18:7, 16: “During the days of
Shalmaneser I did many alms-deeds to my brethren, who were of my kindred: I used to give my
bread to the hungry and garments to the naked and if I saw any of my nation dead and cast forth
... I buried him” (Tob. 4:16–17). Likewise, we read in Tobit 4:16: “Give of thy bread to the
hungry and of thy garments to them that are naked: of all thine abundance give alms; and let not
thine eye be grudging when thou givest alms” (ἐλεημοσύνας ποιεῖν) and in particular, the
commandment of performing charity with respect to the burial of the dead stands out. In the
book of Ben Sirah there are also demands for the performing of charitable deeds and here we
encounter for the first time the expression found frequently in Rabbinic writings—**גמילות חסד**
(charity): “(Consult not with) an evil-disposed man about benevolence **חסד** (Sir.
37:11). The requirements for the performing of charity include: rendering assistance to the poor,
not withholding kindness from the dead, consolation to the bereft and visitation of the sick:

Also to the poor stretch out thy hand.
That the blessing may be perfected.
A gift is acceptable in the sight of every man living
And also from the dead withhold not kindness.
Withdraw not thyself from them that weep,
And mourn with them that mourn.

Do not disregard one whom thou lovest, **אל תשא לב מאוהב**
For thou wilt be loved for that (Sir. 7:32–35).

The last sentence appears corrupt in the Hebrew version. In the Greek version the text reads:
“Forget not to visit the sick” **μὴ ὀκνεῖ ἐπισκέψασθαι ἄρρωστον** (cf. the Syriac version) and **p 227**
accordingly, the Hebrew sentence was corrected by M. Z. Segal: **אל תשכח לבקר כואב** “Do
not forget to visit the sick.”

Similar demands are included in the scroll of the Damascus Covenant:

From it (from the wages of [two] days in every month) they shall give for [orphans] and from it they shall strengthen the hand of the poor and needy; and for the old man ... for the man who wanders, for him who is taken prisoner by a foreign people, for the maiden that has [no relative] and for the [virgin who] has [no one] to seek her in marriage (CD XIV 12–16).

The commandments enumerated here are: the giving of alms, burial of the dead, hospitality, the ransoming of captives, dowering the bride, all of which are specified in Rabbinic literature: b. Shabbath 127a; b. Kiddushin 40a; b. Sukkah 49b; y. Peah 1, 1 (15 b–c).

p 228 In the Palestine Targum to Deuteronomy 34:6 we find the idea of God teaching us by means of His dealings with the Patriarchs of Israel: the clothing of the naked, the bringing together of bride and groom, visiting the sick, comforting the bereft, supporting the poor and burying the dead (cf. the interpretation of R. Hana son of R. Hanina and also of R. Simlai in b. Soṭah 14a).

These deeds are also recounted by Jesus according to Matthew 25:31–46:

When the son of Man comes in his glory ... Then the King will say to those on his right, Come, you who are blessed by my Father; take your inheritance, the kingdom prepared for you since the creation of the world. For I was hungry and you gave me something to eat, I was thirsty and you gave me something to drink, I was a stranger and you invited me in, I needed clothes and you clothed me, I was sick and you looked after me (ἐπεσκέψασθε), I was in prison and you came to visit me.

Scholars have already observed that these words are parallel to what is said in Rabbinic literature. One should mention in particular the Midrash to Psalm 118:17; (ed. Buber p. 486):

Open to me the gates of righteousness (Ps. 118:19). When a man is asked in the world to come: “What was thy work?” and he answers: “I fed the hungry”, it will be said to him: “This is the gate of YHWH (Ps. 118:20). Enter into it, O thou that didst feed the hungry”.

p 229 When a man answers: “I gave drink to the thirsty”, it will be said to him: “This is the gate of the Lord. Enter into it O thou that didst give drink to the thirsty”.

When a man answers: “I clothed the naked”, it will be said to him: “This is the gate of the Lord. Enter into it, O thou that didst clothe the naked”.

This will be said also to him that brought up the fatherless and to them that gave alms or performed deeds of lovingkindness.

The promise of inheritance in the world to come for all those performing these acts of kindness is actually also reflected in the Mishna:

These are things whose fruit a man enjoys in this world while the capital is laid up for him in the world to come (Peah 1, 1).

a sentence which is in the context of charitable deeds.

Entrance through the gates into the world to come, which is made conditional upon the performing of good deeds, reminds us of what is said in the Egyptian Book of the Dead in connection with entrance into the world which is after death. The dead person recounts words of negative confession (what he omitted to do), but then also adds the deeds of mercy which he did perform: “I have given bread to the hungry, water to the thirsty, clothes to the naked, a ferryboat

to the boatless”. The passage continues with the words of the gods who say: “Come then, enter the gate of this Hall of the two Truths, For you know us”.²⁷ After this, the beam of the gate, *the right and left leaves of the gate-posts*, the threshold, the bolt etc., are mentioned, for they will not allow the dead man to enter. But after he has declared that he is innocent of iniquity, he is permitted to stand before Osiris. Entrance into an Egyptian temple was also made p 230 conditional upon similar declarations, for, from the aspect of the requirement of observing holiness and purity, entrance into the earthly home of the god was not distinct from admission into his heavenly abode. It appears to me that Psalms 15 and 24 and Isaiah 33:14–16 reflect a similar genre of confessional literature, pertaining to entrance into the Temple in Israel. However, the difference between the Egyptian and Israelite literary genres of this type lies in this, that in Egypt the ceremonies were accompanied by magic rites and that in the confessions there were also included declarations of the fulfilling of ritual commandments, whereas in Israel the ceremonies did not include this context, and the list of those entitled to stand on the threshold of God’s domain was made from the point of view of moral instruction alone, and therefore practical ritual ordinances were not included in it.³¹

p 231 Chapter Eleven

THE ISRAELITES AS SERVANTS OF YHWH, AND THE LAND OF ISRAEL AS THE LAND OF YHWH: ON THE NATURE OF THE JUDICIAL PATTERN

“For it is to Me that the Israelites are servants: they are My servants, whom I freed from the Land of Egypt” (Lev. 25:55)

From the examples cited in Chapters Four and Five we learned that the liberation of cities and their inhabitants from the yoke of foreigners and enslavers and their transformation into servants of God was an extremely widespread phenomenon in the Ancient Near East. This phenomenon was manifested both in the public realm (the freeing of entire cities and regions) and in the private realm (freeing individuals). We already alluded above to the fact that the pattern of the Exodus of the Israelites from Egypt and their transformation into the servants of God and a sacred people was based upon the prevailing legal situation. We shall now attempt to understand the full significance of this conception.

In his book, *The Exodus Pattern in the Bible*, D. Daube correctly claimed that the stories of the Exodus, as well as the Genesis narratives describing the [going into] bondage, are rooted in the contemporary social-legal reality, and the use of language therein is indicative of the legal ambience which lies in their background. Thus, for example, the use of the terms הוציא (“took out”—i.e., of the house of bondage), פדה (ransomed), and גאל (redeemed), used with regard to Israel in the Exodus narratives, are all taken from the legal realm. To these, we may add the terms עם/נחלה p 232 (people/inheritance; Ps. 94:5, 14, etc.); נחלת ה’/אלהים (inheritance

of YHWH/God; 2 Sam. 14:16; 20:19; 21:3; etc.), סגלה/עם סגלה (treasure/treasured people;

Ex. 19:5; Deut. 7:6; 14:2; 26:18; Ps. 135:4), and עם קדוש (a holy people; Deut. 7:6; 14:2, 21), all of which are likewise rooted in the realm of law. But while these terms are all associated with the granting of freedom or of [special] privileges, our present concern is with the *legal and social* nature of the phenomenon of the redemption from Egypt, entailing the inheritance of the Land, as this is reflected in the Bible.

The phenomenon of the Exodus of the Israelites from Egypt and their transformation into a chosen people is in fact anchored in the legal ambience of the ancient world, where it was concerned with liberation from enslavement to a human king, and accompanied by the acceptance of the yoke of the god-king. What we find here is the phenomenon of a change of master, expressed in various passages in the Bible, and particularly in the Priestly stratum of the Pentateuch: “I will free you from the labors of the Egyptians and deliver you from their bondage. I will redeem you with an outstretched arm ... And I will take you to be My people, and I will be your p 233 God” (Ex. 6:6–7); “For they are My servants, whom I freed from the land of Egypt; they may not give themselves over into servitude” (Lev. 25:42); “for it is to Me that the Israelites are servants: they are my servants, whom I freed from the land of Egypt” (Lev. 25:55).

These passages reflect a legal process whereby the servant is liberated by being transferred into the realm of the god. This socio-legal reality, whereby a whole collectivity is freed from the yoke of the king by taking upon itself the yoke of a god, is known to us from Mesopotamian documents dating from the middle of the third millennium B.C.E. [and onwards]. As we have seen, Enmetena (2430 B.C.E.) liberates the Sumerian cities of Lagash, Erech, Larsa, and Patibira, restoring them to the possession of the gods. In the ancient Akkadian period (22nd cent. B.C.E.), Manishtusu frees thirty-eight cities from tribute and from military conscription by transferring them to the god Shamash. Similarly, during a later period, the Kassite king Kurigalzu (14th cent. B.C.E.) frees the people of Babylonia from tribute for the sake of the god Mardukh. From the first millennium B.C.E. [on], we hear a great deal about the holy cities of Mesopotamia and their inhabitants, who are exempted from the service of the kings in order to serve the gods, and therefore need to be free, as decided by the gods Anu and Enlil, or Anu and Dagan. We also hear in Egypt of the inhabitants of sanctified territories, whom it is forbidden to conscript for labor because they are subject to the service of the god. If A. Alt’s assumption that the Philistines were settled in the temple cities of the southern coastal strip of Palestine (Gaza, Ashkelon and others) by the Egyptians,⁶ thereby gaining their independence, is correct, p 234 then they too were freed of the servitude of Egypt by accepting divine service in the temples.

This practice is widespread among the Hittites, and concrete portrayals of the status of the people of those cities can be found in Strabo’s descriptions of the holy cities of Cappadocia (especially Komana and Zela). As has already been suggested by A. Goetze, these descriptions reflect the situation of a people living in a sacred precinct, as was customary among the Hittites until Hellenistic times. This reality of sacred precincts, whose inhabitants were exempt from the service of the kings and served the gods alone, underlies the idea of the liberation of Israel from the house of bondage and its planting in the mountain of the inheritance of God and in His Temple (Ex. 15:17; Ps. 78:53–55.) The Israelites after their liberation are considered like the *ἱεροδούλοι* (sacred servants), who are subject to the priest in the temple cities, as pictured by Strabo; therefore, the appellation, “a kingdom of priests and a holy nation” (Ex. 19:6), is quite suitable to them. In the language of the prophet of comfort: “You shall be called ‘Priests of YHWH’, and be named ‘Servants of our God’ ” (Isa. 61:6). The promise made by this prophet:

“Strangers shall stand and pasture your flocks, and aliens shall be your plowmen and vine-trimmers” (Isa. 61:5) also fits this mode of temple cities, as the kings, and especially the neo-Babylonian kings, who set aside foreign captives for service in the temples⁸ (compare the נתינים and “servants of Solomon” in Ezra 2:58 = Neh. 7:60; Ezra 8:20).

The land given to the Israelites is the possession (אחזה) of YHWH (in the sense of χώρα ἱερὰ in Strabo’s description of the holy cities), while the Israelites who dwell there are considered as resident p 235 strangers: “But the land must not be sold beyond reclaim [or: ‘in perpetuity’], for the land is Mine; you are but strangers resident with Me” (Lev. 25:23). In documents from the Hellenistic period we likewise read that people are living in Temple holdings and their property belong to God. Thus, for example, in a grant document made by the Seleucian king to the city of Baetocaece, it states that the place and its inhabitants were given to the god as a permanent inheritance, and that the income will be available for the use of the priest ... The temple will have the right of asylum, and the city will be exempt from military conscription.

In the Hittite document cited previously in connection with a divine holding, we find prohibitions similar to those in Leviticus 25, in connection with the proscription against selling the territories belonging to the holdings, as well as against selling the people who dwell upon it: “fields, orchards, gardens, and vineyards of the ‘stone house’, as well as the people, shall not be bought ...”. Likewise, in the inscription found in Arsameia on the monument of Antiochus son of Mithratides, in connection with the holdings of royal graves, we read: “and it shall be forbidden to transfer the villages which we have sanctified to these divine spirits to strangers ...” (see above, p. 107).

Furthermore: similar to the biblical prohibitions against marriage to foreigners, in these Hittite documents we also read that the inhabitants of the sacred holdings are not allowed to marry their sons or daughters out [of the group] (see above, p. 105, ll. 13–14).

In practice, this custom also existed in an early period in Greece. Concerning the city of Samos, Herodotus relates that Meandrios, who wished to free the place from tyranny, built an altar to Zeus the liberator (ἐλευθέριος), drawing around it a sacred space ... He thereupon turned to the inhabitants and declared that he took upon himself and his seed after him to serve forever as priests of the god Zeus the liberator, for whom he built the Temple, and thereby granted freedom to its inhabitants (III, 142).

p 236 Similarly, Herodotus states elsewhere that the people of Cyrene, who wished to be free of the political oppression that befell them, connected themselves with an individual who divided the inhabitants into three tribes, setting aside a holding and a priestly office for King Batos, and thereby freeing them from the obligations towards the royal household which they had previously held (IV, 161). In practice, Greek modes of settlement were based upon the idea of settling upon land which belonged to the gods, thereby making it impossible to transfer a homestead—an idea reminiscent of Lev. 25:23. Thus, for example, we read in Plato’s *Laws*:

The earth—as he is informed—is sacred to the gods ... he who buys or sells the house or land, which he has received, may suffer the punishment he deserves ... and these they shall write down in the temples, on tablets of cypress-wood, for the instruction of posterity (VI, 741).

He states elsewhere that one is to behave as follows regarding the settlement of a new city:

The city should be placed as nearly as possible in the center of the country ... Then we will divide the city into twelve portions, first founding the temples ... and surround with a circular wall, making the division of the entire city and country radiate from this point.... And the legislator shall divide the citizens into twelve parts, and arrange the rest of their property, as far as possible, so as to form twelve equal parts ... After this they shall assign twelve lots to twelve gods, and call them by their names, and dedicate to each god its portion giving it the name of “phyle” tribe (VI, 745b–c).

All this is reminiscent of the allotments to the tribes of Israel described in the Book of Joshua, particularly in Joshua 18. I have discussed this matter in detail elsewhere, where I mentioned the resemblance of the Greek sources and the traditions of the Book of [p 237](#) Joshua with regard to the measuring of the land and its division into new settlements. Moreover, one finds in the Greek sources an approach similar to that characteristic of the Bible—namely, that the land is given to its inhabitants by God. In an inscription from Kolophon in Lydia from the period following Alexander the Great (311–306 B.C.E.), we read:

It was decided by the people to include within the walls of the city, in addition to the present city, the ancient city which the gods gave to our ancestors, so as to build altars and temples which were most honored among all the Greeks.

Particularly in Asia Minor, where the policy of sacred cities had been preserved since the time of the Hittites, one may understand the enthusiasm of the inhabitants of Kolophon to preserve their ancient sacred city.

The ideology of the redemption of Israel from Egypt and its being placed in the inheritance of the Lord is to be understood in light of this reality. Clear echoes of this outlook are also found in the Song of the Sea:

In your love You lead the people You redeemed;
In Your strength You guide them to Your holy abode ...
Till Your people cross over, O YHWH,

Till Your people cross whom You have ransomed (קנית).

You will bring them and plant them in the mount, that is Your possession (נחלתך)

The place You made to dwell in (מכון לשבתך), O YHWH

The sanctuary (מקדש), O Lord which Your hands established (Ex. 15:13–17).

Here the redemption is combined with the settlement of the redeemed within the sacred habitation: “Your holy abode”, “the [p 238](#) mount of Your possession”, “the place You made to dwell in” and “the sanctuary of the Lord”. We do not know to which temple the scripture refers—whether it is the Tent of Meeting in the Sinai desert, the Sanctuary at Shechem or Shiloh,¹⁶ or the Temple in Jerusalem. Perhaps these idioms are meant to be understood in a borrowed sense: not as the holy abode or holy mountain in the narrow, constricted sense, but the land and its inhabitants, who are centered around the Temple. According to S. E. Loewenstamm, the phrases “the holy abode” and “the mount of Your possession” are also meant to be interpreted in this manner.¹⁸ One must nevertheless admit that the primary meaning of the expressions, “the holy abode”, “the mount of Your possession”, “the place You made to dwell in

(מכון לשבתך)”, and “Sanctuary” seems to be the Temple site. Indeed, one might note that parallel expressions which appear in the Ugaritic—“holy” and “mountain of possession” (*bqdš b’r nhlty*; KTU 1.3, III:30)—refer to the mountain of the north where Baal lives. We have similarly found *arš nhl* as the dwelling place of the god Môt (KTU 1.5, II:16), and of *ktr* and *hss* (KTU 1.3, VI:16).

The same emphasis upon the settlement of the redeemed in the holy inheritance seems to appear in Psalm 68:7–11:

p 239 God restores the lonely to their homes,
sets free the imprisoned, safe and sound ...
O God, when You went at the head of Your army,
when You marched through the desert, Selah.
The earth trembled, the sky rained because of God, yon Sinai ...
When Your own land languished, You sustained it.
Your tribe dwells there ...

This passage speaks of the redemption of the imprisoned, their walking in the desert of Sinai, the establishment of a home and a resting place, and the settlement therein of the tribes. As noticed by Dahood in his commentary, the meaning of **נחלה ונלאה** becomes clear to us through the above-cited Ugaritic descriptions of the dwelling places of the gods. Parallel to *bqdš b’r nhlty* in the Epic of Anath, we find the sentence: *bgb’ tl’yt* (KTU 1.3, III:31). *Nhl* and *tl’yt* are thus used as parallels, and are identical to *nhlah wnl’h* in Psalm 68:10 (*l’y* in Akkadian and Ugaritic indicates power and strength). Thus, in Psalm 68 we also find the settlement of the redeemed in the holy inhabitation.

The same idea is reflected in Psalm 78:54: “He brought them to His holy realm, the mountain His right hand had acquired” and in Psalm 74:2: “Remember the community which You made Yours long ago, Your very own tribe that You redeemed, Mount Zion, where You dwell”. That “the inheritance of God” in its original sense means a sacred region may be inferred from the ancient tradition found in the book of Samuel: Abel Bet Maachah, which had a tradition of sanctity and was referred to as “a mother city in Israel” is called “the inheritance of YHWH” (2 Sam. 20:19). Furthermore, the reason given by the wise woman as to why one is p 240 not to destroy this city is that it is a holy city, characterized by peace and truth (“the faithful of Israel”), and it is forbidden to destroy it.

The “inheritance of YHWH”, mentioned by the Gibeonites in 2 Samuel 21:3, as well as “the inheritance of God” of the Tekoite woman in 2 Samuel 14:16, and “the inheritance of YHWH” in David’s mouth, 1 Samuel 26:19, evidently allude to sanctified areas, and not necessarily to the entire Land of Israel. In the latter verse, David states that he has been driven out from having a share in the inheritance of YHWH—yet were not the places in the south where he spent that time also within the boundaries of the Land? The sense must be, therefore, that he was denied the right to have a share in the sacred places within the Land. One need not add that, in later biblical literature, “inheritance” refers to the entire Land of Israel; the same is true of **עם נחלה** (“a people of inheritance”), which refers to the entire people of Israel (Deut. 4:20; 9:26, 29; 1 Kgs. 8:51–53; Ps. 28:9; 94:5, 14, etc.). The basic metaphor, however, remains associated with a sanctified area. This follows explicitly from Psalm 74:2, where we find all of the idioms that we

have cited from the Song of the Sea: **הָרָה, נַחֲלָתְךָ, גְּאֻלָּתְךָ, קִנִּיתְךָ** (“you have acquired”, “you have redeemed”, “your inheritance”, “mountain”). The mountain mentioned here, however, is explicitly identified with Mount Zion.

p 241 Hence, the redemption of the people and its being planted in the holy mountain or the holy inheritance is based upon the model of liberation of the inhabitants from the yoke of kings and their transference to the holy inheritance, where they are subject to divine rule alone. Their land cannot be transferred [to others], as they themselves dwell upon it as residents and strangers (compare Lev. 25:32). It is also impossible to enslave them, as they are servants of God alone (cf. Lev. 25:42, 55).

In the context of the political reality of the end of the second millennium B.C.E., it was even possible to find a model of a people who were freed from political bondage and transferred, so to speak, to the realm of the gods. The land of Kizzuwatna which, as we saw above, was connected with a sanctified inheritance, can serve us as a model in this matter. In the treaty made between Šuppiluliuma and Šunaššura, king of Kizzuwatna, it states that Kizzuwatna was free of the yoke of the Hurrian kingdom. In this connection, we read there:

The land of Kizzuwatna greatly rejoices in its redemption (*ina pitriš*) ... The land of Heth and the land of Kizzuwatna are released from the oath of the gods (i.e., from covenantal obligations); now I, the sun, have sent Kizzuwatna free. The Hurrians have called to Šunaššura (king of Kizzuwatna): slave. Now the sun has made him king, Šunaššura will walk before the sun, he will see the face of the sun.

p 242 Kizzuwatna enjoys special treatment: liberation from the yoke of the Hurrian kingdom and being set free, in order to be placed under the protection of the Hittite “sun”. This special relationship seems to me to have originated in the fact that Kizzuwatna had a tradition of subjugation to the gods—that is, this land was considered as if the inheritance of the gods, composed of temple holdings which, as we have seen, were managed by the priests. Therefore, Kizzuwatna is also freed from the subjugation of its oath to Heth, and becomes a kind of independent kingdom alongside Heth. The emphasis in this passage upon the sun, and particularly upon “seeing the face of the sun”, seems to be intended to express the activity of liberation, understood as transference to the realm of the sun god. But, because of the identity of the king of Heth to the sun, there is nevertheless a certain relationship here to the kingdom of Heth.

Elsewhere I pointed to the fact that the promise of the land to the fathers of Israel was formulated in terms of the royal grant in the Ancient Near East. It has now become clear to us that the idea of going out into freedom (from the bondage of Egypt), and the taking possession of the holy inheritance which comes in its wake, originates in this model. The grant model which we discuss here seems to contain all three of the motifs which we mentioned, interwoven with one another: liberation from bondage is related to the inheritance of God, which the one inheriting received as a permanent gift. However, those giving the grants in Heth and in Assyria, as well as in Egypt, are primarily associated with temple holdings. These holdings, given permanently to those who dwell therein, are not for sale, while the one who dwells therein is freed from all bondage and called the servant of God alone. Indeed, all these conditions likewise apply in the Bible regarding the promise of the lands and its inheritance.²⁷

p 243 Moreover, the idea that the land is given on condition that they obey the commandments of God also draws upon this model. The inheritance of God and the holy city are

to be pure of those who carry iniquity; it follows from this that, if they violate the commandments of God, those who inherit will lose their right to the land. While this condition [only] appears in the Bible at a later stage, the very nature of the model requires the attachment of this condition to the gift.

Proclamation of “Liberty” and its Reflection in the Model of the Exodus

In two totally independent studies that strengthen our thesis, two scholars have examined the concept of “liberation” (דָּרוֹר) and its connection to the Exodus from Egypt and the Sinai covenant. According to Y. Muffs, Leviticus 25–26 reflects a priestly version of the Sinai covenant. Leviticus 25, which opens with the words “on Mount Sinai”, and concludes with, “For it is to Me that the Israelites are servants: they are My servants, whom I freed from the Land of Egypt”; as well as Leviticus 26 (whose central concern is blessing and curse, but which also contains, in v. 12, a declaration pertaining to the establishment of relations between God and Israel) are, in his opinion, an organic unit containing the most sublime expression of the Sinai covenant. By means of this unit, according to Muffs, the priestly author attempts to present God at Sinai as a king, who p 244 appears in order to proclaim equity and liberation to Israel, similar to the Mesopotamian kings who, upon their coronation, declared *mīšarum* (= מִישָׁרִים) or (*an*)*durārum* (= דָּרוֹר) to their people. God, who took the Israelites out of Egypt and freed them from bondage, now makes them His exclusive servants, so that it is forbidden for them to permanently sell their inheritance to another. This corresponds to the model of the servants of the god who dwell in the temple-holdings, who are freed from the yoke of strangers and whose property is proscribed from sale to strangers.

M. Tsevat likewise perceives the שְׁמִיטָה at “Mount Sinai” (25:1) as an act of “equity” (מִישָׁרִים) performed by the God-King at the beginning of his reign over Israel; Tsevat, however, associates it with ceremonies of renewal of the covenant with Israel. The commandment of “assembling” which, according to Deuteronomy 31:10–13, was performed upon the occasion of the year of שְׁמִיטָה, is in essence a renewal of the covenant with the God of Israel, invoked against the background of equity and liberation that are symbolized by the institution of the שְׁמִיטָה. According to Tsevat, the renewal of the covenant during the שְׁמִיטָה year constitutes a renewed acceptance of the yoke of heaven: “the renewal of this enthronement is an analogy to the coronation of a new king in Babylonia, which was a time of grace for the establishment of freedom (*andurārum*)”.

The model of the “king of equity”, found by Y. Muffs and Tsevat in connection with the laws of שְׁמִיטָה and יוֹבֵל in the Torah, is reflected in practice in the coronation hymns of Psalms 96–99, as well as in the pre-royal hymn in Deuteronomy 33, which speak of the מִשְׁפַּט צְדָקָה וּמִישָׁרִים performed by God in Jacob at the time of the Exodus and which, as we have seen, are based upon the idea of coronation connected with the concept of freedom and liberation.

p 245 The connection between the God-King, who performs equity in Israel, and that of the king of flesh and blood who declares “liberation” to his people, has already been observed by the Sages in their *midrashim* on these passages. Thus, in *Shemot Rabba*, parashah 15, 13, on the verse, “This month shall mark for you the beginning of the months; it shall be the first of the months of the year for you” (Ex. 12:2), we read:

Another thing. “This month shall mark for you”. Solomon said: “through me kings reign” (Prov. 8:15). Rabbi Levi said, this is compared to a duke who was thrown a garment of crimson (*purpura*) by his legions. What did he do? He released *lōpōs* (λοιπός), burned the contracts,³⁵ took out the legion, and it (the year) is called the beginning of his kingdom. Similarly, for twenty-six generations the Holy One, blessed be He, reigned in Egypt ... He released *lōpōs* (λοιπός) (as written): the Israelites departed boldly” (Ex. 14:8) and burned the contracts, as it is said, “the length of the time that the Israelites lived in Egypt” (Ex. 12:40). And he took out his legions, and (the year) is called the beginning of his kingdom (as is written): “This month shall mark for you the beginning of the months” (Ex. 12:1) to fulfill what is said, “through me kings reign” (Prov. 8:15).

p 246 A similar typology is reflected in *Mekhilta de-Rabbi Yishma'el*, commenting on, “I am the Lord your God”, the opening verse of the Ten Commandments. Here, however, the act of grace performed by the King-God with His people is within the political rather than the legal realm:

Why were not the Ten Commandments stated at the beginning of the Torah? They told a parable: It is like (a king) who entered into the city. He said to them, “I shall rule over you”. They asked him, “Have you done us any good that you should rule over us?” What did he do? He built them the wall, he brought them water, he did battle for them. Then he said to them: “I shall rule over you”. They said to him: “Yes, Yes”. Thus, the Omnipresent took Israel out of Egypt, parted the Sea for them, brought down manna, brought up the well, spread about the quail, and fought for them in the battle of Amalek. He asked them: “Shall I rule over you?” They answered: “Yes, Yes”.

Indeed, both in the Mesopotamian law collections and in the vassal treaties, we find introductions in which the king states the favors (of the kind mentioned in the *Mekhilta*) he has performed for the people to whom he is turning, and which serve as the reason for them to be loyal to the king.⁴¹

The Pattern of “Liberation” in the Prophecies of Second-Isaiah

The idea of redemption by means of *paramone* (change of the master) also appears in the prophecies of Second-Isaiah:

Remember these things, O Jacob
For you, O Israel, are My servant.
I fashion you, you are My servant—

p 247 O Israel, never forget Me.

I wipe away your transgressions (פשעִיךְ) like a cloud,

Your sins (חטאתֶיךָ) like mist—

Come back to Me, for I redeem you.
 Shout, O heavens, for YHWH has acted;
 Shout aloud, O depths of the earth!
 Shout for joy, O mountains,
 O forests with all your trees!
 For YHWH has redeemed Jacob,
 Has glorified Himself through Israel
 (Isa. 44:21–23).

As in Leviticus 25:55: “For it is to Me that the Israelites are servants: they are My servants, whom I freed from the Land of Egypt”, here too the redeemer God says, “you are my servant”. And, like the forgiveness of sins and transgressions (ἄγνοήματα καὶ ἁμαρτήματα) which opens the declarations of freedom (see above, pp.147–148, 208–209), here too God declares the wiping away of sins and transgressions, as was customary in royal declarations of “liberation”. The servant who is redeemed returns to the one who redeems him—that is, to the bosom of his family: “come back to Me, for I redeem you”—a phenomenon which lies at the basis of the Mesopotamian *amargi* (*andurāru*), and which is widely found in connection with declarations of liberation in the Ptolemaic period (see above, p.159). In wake of the redemption, the entire cosmos sings out and rejoices (“Shout, O heavens”, etc.); the same motif likewise appears in proclamations of freedom, from the period of Ramses in Egypt down to the time of Caracalla, emperor of Rome, see above, pp. 141–142, 150. Further on in Second-Isaiah’s prophecy, the nature of the redemption becomes clear to us: “It is I who say of Jerusalem, ‘It shall be inhabited’, and of the towns of Judah, ‘They shall be rebuilt’ ” (v. 26).

Similarly, in Isaiah 49:7–13, God, the Redeemer of Israel, tells His servant that He has made with him an eternal covenant, manifested in the inheritance of his homestead, the freeing of the imprisoned, and the return of the exiled. In wake of all these things, we hear the rejoicing of the cosmos: “Shout, O heavens, and rejoice, O earth! Break into song, O hills” (v. 13).

P 249 ABBREVIATIONS

AASOR	<i>Annual of the American Schools for Oriental Research</i>
AB	Anchor Bible
AFO	<i>Archiv für Orientforschung</i>
AJA	<i>American Journal of Archeology</i>
ANET	J. B. Pritchard, <i>Ancient Near Eastern Texts Relating to the Old Testament</i>
AOAT	Alter Orient—Altes Testament
AOS	American Oriental Series
AS	Assyriological Studies
ASTI	Aarhus Stiftstidende— <i>Annual of the Swedish Theological Institute</i> , Jerusalem
AT	Altes Testament
BASOR	<i>Bulletin of the American Schools for Oriental Research</i>
BBSt	<i>Babylonian Boundary Stones</i>

BGU	Ägyptische Urkunden aus den Museen zu Berlin: Griechische Urkunden
BK	Biblischer Kommentar
BZ	<i>Biblische Zeitschrift</i>
BSOAR	<i>Bulletin of the School of Oriental and African Studies</i>
BWL	W. G. Lambert, <i>Babylonian Wisdom Literature</i>
BZAW	Beihefte zur Zeitschrift für die alttestamentliche Wissenschaft
CAD	The Assyrian Dictionary of the University of Chicago
CH	Codex Hammurabi
CTA	<i>Corpus de tablettes en cunéiforme alphabétique</i>
DJD	Discoveries in the Judaean Desert
EI	<i>Eretz Israel</i>
EvTh	<i>Evangelische Theologie</i>
FGrH(ist)	F. Jacoby, <i>Fragmente der Griechischen Historiker</i>
HThR	<i>Harvard Theological Review</i>
HUCA	<i>Hebrew Union College Annual</i>
IEJ	<i>Israel Exploration Journal</i>
JANES	<i>Journal of Ancient Near Eastern Society, Columbia Univ.</i>
JAOS	<i>Journal of the American Oriental Society</i>
JBL	<i>Journal of Biblical Literature</i>
JCS	<i>Journal of Cuneiform Studies</i>
p 250 JEA	<i>Journal of Egyptian Archaeology</i>
JEN	Joint Expedition at Nuzi
JEOL	<i>Jaarbericht van het Vooraziatisch-Egyptisch Genootschap Ex Oriente Lux</i>
JESHO	<i>Journal of the Economic and Social History of the Orient</i>
JJP	<i>Journal of Juristic Papyrology</i>
JJS	<i>Journal of Jewish Studies</i>
JSS	<i>Journal of Semitic Studies</i>
JNES	<i>Journal of Near Eastern Studies</i>
KAI	Donner & Röllig, <i>Kanaanäische und Aramäische Inschriften</i>
KeHAT	Kurzgefaßtes exegetisches Handbuch zum Alten Testament
KBO	<i>Keilschrifttexte aus Boghazköi</i>
KUB	<i>Keilschrifturkunden aus Boghazköi</i>
LCL	Loeb classical library
MDOG	<i>Mitteilungen der Deutschen Orientgesellschaft zu Berlin</i>
MDP	<i>Mémoires de la délegation en Perse</i>
MGWJ	<i>Monatsschrift für Geschichte und Wissenschaft des Judentums</i>
MVA(E)G	<i>Mitteilungen der Vorderasiatisch-Ägyptischen Gesellschaft</i>
NF	Neue Folge
NI	Tablets excavated at Nippur
NS	New series
OGIS	Dittenberger, <i>Orientis Graeci Inscriptiones Selectae</i>
OLZ	<i>Orientalistische Literaturzeitung</i>
PAAJR	<i>Proceedings of the American Academy for Jewish Research</i>
PRU	Nougayrol and Virolleaud, <i>Le palais royal d'Ugarit</i>
RA	<i>Revue d'Assyriologie</i>
RB	<i>Revue Biblique</i>

RCAE	Waterman, <i>Royal Correspondence of the Assyrian Empire</i>
RE	Pauly-Wissowa, <i>Realencyclopädie der klassischen Altertumswissenschaft</i>
RIDA	<i>Revue Internationale des Droits de l'antiquité</i>
RS	Ras Shamra
RSO	<i>Rivista degli studi orientali</i>
SAGH	<i>Sumerische und Akkadische Hymnen und Gebet</i>
SKI	<i>Sumerische Königshymnen der Isinzeit</i>
SMN	Nuzi tablets in the Semitic Museum, Harvard University
SVT	Supplements to Vetus Testamentum
TCL	Textes Cunéiformes. Musée du Louvre
TDOT	<i>Theological Dictionary of the Old Testament</i>
ThWAT	Theologisches Wörterbuch zum Alten Testament
p 251 TS	Taylor-Schechter
UF	<i>Ugarit Forschungen</i>
UT	<i>Ugaritic Textbook</i>
VS	Vorderasiatische Schriftdenkmäler der königlichen Museen zu Berlin
VT	<i>Vetus Testamentum</i>
WdO	<i>Welt des Orients. Beiträge zur Kunde des Morgenlandes</i>
WO	Die Welt des Orient
YOS	Yale Oriental Series
ZA	<i>Zeitschrift für Assyriologie</i>
ZÄS	<i>Zeitschrift für die Ägyptische Sprache und Altertumskunde</i>
ZAW	<i>Zeitschrift für die alttestamentliche Wissenschaft</i>
ZDMG	<i>Zeitschrift der Deutschen Morgenländischen Gesellschaft</i>
ZDPV	<i>Zeitschrift des Deutschen Palästina-Vereins</i>

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