

DIVINE WARFARE AND YHWH'S WARS: RELIGIOUS IDEOLOGIES OF WAR IN THE ANCIENT NEAR EAST AND IN THE OLD TESTAMENT

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יהוה אֱלֹהֵי מִלְחָמָה יְהוָה הוּא שְׂמוֹ:
(Ex 15:3)

1. Divine Warfare

The term “holy” is not used as an epithet characterizing war in the Old Testament nor in Ancient Near Eastern documents dating to the first 1st millennium BCE.¹ Nevertheless, people in antiquity were convinced that wars were initiated and waged by the Gods and that the people and their leaders were merely executing divine will during warfare.² In Old Egyptian thought the king was seen as a manifestation of

¹ The expression “holy war” was first applied to the description of divine wars in ancient Israel by the orientalist Friedrich Schwally, in his book: *Semitische Kriegsaltertümer: Der heilige Krieg im alten Israel* (Leipzig, 1901). Gerhard von Rad argued that – in opposition to the “profane” interests of war – the Israelites had a special religious ritual, vis. the performance of “amphictyonic wars” that should be termed “holy war” (*Der Heilige Krieg im alten Israel* [first published in 1951; English version: *Holy War in Ancient Israel*, Translated and edited by M. J. Dawn; Grand Rapids, 1991]). This theory was rejected by M. Weippert who showed that all motifs in the biblical texts dealing with records or rituals of war had parallels in ancient near eastern texts (“‘Heiliger Krieg’ in Israel und Assyrien”, *ZAW* 84 [1972], pp. 460–493). For further information on the term and its applications cf. C. Colpe, *Der “Heilige Krieg”: Benennung und Wirklichkeit, Begründung und Widerstreit* (Bodenheim, 1994); M. Weippert, J. van Ess and H-R. Reuter, “Heilige Krieg”, *RGG*, III (Tübingen, 2000⁴), cols. 1562–1565; R. Schmitt, *Der “Heilige Krieg” im Pentateuch und im deuteronomistischen Geschichtswerk. Studien zur Forschungs-, Rezeptions- und Religions-geschichte von Krieg und Bann im Alten Testament* (AOAT 381; Münster, 2011; in press). For texts combining the root קדש with מלחמה see *YHWH the Divine Warrior*, below.

² For previous discussions of these issues see P. D. Miller, *The Divine Warrior in Early Israel* (Cambridge, MA 1973); T. W. Mann, *Divine Presence and Guidance in Israelite Traditions: The Typology of Exaltation* (Baltimore–London, 1977); S-M. Kang, *Divine War in the Old Testament and in the Ancient Near East* (BZAW 177; Berlin–New York, 1989); A. van der Lingen, *Les guerres de Yahvé. L’implication de YHWH dans les guerres d’Israël selon les livres historiques de l’Ancien Testament* (Paris, 1990); K. A. Raaflaub (ed.), *War and Peace in the Ancient World* (Oxford, 2007).

divine power, endowed to him by Amun, the Sun-God, to destroy the enemies of the land and to restore the world order (“*maat*”).³ In Mesopotamian tradition the king was considered to be a divine instrument employed to establish law and justice. In the royal inscriptions of Assyria, the king is described as a tool of the gods in warfare, and in public announcements the acts of war were interpreted as enforcing their will.⁴ The gods were in fact seen as the initiators of the military operations.⁵ Therefore, divination was an integral part of a war. Without divine reassurance it was impossible to convince the combatants to risk their lives in battle. The oracles were needed to endorse the legitimacy of the military actions and of the war leaders. Despite all social and cultural differences among the peoples of the Ancient Near East, analogies and common basic structures can be observed in this context among all nations of antiquity. Thus, even though warfare and its associated ideology underwent historical changes, especially as a consequence of the transition from tribal societies to kingdoms, or as a result of the changing national religious ideologies of the great Ancient Near Eastern empires,⁶ their fundamental religious principals remained unaltered.

³ T. Von der Way, *Göttergericht und „Heiliger“ Krieg im Alten Ägypten. Die Inschriften des Merenptah zum Libyerkrieg des Jahres 5* (SAGAA 4; Heidelberg, 1992), pp. 43–45 (Qadesh-Poem §§ 129–131): “He (= the Sungod Amun) called me (= Ramses II), and it was as if (he spoke to me) from face to face: ‘Go ahead! I am with you! I am your father, my hand is with you ... With everything I did I was successful, I was like Month: I shot (the arrows) with my right hand and I captured the booty with my left. At that time I was like Seth in their (= the Hittites) eyes!’” (KRI II, 44–46). J. Assmann, *Herrschaft und Heil: Politische Theologie in Altägypten, Israel und Europa* (München – Wien, 2000), pp. 96–97; A. J. Spalinger, *War in Ancient Egypt: The New Kingdom, Ancient World at War* (Malden MA – Oxford – Victoria, 2005), pp. 75–77; Schmitt, *op. cit.* (note 1), pp. 47–49.

⁴ B. Oded (*War, Peace and Empire: Justifications for War in Assyrian Royal Inscriptions* [Wiesbaden, 1992], pp. 178–180), lists a series of religious reasons for warfare that appear to legitimize the king’s deeds: the campaigns were divine wars, waged in the name of one or more gods, they were fought against evildoers who had offended the law, and conducted in order to protect the people against their enemies. The war was declared as an act of protecting vassals and allies and as an act of defense against aggressors and usurpers or rebels, who had offended the loyalty oaths. The initiators of rebellion were punished, vengeance was executed and law and justice according to the Assyrian measures were reestablished. Religious insignia were present at the battlefield and the booty was partly presented to the temples. Cf. also Schmitt, *op. cit.* (note 1), pp. 46–47.

⁵ The hymn of Ashurbanipal to Ishtar of Nineveh (K 1290 = OECT 6 11, r. 4–6) says: (4) *ul [ina da-na]ni-ia ul ina da-na-ni GIŠ.BAN-ia* (5) *ina e-m[uq x x x x ù] da-na-ni^aU.DAR.MEŠ-ia* (6) *KUR.MEŠ la ma-[g]i-ri-ia ú-šak-ni-šá ana ni-ir^daš-šur* = Not [with] my [own strength], not with the strength of my bow, but with the power [... and] strength of my goddesses, I have submitted to the yoke of Aššur the disobedient lands (A. Livingstone, *Court Poetry and Literary Miscellanea* [SAA III; Helsinki, 1989], p. 12).

⁶ For an overview of these changes cf. Kang *op. cit.* (note 2), pp. 11–113. For the 3rd–2nd millennia B.C.E., cf. W. J. Hamblin, *Warfare in the Ancient Near East to 1600 B.C.: Holy Warriors at the Dawn of History* (London – New York, 2006). For the development in Egypt, see note 3, above, and also S. Curto, “Krieg”, *LdA*, III (Wiesbaden, 1980), pp. 765–786; For Mesopotamia cf. H. Klengel, “Krieg, Kriegsgefangene”, *RIA* VI (Berlin, 1983), pp. 241–246; For Assyria: W. Mayer, *Politik und Kriegskunst der Assyrer* (ALASPM 9; Münster, 1995); For Israel: A. Ruffing, “Krieg”, *NBL*, II (Zürich, 1995), pp. 554–555; W. Schottruff and S. Beyerle, “Kriegsgefangene”, *NBL*, II, (Zürich, 1995), pp. 555–556; For Asia Minor: P. H. J. Houwink ten Cate, “The History of Warfare according to Hittite

However, despite the urge for territorial expansion, there remained a recurring desire for peace among the peoples, exhibited in their myths and prayers. This desire could often be met only if the maintenance of order and welfare could be guaranteed by the Gods and the kings, who were expected to keep the hostile and chaotic forces at bay and prevent them from threatening the peaceful world order.⁷ To keep up “*maat*” the Pharaoh had to destroy the enemies. To restore justice and peace, the kings were expected to execute the evildoers. The extermination of the foe as a royal act is often depicted in Egyptian, West-Semitic and Mesopotamian iconography as documenting the kings power to keep up “*shalôm*”.⁸ The notion of intimidation or even destruction of the enemy bears the positive connotation that thereby security and justice can be preserved and guaranteed. The exertion of royal power is interpreted within a framework of a mythical cosmology: it serves to protect mankind against the chaotic and destructive forces of man and nature.⁹ Divination through legitimizing oracles assured the leaders that the Gods themselves act to seize and destroy the enemy.¹⁰ Thus the diviners influenced the escalation and de-escalation of war.

Often the principle deities of the nations were depicted as decisive powers, supported by other deities from the Pantheon, be Amun for Egypt, Aššur for Assyria, Marduk for Babylonia, Ahura Mazda for Persia, or by Cemosh for Moab, Ba‘al Shamem for the Arameans or Zeus Olympios for the Greeks.¹¹ In addition, the

Sources: The Annals of Hattusilis 1/2”, *Anatolica* 10 (1983), pp. 91–109; *Anatolica* 11 (1984), pp. 47–83. A new collection of special studies is offered now by J. Vidal (*Studies on War in the Ancient Near East. Collected Essays on Military History* [AOAT 372; Münster, 2010]).

⁷ Cf. S. Maul, “Der assyrische König – Hüter der Weltordnung”, in J. Assmann, B. Janowski and M. Welker (eds.), *Gerechtigkeit. Richten und Retten in der abendländischen Tradition und ihren altorientalischen Ursprüngen* (München, 1998), pp. 65–77; E. Otto, *Krieg und Frieden in der Hebräischen Bibel und im Alten Orient. Aspekte für eine Friedensordnung in der Moderne* (Theologie und Frieden 18; Stuttgart – Berlin – Köln, 1999), pp. 13–75.

⁸ O. Keel, “Die Welt der altorientalischen Bildsymbolik und das Alte Testament am Beispiel der Psalmen” (Neukirchen/Vluyn – Köln – Zürich – Einsiedeln 1977²), pp. 270–286, presents a series of well-known examples of that motif. For an introduction to the Israelite concept of “*shalôm*” cf. H. H. SCHMID, *šālôm ‘Frieden’ im Alten Orient und im Alten Testament* (SBS 51; Stuttgart, 1971); R. Albertz, “Schalom und Versöhnung – Alttestamentliche Kriegs- und Friedenstraditionen”, *ThPr* 18 (1983), pp. 16–29; F. J. Stendebach, “*šālôm*”, *ThWAT*, VIII, pp. 11–46.

⁹ Epical or hymnic references to wars are often connected to motifs from ancient myths telling how God vanquished the chaotic forces; cf. W. H. Schmidt, *Königtum Gottes in Ugarit und Israel. Zur Herkunft der Königsprädikation Jahwes* (BZAW 80; Berlin, 1966); M. K. Wakeman, *God’s Battle with the Monster. A Study in Biblical Imagery* (Leiden, 1973); John Day, *God’s Conflict with the Dragon and the Sea: Echoes of a Canaanite Myth in the Old Testament* (Cambridge–London–New York, 1985).

¹⁰ B. Pongratz-Leisten, *Herrschaftswissen in Mesopotamien. Formen der Kommunikation zwischen Gott und König im 2. und 1. Jahrtausend v. Chr.* (SAAS 10; Helsinki, 1999).

¹¹ The language of the royal inscriptions and annals and the metaphors they use can be compared with the language of the Hebrew Bible, and it is replete with elements of violence and brutality. When these mythical elements were integrated into the description of YHWH as the only God, motifs and epithets from different origins were all applied to the one deity. Some scholars therefore have argued that the monotheistic religion has a special tendency to be violent. But these scholars have overlooked the opposite aspect – that the dynamics of peaceful and healing potentials are also transferred to the description of one God. For a

myths about a God's suffering, dying and overcoming death carry the hope for stability in the constantly recurring cycles of life and fertility, thus stabilizing the religiously perceived world order.¹²

It is not the aim of this study to unfold all these various concepts in detail, and the reader is referred to comprehensive studies on Egyptian, Hittite, West-Semitic and Mesopotamian war-ideologies (cf. above notes 6–7). *Inter alia* these show that the war-ideology of the Hebrew Bible participates in the paradigms of ancient oriental concepts. However, an important peculiarity has to be noted, which often seems to be ignored. The legends and reports about wars in the books of Genesis through 2 Kings and in Chronicles relate both to the pre-monarchial and the monarchial period.¹³ Yet the accounts on wars during the epoch of the kingdoms of Israel and Judah (i.e. 1 Kgs 12–2 Kgs 25) contain merely fragments of the historical tradition. The material about the early period of Israel in Genesis – Judges in parts received its literary shape during the late 7th century BCE, but mostly by the editorial activities of scribes during exilic and post-exilic times. The last historical report on a Judean war in 2 Kgs refers to the battle of King Josiah, in which he failed to defeat Necho II of Egypt at Megiddo (609 BCE; cf. 2 Kgs 23:29). The description of the interregnum of the Egyptians who installed Jehoiakim and the collapse of Judah under the last kings during the Neo-Babylonian period (cf. 2 Kgs 24–25) generates the impression that the initiative for war came from the Egyptians and the Babylonians. A futile last uprising against the Babylonian governor (cf. 2 Kgs 25:25–26; Jer 41) is described as disastrous.

The next military aggression emanating from Israel was the Maccabean revolt of 166 B.C.E., more than 400 years later! During this long interval no military activity has been initiated by the Jewish people against another people or empire.¹⁴ Most great accounts about the wars of YHWH led by Abraham, Moses, Joshua and the Judges are legendary and the texts are for the most of part influenced by the language of the Deuteronomistic and Priestly schools, reaffirming the religious convictions of the Second Temple community, who had lost its political sovereignty.

discussion on this issue cf. J. Assmann, "Monotheismus und die Sprache der Gewalt", in P. Walter (ed.), *Das Gewaltpotential des Monotheismus und der dreieine Gott* (QD 216; Freiburg, 2005), pp. 18–38; E. Zenger, "Der Mosaische Monotheismus im Spannungsfeld von Gewalttätigkeit und Gewaltverzicht. Eine Replik auf Jan Assmann", in Walter, *ibid.*, pp. 39–73.

¹² Otto, *op. cit.* (note 7), pp. 13–28, describes, how the myths of Ugarit treat the dynamics of violence and who they try to resolve it. For the correlation between the myths and the ideal concept of kingship, cf. K-P. Adam, *Der königliche Held. Die Entsprechung von kämpfendem Gott und kämpfendem König in Psalm 18* (WMANT 91; Neukirchen-Vluyn 2001), pp. 16–25.

¹³ For a critical evaluation of the sources cf. L. L. Grabbe, *Ancient Israel: What Do We Know and How do We Know It?* (London–New York, 2007), pp. 65–226.

¹⁴ However, Jews served in the Persian army, as demonstrated at Elephantine. In the prophetic texts of the Persian period we can observe the development of new reflections on an universal order of peace. They ongoing wars between the empires and kingdoms are mirrored in eschatological and apocalyptic texts of the Hellenistic period. A renewal of a political and religious concept of warfare came up during the Maccabean period, as we can see from the books of the Maccabees, the book of Daniel, in the book of Jubilees and in henoic literature, in CD and 1 QM, in testimonies from the time of the Jewish War (66–70 CE) and the revolts in 115–117 and 135 CE; cf. J. Maier, *Krieg und Frieden sowie das Verhältnis zum Staat in der Literatur des frühen Judentums* (Beiträge zur Friedensethik 9; Barsbüttel, 1990).

2. Neo-Assyrian Annals and Biblical Historiography on Wars

The Pre-exilic literary reports about the era of the two kingdoms are included in the Deuteronomistic account in 1 Samuel–2 Kings. From the second half of the 8th century BCE until the time of Josiah (639–609 BCE) Assyrian governance and domination influenced directly or indirectly the formation of Israelite scribal culture.¹⁵ We may therefore compare the ideology of war in Israel and Judah, as presented in the Bible with contemporary Assyrian texts. However, there is a fundamental difference between the materials of the Hebrew Bible and the Assyrian annals and inscriptions, since the Deuteronomistic account includes a critical evaluation of the achievements of the kings, arguing that most kings “did what was displeasing to YHWH” (1 Kgs 11:6; 14:22; 15:26.34; 16:19 to 2 Kgs 24:9, 19). In contrast, the legendary narratives about Joshua’s conquest of Canaan are positive in their evaluation (Josh 10:40): “Thus Joshua conquered the whole country ... he left no remaining but devoted to the ban every breathing person, as YHWH, the God of Israel, had commanded”, and Josh 11:23: “Thus Joshua conquered the whole country, just as YHWH had promised Moses.”¹⁶ Consequently, most parallels between the Assyrian inscriptions, that were devoted to proclaiming as they do the great deeds of the gods and their kings, and the Bible can be found in the biblical conquest narratives of the latter.

Younger¹⁷ – following preliminary works of Liverani¹⁸ and his student Fales¹⁹ – designed a typology of elements in historiography or (better) historical presentations in Assyrian annalistic texts. He traces a series of reoccurring syntagms in Assyrian conquest accounts, concerning regarding the spatiotemporal coordinates of the events, the state of disorder which induces the activity of the kings, induces the description of the divine aid, the movements of the troops, the flight of the enemy and the pursuit, and finally the combat and its results, the submission of the enemy and the consequences of the war, the celebration of the victory and the supplemental royal activities.²⁰ Then he compares these texts with the account about

¹⁵ For a historical description on the interrelation between Israel and Assyrian history and culture cf. G. Galil, *Israel and Assyria* (Haifa – Tel Aviv, 2001; Hebrew).

¹⁶ The translation of the Biblical texts in this essay mostly follows the suggestion of JSB or NIV, except from special Hebrew idiomatic formulations, where it is necessary to keep closer to the original meaning. For the root *ḥrm* the translation “ban, to ban” is preferred; for the reasons see below, note 38.

¹⁷ K. L. Younger, *Ancient Conquest Accounts: A Study in Ancient Near Eastern and Biblical History Writing* (JSOTS 98; Sheffield, 1990).

¹⁸ M. Liverani, “The Ideology of the Assyrian Empire”, in: Mogens Trolle LARSEN (ed.), ‘Power and Propaganda: A Symposium on Ancient Empires’, Copenhagen 1979, pp. 329–359.

¹⁹ F. M. Fales, “The Enemy in Assyrian Royal Inscriptions: ‘The Moral Judgement’”, in Hans-Jörg Nissen / Johannes Renger (eds.), *Mesopotamien und seine Nachbarn*, II (Berlin, 1982), pp. 425–435; idem (ed.), *Assyrian Royal Inscriptions: New Horizons in Literary, Ideological and Historical Analysis* (OAC 17; Rome, 1981).

²⁰ Younger, *op. cit.* (note 17), pp. 72–124. The analysis is based on the older editions of the annals, which are now available in RIMA 2 and RIMA 3. It refers to the annals of Tiglath Pileser I (RIMA 2, pp. 5–84); Ashur-Dan II (RIMA 2, pp. 131–135); Ashurnasirpal II (RIMA 2, pp. 189–264); Shalmaneser III (RIMA 3, pp. 5–184); Sennacherib (Borger, BAL, II, pp. 64–88), Sargon’s letter to God (text according to W. Mayer, Sargons Feldzu gegen Urartu – 714 v. Chr. Text und Übersetzung, *MDOG* 115 [1983], pp. 65–132) and others.

the conquest of Canaan in Joshua 9–12, concluding that “the text of Joshua 9–12 is structured on a transmission code similar to that of other ancient Near Eastern royal inscriptions”.²¹

2. 1. Esarhaddon's Prisma A from Nineveh and the Hebrew Bible

Several similarities in motifs and concepts concerning the royal ideologies of war can also be shown at the more historical biblical texts. In fact, almost every Assyrian annalistic text can provide such evidence, when compared to the biblical material. As an example we chose Esarhaddon's Prisma A from Nineveh.²² The text tells how the Assyrian king was appointed by his father as his successor, contrary to the will of his elder brothers, but with the *help of the Gods*, and especially with support from Ištar (A).²³ Esarhaddon (680–669 BCE) beats his adversaries in a battle²⁴ and the Assyrian people *acknowledge his leadership* and pays him homage by “kissing” his feet (i 81): “*ú-na-áš-ši-qu GÌR.II-ia*” (B).²⁵ At the beginning the text explains that when Esarhaddon was led to the house of the successor in order to perform the rituals of enthronement, the *elder brothers conspired against the younger one* rather: against him? (C): “Persecution (and) jealousy fell over my brothers and they forsook (the will) of the gods. They trusted in their arrogant deeds, and they were plotting evil. They started evil rumors, calumnies, (and) slander about me against the will of the gods, and they were they constantly telling insincere lies, hostile things, behind my back” (i 23–27).

Esarhaddon finds shelter under the protection of Aššur and Marduk (i 32–40), which means that the priests of the important sanctuaries probably granted asylum and help to the king. The inscription continues to blame the brothers for blasphemy and rebellion, the discord among themselves provides evidence for their evilness and *their solidarity is distorted* (D): “Afterwards, my brothers went out of their minds and did everything that is displeasing to the gods and mankind, and they plotted evil, girt (their) weapons, and in Nineveh, without the gods, they butted each other like kids for (the right to) exercise kinship” (i 41–44).

The *brothers invoked the anger of the gods* (E): “The gods Aššur, Šîn, Šamaš, Bēl, Nabû, Ištar of Nineveh, (and) Ištar of Arbela saw the deeds of the usurpers which had been done wrongly against the will of the gods and they did not support

²¹ Younger, *op. cit.* (note 17), p. 237.

²² The text was first edited by R. C. Thompson (*The Prisms of Esarhaddon and Ashurbanipal found at Nineveh, 1927–1928* [London, 1931]). In 1956 R. Borger published his edition and translation (*Die Inschriften Esarhaddons* [Graz, 1956], pp. 36–37, 39–64); and in 1985 Borger's translation was published in O. Kaiser (ed.), *Texte aus der Umwelt des Alten Testaments*, I (Gütersloh, 1985), pp. 393–397. In this article, the translation of the text follows E. Leichty's new forthcoming edition (*The Royal Inscriptions of Esarhaddon, King of Assyria [680-669 BC]*; with a contribution by G. Frame and the editorial assistance of J. Novotny, M. T. Rutz, and A. E. Barron [Winona Lake, IN 2011], pp. 11-16 (= Leichty, RINAP 4, no. 1). I thank Prof. Earl Leichty for the permission to publish here his new and updated reading of this inscription.

²³ The upper case letters (A, B, C etc.) mark certain features in the Assyrian account whereas their corresponding parallels in the Hebrew Bible are marked with A', B', C' etc. (see below).

²⁴ Leichty, RINAP 4, pp. 11–14.

²⁵ Leichty, *ibid.*, p. 14. For a parallel to this rite in Israel compare Psalm 2:11b.12a* (conj.).

them. They changed their strength to weakness and forced them to bow down to me” (i 45–49).

The inscription states that the *people of Assyria*, bound by oath and covenant to be loyal to Esarhaddon's royalty, *did not come to support the rebellious brothers* (F): “The people of Assyria, who swore by oil and water to the treaty, an oath bound by the great gods, to protect my (right to exercise) kingship, did not come to their aid” (i 50–52).

In a *ritual lament, in front of the great gods*, the king demands the support of the gods and shows his determination to persecute the rebels (G). By *tearing his robe* he expresses his despair and *affirms his decision* to pursue the evildoers (H): “I, Esarhaddon, who with the help of the great gods, his lords, does not turn back in the heat of battle, quickly heard of their evil deeds. I said ‘Woe!’ and rent my princely garment. I cried out in mourning, I raged like a lion, and my mood became furious. In order to exercise kingship (over) the house of my father I beat my hands together. I prayed to the gods Aššur, Sîn, Šamaš, Bēl, Nabû, and Ištar of Nineveh, (and) Ištar of Arbela” (i 53–60).

The *gods grant positive oracles* (I): “... and they accepted my word(s). With their firm ‘yes’ they were sending me reliable omen(s), (saying): ‘Go! Do not hold back! We will go and kill your enemies’” (i 60–62).

Without any further preparation the king *departs immediately, trusting in the power of the gods* and in their support (J): “I did not hesitate one day (or) two days. I did not wait for my army. I did not look for my rear guard. I did not check the assignment of horses harnessed to the yoke, nor that of my battle equipment. I did not stock up travel provisions for my campaign. I was not afraid of the snow (and) cold of Šebātu (XI), the severest cold season. Like a flying eagle I spread my wings to drive back my enemies. With difficulty and haste, I followed the road to Nineveh” (i 63–69).

He meets the *superior strength of the enemies* and *experiences the strength of the gods* in the battle (K): “... before my (arrival) in the territory of the land of Hanigalbat all their crack troops blocked my advance; they were sharpening their weapons. Fear of the great gods, my lords, overwhelmed them, (and when) they saw my mighty battle array, they became like crazed women. The goddess Ištar, the lady of war and battle, who loves my priestly duties, stood at my side, broke their bows, (and) she split open their tight battle ranks. In their assembly, they said thus: ‘This is our King!’ Through her sublime command they began coming over to my side (and) marching behind me. They were gamboling like lambs (and) begging my sovereignty. The people of Assyria, who had sworn by the treaty, an oath bound by the great gods, concerning me, came before me and kissed my feet. Moreover, those rebels, the ones engaged in revolt and rebellion, when they heard of the advance of my campaign, they deserted the army they relied on and fled to an unknown land” (i 70–84).

With the intervention and support of the gods, Esarhaddon *conquers the capital of Nineveh* and is again reassured by good omens (L): “...by the command of the gods Sîn (and) Šamaš, the divine lord(s) of the embankment, I made all of my troops hop over the wide Tigris River as if it were a small canal. In Addaru (XII), a favorable month, on the eighth day, the *eššēšu*-festival of the god Nabû, I joyfully entered Nineveh, my capital city, and I sat happily on the throne of my father. The south-wind, the breeze of the god Ea, the wind whose blowing is favorable for exercising kingship, blew upon me. Favorable signs came in a good time to me in heaven and

on earth. They (the gods) continually and regularly encouraged me with oracles through ecstasies, the message(s) of the gods and goddess(es)” (i 85–ii 7).

The *punishment of the rebels* underlines the legitimacy of Esarhaddon’s claim to the throne (**M**): “I sought out every one of the guilty soldiers, who wrongly incited my brothers to exercise kingship over Assyria, and imposed a grievous punishment on them: I exterminated their offspring” (ii 8–11).

Esarhaddon now *presents himself as the chosen king* to the people of Assyria (**N**): “I am Esarhaddon, king of the world, king of Assyria, valiant warrior, foremost of all rulers, son of Sennacherib, king of the world (and) king of Assyria, descendant of Sargon (II), king of the world, king of Assyria, creation of the god Aššur (and) the goddess Mullissu, beloved of the gods Sîn and Šamaš, chosen by the gods Nabû (and) Marduk, favorite of the goddess Ištar—the queen—desired by the great gods, capable, able, intelligent, learned, the one whom the great gods raised to be king in order to restore the great gods and to complete the shrines of all the cult centers of the great gods” (ii 12–20).

The text then reports the consequences of Esarhaddon’s accession to power. He receives the acclamation from the people, and then punishes his rivals and executes the leaders of the riots. *As proof of his legitimacy he destroys all enemies* and their allies (**O**): “(As for) Abdi-milkūti, king of Sidon, (who) did not fear my lordship (and) did not listen to the words of my lips, who trusted in the rolling sea and threw off the yoke of the god Aššur—I leveled Sidon, his stronghold, which is situated in the midst of the sea, like a flood, tore out its wall(s) and its dwelling(s), and threw (them) into the sea; and I (even) made the site where it stood disappear” (ii 65–70).

The *escape of the enemies is thwarted by divine intervention* (**P**), their leaders are *executed to give a deterrent example* (**Q**).²⁶ Thereafter a sizeable *booty* is brought in (**R**): “Abdi- milkūti, its king, in the face of my weapons, fled into the midst of the sea. By command of Aššur, my lord, I caught him like a fish from the midst of the sea and cut off his head. I carried off his wife, his sons, his daughters, his palace retainers, gold, silver, goods, property, precious stone, garments with trimming and linen(s), elephant hide(s), ivory, ebony, boxwood, everything of value from his palace in huge quantities, (and) took away his far-flung people who were beyond counting, oxen, sheep and goats, and donkeys in huge numbers to Assyria” (ii 71–80).

In passing on the Jerusalemite epic to the post-exilic generations, the Deuteronomists – still under the impression of the Neo-Assyrian period the – formed narratives on YHWH’s wars in the early ages and the Davidic time which draw heavily on a very idealistic picture about Israel’s pious saviors. The account of Solomon’s accession to the throne²⁷ places certain emphasis to legitimacy of the succession. Although the kingdom did not descend on his elder brother Adonijah it is stressed that “*it came to him by the will of YHWH*” (1 Kgs 2:15; cf. 1 Chr 28:5), so he was *supported by the God of the empire* (**A’**). Thus in the Davidic line every renewal of the Davidic covenant and the appointment of a new sovereign depends

²⁶ Enacting violence against the enemy is a constituent part of the ritualistic ideology of warfare; cf. Z. Bahrani, *Rituals of War: The Body and Violence in Mesopotamia* (New York, 2008).

²⁷ For a close literary-critical analysis of the complex texts concerning David’s succession in 2 Sam 6–1 Kgs 2, cf. T. A. Rudnig, *David’s Thron: Redaktionskritische Studien zur Geschichte von der Thronnachfolge Davids* (BZAW 358; Berlin – New York, 2006).

on divine choice (1 Kgs 8:16; 11:34). If the succession did not follow the principle of primogeniture, conflicts between the party of the firstborn son of the king and the preferred successor may have been the consequence in many cases. Thus, after the appointment of Solomon, Benaja, Zadoq and Nathan enforce the proclamation of their favorite and the *acclamation from the people* (1 Kgs 1:39–40; 1 Chr 29:23–24) (B'). The *rebellion of his elder brother*, Adonijah, who found allies among the leaders of the army, the priesthood and the people, causes an uproar in the city; he thus acts against God's will and against the legitimate successor of David (1 Kgs 1:5, 9, 41)²⁸ (C'). Adonijah tries to summon all the brothers of Solomon (1 Kgs 1:19), but when they hear that Solomon has been anointed and has assumed power, the *solidarity of the rebels is distorted* (1 Kgs 1:49) (D'). In stating that Adonijah did not invite the prophet Nathan to partake in his plans the story judges his behavior as having been conducted against God's will. This, in combination with King David's oath, sets the ground for God's anger at Adonijah, leading to his justly death (1 Kgs 2:13–46) and thus consolidating Solomon's kingship. In combination with David's oath it is obvious that *Adonija has caused God's anger*, and therefore asylum at the holy altar cannot be granted to him (1 Kgs 1:50) (E'). *The people do not support Adonijah's party any longer* (1 Kgs 1:49) (F'). *In a vow before God* the king promises to bring an end to the activities of his nasty brother (1 Kgs 2:23–24) (G'). In the Assyrian prism the royal decision is expressed by the ritual act of *rending the robe, which affirms the ultimate judgment* and initiates the act of prosecution (Prism A I,56), similar acts are reported in 1 Kgs 21:27; 2 Kgs 5:7f; 6:30; 19:1; 22:11,19 (H'). Finally, the rebels are punished (1 Kgs 2:13–25.26–46), and thereby the legitimacy of the King is proven, 1 Kgs 2:46. Thus the kingdom was secured in Solomon's hand. Later his *authority is confirmed by divine oracles* (1 Kgs 3:11–14; 9:3–9) (I').

In the so-called Davidic Psalms, scribes collected several laments that take up the issue of the king's rebellious adversaries. *Laments* served in the sacral realm of kingship as ritual texts, and were used for the reaffirmation of the kingship (cf. Ps 3:1; 7:1; 18:1). One of them was even integrated into the founding legend of the Davidic dynasty in 2 Sam 22 par. Ps 18. In his prayer the king asks God to hear his lament and to answer him, and God lets the king hear his voice "in a thunder from heaven" (2 Sam 22:7, 14 par.) (G', I'). In the Psalm the king *expresses trust in God's power* (2 Sam 22:30 par.) (J'), *facing the superiority of the enemies he experiences the strength of YHWH* (K'), and *with the support of God he overcomes all obstacles and conquers the cities of his foe* (2 Sam 22:33, 38–43 par) (L'): "With You I can run through a troop, and by my God I can leap over a wall! It is God who girded me with might, who made my way perfect! I pursued my enemies and overtook them, I did not turn back till I destroyed them. I struck them down, and they could rise no more; they lay fallen at my feet. You have girded me with strength for battle, brought my adversaries low before me, made my enemies turn tail before me, I wiped out my foes. They cried out, but there was nobody to deliver, cried to YHWH, but he did not answer them. I ground them fine as windswept dust, I trod them flat as dirt of the streets" (2 Sam 22:30–43).

As proof of his legitimacy *Solomon punishes or kills his enemies* Adonijah (1 Kgs 2:23–24), Joab, the general (1 Kgs 2:28–35), Shimei, the Benjaminite, a former

²⁸ Blasphemy and rejection of the divine elected leaders were considered a taboo in Israel, cf. Ex 22:27: "You shall not revile God nor put a curse upon a chieftain among your people!"

enemy of David (1 Kgs 2:36–45) (M', O'). In 1 Kgs 1–11 the self presentation of Solomon is associated with the edification and dedication of the Temple (1 Kgs 8:12–21), and an official prayer of the king (1 Kgs 8:22–53). *Solomon presents himself* to the people as the chosen king and founder of the Temple and grants a royal blessing (1 Kgs 8:54–61) (N').

Other features comparable to the account of the Prism can be found in the narrative of David's victory over the Amalekites (1 Sam 30). In the exposition of the story a deep concern of the people and the king is expressed after a brutal attack against Ziklag by the Amalekites who had burned down the city and kidnapped all women and children. David is empowered by God by means of an *encouraging oracle* (1 Sam 30:6b.7–8) (I'). *Trusting the oracle, he departs immediately* and without any hesitation with his troops, with no consideration of their number and force (1 Sam 30:9–10) (J'). He then must face the *superiority of the opposite forces and, strengthened by God*, beats them (vv.16–17) (K'). This is a prominent feature, which may be found in many other stories of the Hebrew Bible, mainly in the books of Joshua and Judges, for example in Jos 11:4: "And they went out, they and all their hosts with them, much people, even as the sand that is upon the sea-shore in multitude, with horses and chariots very many".

It is mostly in the legendary material about the pre-state period, that war-narratives mention the *divine intervention* for Israel (L'), cf. Josh 11:6–9: "And YHWH said to Joshua, Be not afraid because of them; for tomorrow at this time will I deliver them up all slain before Israel: thou shalt hock their horses, and burn their chariots with fire. So Joshua came, and all the people of war with him, against them by the waters of Merom suddenly, and fell upon them. And JHWH delivered them into the hand of Israel, and they smote them, and chased them unto great Sidon, and unto Misrephoth-maim, and unto the valley of Mizpeh eastward; and they smote them, until they left them none remaining. And Joshua did unto them as JHWH bade him: he hocked their horses, and burnt their chariots with fire."

Josh 10:10f. recounts *the escape of the enemies being thwarted by divine intervention*; their attempts to escape are in vane (P'): "And JHWH discomfited them before Israel, and he slew them with a great slaughter at Gibeon, and chased them by the way of the ascent of Beth-horon, and smote them to Azekah, and unto Makkedah. And it came to pass, as they fled from before Israel, while they were at the descent of Beth-horon, that JHWH cast down great stones from heaven upon them unto Azekah, and they died" (Josh 10:10–11).

Josh 10:24ff. describes the *execution of the kings as a deterrent example* (Q'): "And it came to pass, when they brought forth those kings unto Joshua, that Joshua called for all the men of Israel, and said unto the chiefs of the men of war that went with him, Come near, put your feet upon the necks of these kings. And they came near, and put their feet upon the necks of them. And Joshua said unto them, Fear not, nor be dismayed; be strong and of good courage: for thus shall JHWH do to all your enemies against whom ye fight. And afterward Joshua smote them, and put them to death, and hanged them on five trees: and they were hanging upon the trees until the evening. And it came to pass at the time of the going down of the sun, that Joshua commanded, and they took them down off the trees, and cast them into the cave wherein they had hidden themselves, and laid great stones on the mouth of the cave, unto this very day" (Josh 10:24–27).

The *booty* is, of course, also mentioned in the Israelite war stories (**R'**), cf. 1 Sam 30:18–25, or in Josh 11:14: “And all the spoil of these cities, and the cattle, the children of Israel took for a prey unto themselves”.

But when in post-exilic priestly literature legendary war-descriptions were developed and the tradition was augmented more and more with sacral elements,²⁹ a distinction was made between booty that could be kept by the Israelites and those parts that had to be devoted to the sanctuary as *terūmah* (Num 31:31–54).

2. 2. Ninurta-kudurri-ušur's Annals and Related Motifs in the Hebrew Bible

The second text from the mid-8th century BCE is a military campaign of Ninurta-kudurri-ušur, “governor of the land of Suhi and the land of Mari”.³⁰ In his diction and his metaphors he adopts the language of the ruling class, introducing himself *as a man of royal blood and chosen by the Gods* (**A**):³¹ “I, Ninurta-kudurri-ušur, governor of the land of Suhi and the land of Mari, son of Šamaš-rēša-ušur, DITTO, son of Iqīša-Marduk, DITTO, descendant of Adad-nādin-zēri, DITTO, the one of everlasting seed, sistant descendant of Tunamissah, son of Hammu-rapi, king of Babylon: the chosen, upon whom Šamaš and Marduk, Adad and Apla-Adad joyfully (and) radiantly glanced with their powerful shining faces; to whom they gave complete power and kingship over the land of Sūhu; and from allotted destiny they bestowed justice” (I.1–7).

The *invasion of the enemies* is described, emphasizing their evil intentions and insidiousness as well as their tremendous military power (**B**): “Barely three months had passed in the initial year of my governorship, when I sat on the throne of my father, when 2000 men of the Hatallu tribe—from the Sarugu (clan) to the Luhū’āju (clan)—with their archers and their military commanders gathered together; and they imparted a command to each other. Šama’-gamni, the herald of the Sarugu, who is thoroughly confused by falsehood, was their chieftain. They came up for a raid against the land of Laqê. And while in the steppe they thought to themselves, thus: the governor of Sūhu is hostile to us. How will we go past to make a raid on the land of Laqê? ... They trusted in their strength and they advanced against the land of Laqê. They seized 100 villiages of the land of Laqê; the plundered booty without number; and they turned the land of Laqê into ruin mounds” (I.7–30).

The governor then receives an *oracle* (**C**) and thereupon he *rises against the enemy* with a mighty military force (**D**), *defeats and destroys them* (**E**). His *attack is compared with a flood*, an often-used imagery for Assyrian armed forces (**F**): “But I, Nin[urta- kudurri-ušur, governor of the land of Sūhi] und Mari, the chosen, upon whom Šamaš and Marduk, Adad and Apla-Adad and Ištar ... have called, and gave a position above all kings and gover[nors], I asked the great Lord Apla-[Adad], my

²⁹ Schmitt, *op. cit.* (note 1), pp. 51–170, describes in detail the addition of sacral elements in the war descriptions as a process of “sacralization” in deuteronomistic, priestly and post-priestly (chronistic) tradition.

³⁰ A. Cavigneaux and B. K. ISMAIL, “Die Statthalter von Suḫu und Mari im 8. Jh. v. Chr.”, *BaM* 21 (1990), pp. 321–456, no. 2, tablet 35–38; Translation by K. L. Younger, Jr., in: W. W. Hallo (ed.), *The Context of Scripture. Monumental Inscriptions from the Biblical World*, II (Leiden – Boston – Köln, 2000), pp. 279–283; a completed version is given by K. Hecker, in B. Janowski and G. Wilhelm (eds.), *Texte aus der Umwelt des Alten Testaments, Neue Folge*, II (Gütersloh, 2005), pp. 84–88.

³¹ For parallels in the Hebrew Bible see below (A', B' etc.).

Lord. I went to war with 105 chariots, 220 horsemen and 3000 soldiers – but the whole land of Sūhi had not gathered (to support me) – I went against them, up to the steppe. One day I sat (waiting) beside the well of Şummū'a, when 2000 archers arrived at the well of Makiri. I attacked them and killed 1716 men of them. I brought upon them an inundation” (I.29–35; II.1).

The following report about the *persecution and destruction of the fleeing troops* underlines the finality of the victory (**G**). The description of the fierce cruelty of the Assyrian bloodshed serves in the annals to underline the greatness and excellence of the military achievements: “Like locusts the arrows whizzed over my camp. (But) no one in my camp fell dead! Although they wounded 38 soldiers in my camp, no one among them fell dead in the steppe. I fell upon them (the Arameans) like a blazing fire, and I put to the sword 1,616 of their troops. Furthermore, I removed the hands and lower lips of 80 of their troops; and I let them go free to (spread the news of my) glory. From the well of Makiri (and) the well of Gallabu and up to the well Suribu, at (these) three wells, I decisively defeated them. I annihilated them. I scattered their substantial auxiliary troops; and I broke up their troop contingents. I captured those who attempted to escape. I caused their blood to flow like waters of a river. The road with their corpses was visible to the eagles and vultures. I filled the mountains and wadis with their skulls like mountain stones. Birds made nests in their skulls like mountain stones. 304 of their troops had quickly fled before me. (Since) my horses and my troops had become thirsty for water due to the fighting, I did not pursue them. 40 of (these) troops perished due to thirst for water. 254 of their troops got away. I killed 1,846 of their troops. This is a single defeat that Ninurta-kudurrī-uşur, governor of the land of Sūhi and the land of Mari, inflicted upon the Hatallu (tribesmen)” (II.17–21).

In the following is the description of the *exemplary punishment of the enemies' leader* (**H**) and the exhibition of the dead body, an act that serves to evidence that the defeat is complete and that the acknowledgment of the new authority is inevitable: “Şama'gamni, the herald of the Sarugu (clan), their leader, the dishonest servant whom the land of Sūhu, the land of Assyria and my fathers rejected, I captured him. When I killed him, my heart calmed down. Having stripped off his skin like the skin of a sheep, I set (it) in front of the gate of Āl-gabbāri-bāni. I inflicted such a defeat as none of < my ancestors > had ever inflicted” (II. 21–25).

Victory is not explained as a result of the power of the military leader, but rather *as result of the strength of the god, who leads the armed forces* (**I**): “Not by my own strength I vanquished them, but by the strength of the great Gods Şamaš and Marduk, Adad and Apla-Adad, my Lords, I fought this battle... It was the work of the God Apla-Adad, my Lord. [Apla-Adad lo]ves me and he put this accomplishment into my hands!” (II.45–46, 50).

The tablet recording the governor's victory can be compared—from many perspectives—with the biblical narratives, especially in Joshua and Judges, but also in the accounts about the early monarchy in Israel, where David's rise to power is described. Several legends are told, to provide *evidence for the divine election* of David by YHWH, e.g. the story about David's clandestine election and anointment by Samuel (1 Sam 16:1–13) (**A'**). Against this background, the function of all the reports on David's military achievements is to demonstrate the legitimacy of his appointment. One of them is the account on the campaign against the Philistines in 1 Sam 23. In the beginning the *invasion of the enemies* is described (**B'**): “And they

told David, saying, Behold, the Philistines are fighting against Keilah, and are robbing the threshing-floors” (1 Sam 23:1).

David consults God and receives an *oracle* (C’): “And they told David, saying, Behold, the Philistines are fighting against Keilah, and are robbing the threshing-floors. Therefore David inquired of JHWH, saying, Shall I go and smite these Philistines? And JHWH said unto David, Go, and smite the Philistines, and save Keilah. And David’s men said unto him, Behold, we are afraid here in Judah: how much more then if we go to Keilah against the armies of the Philistines? Then David inquired of JHWH yet again. And JHWH answered him, and said, Arise, go down to Keilah; for I will deliver the Philistines into thy hand. And David and his men went to Keilah” (1 Sam 23:2–5).

Without hesitation David obeys the oracle, *rises against the enemy* (D’), *defeats and routes them* (E’): “David and his men went to Keilah and fought against the Philistines; he drove off their cattle, and inflicted a severe defeat on them. So David saved the inhabitants of Keilah” (1 Sam 23:5).

Similarly to the annals quoted above (II.1: “I brought upon them an inundation!”), in other Assyrian sources flood motif is encountered frequently. As far as I can see, it is not used for the actions of the Israelites, so there is *no parallel* for F³². The persecution and destruction of the fleeing troops (G’) is a firm element of the genre and appears in several other Old Testament narratives (cf. Gen 14:10–11; Jud 7:22–24; 8:12.21; 1 Sam 30:17–20.21–31). The motif of the cruel bloodshed (see above, II 17–21: “I caused their blood to flow like waters of a river. The road with their corpses was visible to the eagles and vultures!”) finds an echo in Ps 79, when Israel describes the destruction of Jerusalem by the Neo-Babylonians (Ps 79:2–3): “They have left Your servants’ corpses as food for the fowl of heaven, ... Their blood was shed like water around Jerusalem!”³³

The motif of the *exemplaric punishment of the leaders and the exhibition of the dead bodies* (H’) is missing in 1 Sam 23, but it is known in Israel as well, as attested in Jos 10:23–27.³⁴ In the narrative cycle on the conflict between David and Saul, significantly, Saul is rejected by YHWH and the Philistines had skewer and expose his dead body on the wall of Bet-Shean (1 Sam 31:8–13).

In a fashion quite similar to the account of Ninurta-kudurrī-ušur, David’s *military success is attributed to God only* (I’). This motive is expressed in the oracle of legitimization on the occasion of David’s final accession to the throne. The text functions as a ‘charter’ for the Davidic dynasty, cf. 2 Sam 7:8–11: “Further, say thus to my servant David: Thus says YHWH of hosts: ‘I took you from the pasture, from following the flock, that you should be ruler over my people Israel. And I have been with you wherever you went, and have cut off all your enemies before you; and I

³² In divine theophany YHWH subdues and rules the powers of the waters and the flood, cf. Ex 14:15; Ps 18:13-18; 77:17-20; Hab 3:8-10.

³³ This motif can be followed up until the description of the conquest of Jerusalem by William of Tyre, cf. Willemi Tyrensis Archiepiscopi Chronicon, VIII,20 (ed. by R. B. C. HUYGENS, CCCM 38, Turnholt, 1986): “Horror erat denique caesorum intueri multitudinem, et humanorum artuum passim fragmenta conspiceri, et effusi sanguinis aspergine cunctam redundare superficiem. Nec solum defunctorum corpora membris potioribus lacera et abscessis mutilata capitibus, intuentibus erat angustia; verum et ipsos victores a planta pedis usque ad verticem cruore madentes periculosum erat conspiceri, et horrorem quemdam inferebant occurrentibus.”

³⁴ For further parallels for Josh 10:16–27 cf. Younger, *op. cit.* (note 17), pp. 220–225.

will make you a great name, like that of the greatest men on earth. And I will appoint a place for my people Israel, and will plant them firm, that they shall dwell in their own place, and be no more moved! Neither shall the children of wickedness oppress them any more, as in the past, and ever since I appointed judges as chieftains over my people Israel. I will cause you to rest from all your enemies”.

3. YHWH, the Divine Warrior

The accounts on the kingdoms of Israel and Judah³⁵ after the division of the Davidic–Solomonic kingdom in 1 Kgs 12 to 2 Kgs 25 contain rather brief war reports, dealing instead with the failures of the kings, and often referring to their unsettled relation with YHWH. As usual, annals were written *ad maiorem regum gloriam*, i.e. in favour of the ruling kings, but in the rewritten form of the annals in the Deuteronomistic history the opposite is stressed: the kings usually did not act according to “what was right in the eyes of YHWH”. Therefore we find several reports on military failure and on fraternal strife between Judah and Israel. Solely the era of YHWH’s faithful servants Moses, Joshua, certain judges and David (Ex 1 through 2 Sam 10) are provided with positive war reports, cf. 2 Sam 8:14b: “And YHWH gave victory to David wherever he went”. A first crisis can be gleaned from the report on David’s affair with Bathsheba (1 Sam 11–12), followed by stories on the disastrous conflicts between his sons. The account on David’s succession focuses on Amnon’s sin (2 Sam 13); Absalom’s revolt (2 Sam 14–19), Sheba’s rebellion (2 Sam 20) and on the death of Saul’s sons (2 Sam 21). Subsequently only short summaries on David’s successes can be found. In the note on the warfare against the Philistines (2 Sam 21:15–22) the name of God is not even mentioned! The chapter on David’s warriors provides only some minor indications on divine involvement (2 Sam 23:10b, 12b, 16b, 17), also without mentioning the holy name.

After the narrative on Solomon’s accession to the throne (1 Kgs 1–2), where we find the traditional elements of legitimating of the king in opposition to the delegitimation of his adversaries, the depiction of the peaceful regime of Solomon (1 Kgs 3–10) ends up in the critical description of his mixed marriages in line with his apostasy (1 Kgs 11:1–8). An oracle of whom announces that the kingdom will be torn away from the Davidic king (1 Kgs 11:9–13). The secession of the northern kingdom from Judah culminates in the foundation of a separate royal sanctuary in Bethel, the “sin of Jeroboam” (1 Kgs 12:28), and leads to the disaster of Israel as a consequence of YHWH’s divine wrath (2 Kgs 17). In the few descriptions of warfare between 1 Kgs 11 and 2 Kgs 25, the kings of Israel are usually described as unsuccessful. 1 Kgs 20 records that Ahab could only defeat the Aramaean king Ben-Hadad because Ben-Hadad had committed an act of blasphemy against YHWH (1 Kgs 20:28); but due to his disobedience Ahab also falls under the divine verdict (1 Kgs 20:42). All other wars turn out to be disastrous for Ahab (1 Kgs 22) and his successors (2 Kgs 1; 3; 6–7; 10; 12ff.), until the Northern Kingdom falls under Assyrian yoke. The subsequent course of the war is disastrous for Ahab (1 Kgs 22),

³⁵ Several contributions on war in Jewish tradition are given in L. Schiffman and J. B. Wolowelsky (eds.), *War and Peace in the Jewish Tradition* (New York, 2007); F. R. Ames and B. E. Kelle (eds.), *Writing and Reading War: Rhetoric, Gender, and Ethics in Biblical and Modern Contexts* (Atlanta, GA 2008).

as well as for his successors, and it is very similar to that of the kings of Judah (cf. 2 Kgs 1; 3; 10; 12–15) until the Northern Kingdom is overtaken by the Assyrians (2 Kgs 17). Similarly, regarding the kingdom of Judah, glorious war-descriptions are also missing. None of the campaigns mentioned leads to a persistent consolidation of the Davidic kingdom. Rather, they convey stagnation, as in cases of fratricidal wars with Israel (1 Kgs 15:16–22; 2 Kgs 14:8–14), or end in erosion and recession until the final downfall under the Babylonians (cf. 1 Kgs 11:14–25; 14:25–28; 2 Kgs 8:20–22; 8:28–29; 12:18–19; 18:13–19:37; 23:29; 24:1–16; 25:1–21).

Even the stories about YHWH's successful wars during the time of the Judges (Jud 4–12) are framed by a critical evaluation of Israel's history by the Deuteronomists: "And the children of Israel did that which was evil in the sight of JHWH, and served the Baalim; and they forsook JHWH, the God of their fathers, who brought them out of the land of Egypt, and followed other gods, of the gods of the peoples that were round about them, and bowed themselves down unto them: and they provoked JHWH to anger. ... And the anger of JHWH was kindled against Israel, and he delivered them into the hands of spoilers that despoiled them; and he sold them into the hands of their enemies round about, so that they could not any longer stand before their enemies" (Jud 2: 11–14).

In those texts where elements of the pre-exilic ideology of war still are recognizable, YHWH appears as "*teacher of war technique*" (cf. Ps 18:35; par 2 Sam 22:35): "He trained my hands for battle, so that my arms can bend a bow of bronze!" YHWH is the god who guides the king and fights for him. This is the reason why military leaders and soldiers have to observe special rites before a battle, so that they can stand as an army for the Holy One; cf. Josh 3:5, when Joshua demands: "Consecrate yourselves (וַיִּקְדָּשׁוּ) for tomorrow JHWH will perform wonders in your midst!"³⁶

In order to declare a war, divination was needed and it was the role of prophets to deliver adequate oracles. Micah 3:5 contains an indirect hint to that rule, when the prophet criticizes prophets who provide oracles depending on those who feed them: "Thus said YHWH to the prophets who lead my people astray, who cry 'Peace!' when they have something to chew, but if someone fails to fill their mouths, (they cry) 'Consecrate (the army) against him (for) the battle! (וַיִּקְדָּשׁוּ עָלָיו מִלְחָמָה)'. On the other hand, Israel's disastrous defeat by the Assyrians is interpreted – in continuation of Isaianic prophecy, cf. Isa 9:7–10:4 – as a divine punishment of Israel and Judah. The Assyrians appear not as a people led by its national God Aššur, but rather as a tool of YHWH's judgment. In a later edition of Isaiah, dating to the Neo-Babylonian period, the scribes see the Assyrians as being punished by YHWH for their hubris, for the many deportations of foreign peoples, and for the genocide they have committed (Isa 10:5–16). The fall of the capital of Nineveh through the Medes and the Babylonians in 612 BCE is reflected in the book of Nahum. The tradition is introduced by a hymnic piece of a Psalm, which praises YHWH as an avenging God, who takes vengeance on his enemies. YHWH has become a universal warrior who governs the battles of all empires in the world.

³⁶ In that context the use of derivations of the root *qđš* have their original place in the war-records. The people must be "sanctified" to separate them from the un-holy, who will be destroyed or even banned, cf. *qđš* Pi'el, Josh 7:13. King and people have to "sanctify" themselves, i.e. consecrate themselves by fasting and other rituals of self-denial and purify themselves, to survive the battle, *qđš* Hitpa'el Josh 3:5; 7:13. cf. also *qđš* + *milhāmāh*, Jer 6:4.

In an oracle of Jeremiah, the Babylonians are summoned by a heavenly command to “consecrate” the battle against Zion (Jer 6:4: קדשו עליה מלחמה), meaning to purify themselves, before they perform the will of God in punishing Israel! In Jer 51:28 the concept is extended to the pagan peoples who partook in the Babylonian war against Jerusalem: קדשו עליה גוים – “sanctify against her the nations, the kings of Media, her governors and all her prefects, and all the lands they rule!”

At the end of the Neo-Babylonian period, Israel perceives the rise of the Persian King Cyrus and the fall of Babylon (539 B.C.E.) as an act of YHWH himself, who has adopted the Achaemenid king as his powerful tool (Isa 44:24–45:8). In accordance with the monotheistic turn in the 6th century B.C.E., the anti-Babylonian prophecies of Isa 13 include a vision of YHWH as an universal God of war: “I have summoned my sanctified ones (מקדש), I have called my warriors to execute my wrath, those who rejoice in my exaltation. There is the sound of a rumbling on the mountains of a vast horde, the sound of the clamor of kingdoms, of nations assembled (for battle): it is YHWH of hosts who musters an army for war! They come from a distant land, from the end of heaven, YHWH and the weapons of his wrath, to destroy the whole land!” (Isa 13:3-5).

Thus the experience of the Babylonian Exile and the nascent Achaemenid Empire transformed the idea of YHWH acting through the wars of the kings of Israel to that of YHWH shaping history and reigning the peoples of the world. During the later Second Temple period this concept underwent further interpretation and rewriting, until it was augmented by eschatological visions of a universal “day of wrath” (cf. Isa 13:9–16). YHWH is described as a God who executes justice among the nations in great wars, in order to redeem Israel (cf. Isa 24–27; Ezek 36–39).³⁷ In Joel 4:9–10, the traditional rites of purification prior to war are reversed: “Proclaim this among the nations: Consecrate (the people) for battle (קדשו מלחמה)! Arouse the warriors! Let all the fighters come and draw near! Beat your poloughshares into swords, and your pruning hooks into spears! Let even the weakling say, ‘I am strong.’” Thus, the rites usually performed to prepare the people for battle shall now be conducted to prepare an international act of self-disarmament and civilization. This is the first and only place in the Hebrew Bible, where the verb קדש and the noun מלחמה are immediately linked. When the new Zürich translation of the Bible (2007)³⁸ translates “*Erklärt den Krieg für heilig!*”, the estimative interpretation of the pi’el imperative form of קדש, it is suggested, that at the time, when the epithet of “holiness” is applied to the phenomenon of a battle, this must mean the end of all warfare!

3. 1. YHWH the Conqueror and the Ban (חרם)

The ban-ritual is well documented in non-Israelite and Israelite contexts. The basic idea was to put booty under taboo and to reserve it for the deity, the king or the leading officers of the empire. Abraham Malamat has shown that such a practice (akk. *asakku(m)*) already existed in the kingdom of Mari during the 18th century

³⁷ In the final redactions of the prophetic scrolls in the 4th–3rd centuries B.C.E., the oracles concerning the nations are grouped together in special collections within the prophetic books, cp. Isa 13–23 (24–27); Jer 46–51; Ez 25–32.35.38–39.

³⁸ Zürcher Bibel (Zürich, 2007).

BCE.³⁹ The most prominent evidence for the performance of the ban ritual in the West Semitic sphere is the Moabite Mesha Stela from Moab, dating to the 9th century BCE.⁴⁰ The arguments of the inscription are similar to those in other royal monumental inscriptions: Mesha has devoted a sanctuary to the national God, Kemosh: “I built this high-place for Kemosh (וַאֲנִי בִּנְיָתָהּ לְכִמּוֹשׁ) in Qarhō as a sign of salvation (בְּכִסּוּף יֵשַׁע), because he saved me from all the kings, and because he let me be victorious over all my adversaries” (ll. 3–4). The reign of the Omrides over Moabite territories is interpreted as a punishment from Kemosh: “Omri, king of Israel, oppressed Moab for many days, because Kemosh was angry with his land. Omri’s son replaced him and he also declared: ‘I will oppress Moab’. In my days he said so. (But) I have confronted him and his family, and Israel was destructed forever” (ll. 5–7). Mesha says that he owes the re-conquest of his country to Kemosh. After the conquest of the city of Ataroth he reports about the conquest of Nebo: “And Kemosh said to me: ‘Go, seize Nebo and fight Israel!’ I proceeded by night and fought with it from the crack of dawn until high noon. I captured it and I killed all of them (וַאֲהָרַגְתִּי כָלָם): 7000 men and boys, women and girls, and unmarried women, because I had dedicated it in a ban ritual to Ashtar Kemosh (כִּי לְעִשְׁתָר כִּמּוֹשׁ (הַחֲרַמְתָּהּ). I took out from there the vessels of YHWH, and I dragged them before Kemosh (וַאֲסַחֲבֵם לְפָנַי כִּמּוֹשׁ)” (ll. 14–18).

The most successful war of YHWH is described in the book of Joshua. In an introductory oracle (Josh 1:2–9) Joshua is commissioned by God, as a successor of Moses to conquer the land promised to the ancestors of Israel. Under the guidance of God and his servant Joshua, the Israelites cross the Jordan, conquer the land and take the major cities (Josh 2–12). The territory is divided among the tribes (Josh 13–19), special towns are devoted to serve as places of asylum and for the Levites (Josh 20–21) and thus the conquest of the land is completed (Josh 11:23; 14:15; 21:41–43). In accordance with the law given to Moses, the ban has to be implemented regarding all the peoples of the land (Deut 7:1–2),⁴¹ because it is devoted to Israel

³⁹ A. Malamat, A Note on the Ritual of Treaty Making in Mari and the Bible, in: idem, *Mari and the Bible* (Leiden, 1998), 168–172.

⁴⁰ For the text cf. S. Ahituv, *Echoes from the Past: Hebrew and Cognate Inscriptions from the Biblical Period* (Jerusalem, 2008), pp. 389–418, with earlier literature.

⁴¹ The immediate translation of the verb and the formula in Deut 7:2b (הַחֲרִים חַרְרִים אֹתָם) is avoided in English translations, and instead the versions offer circumscriptions, as KJV: “thou shalt smite them, and utterly destroy them”; JSB “you must doom them to destruction”; ESV Bible: “you must devote them to complete destruction”; NIV 2010: “you must destroy them totally”. The German translations try to keep the devotional aspect (Zürcher and Einheitsübersetzung: “du sollst sie der Vernichtung weihen”), the traditional exclusivistic interpretation is given by revised translation of Luther (1984) and the Elberfelder translation: “du sollst den Bann an ihnen vollstrecken”; a translation that combines both aspects in German would be: “du sollst sie dem Banne weihen”. Because of the uniqueness of the concept an unidiomatic translation is preferred in this article: “you shall devote them to the ban”. For a close literary analysis of Deut 7 cf. R. Achenbach, *Israel zwischen Verheißung und Gebot. Literarkritische Untersuchungen zu Deuteronomium 5–11* (EHS XXIII/422; Frankfurt – Bern, 1991), pp. 212–306 (for the concept of חָרַם see pp. 238–249). For the term cf. W. Dietrich, “Bann/Banngut”, *WiBiLex: Das wissenschaftliche Bibellexikon im Internet* (Stuttgart, 2007). The dtr list of the seven original peoples in the land from Deut 7:1 and Josh 3:10 is taken up (in parts) in dtr texts (Deut 20:17; Josh 5:1; 9:1; 11:3; 12:8; Judg 3:5; 1 Kgs 9:20), in the combined narratives of the Hexateuch (Gen 13:7; 34:30; Ex 3:8.17; 13:5; 23:23.28; 33:2; 34:11; Num 13:29; Josh 24:1 and in later texts (Judg 1:4–5; Ezr 9:1; Neh 9:8;

alone as the only ‘holy people’ on earth, who is consecrated to YHWH (Deut 7:6). This commandment is restricted to the towns of the original inhabitants of the land (Deut 20:15–16). According to the Deuteronomistic concept of the land conquest the spoils were under the ban too, and all valuables had to be devoted to the deity and the sanctuary. A person who mis-appropriated them fell himself victim to the ban, because contamination through the banned objects could threaten the existence of the entire holy nation (Jos 6:18–19; 7:12, 24 et seq.). The description of the ban in Josh 10:28–43 and 11:12–20 follows the Deuteronomistic phraseology. The theory was not part of the original Deuteronomistic law from the pre-exilic time of Josiah, but it is embedded in the secondary historical framing of the law (cf. also Deut 2:34–35; 3:6–7; 3:28).⁴²

During the end of the Babylonian Exile, a new literary version of the conquest story was produced,⁴³ stressing the agreement between the original divine law of Moses and the legitimacy of the appropriation of the land by the Israelites. At that time, the resettlement of the former Israelite territory had to be justified. Given the prospect of the exiled to return to their original homeland under Cyrus and Darius, Israel needed a reformulation of the conquest narrative(s) that formed the basis for their claim to settlement rights in the provinces of Samaria and Yehud. Most probably the Deuteronomistic shape of the story now to be found in the Book of Joshua is geared to this purpose. The historical fiction was helpful, because it made clear the claims of the returning Jews, but on the other hand, it left room for more pragmatic regulations in reality. The idea was not to extend the ban on contemporary foreign peoples in the area during the post-exilic period. As to the historicity of the conquest narrative one has to conclude that nothing of the like ever really happened during the 12th – 11th century B.C.E., and even the accounts of Jos 9 and Jdg 1 preserve a reminiscence of the fact that at least some parts of the land had never been conquered. In the older literary layers of the book of Joshua we find no evidence whatsoever that the ban was applied as a consistent method for religiously-

1 Chr 1:13–16; 2 Chr 8:7). Gen 10:15–18 and Gen 15:19–21 offer expanded versions with reference to certain genealogical reconstructions. The system of the seven peoples is secondary with reference to the original material in the basic layers of the book of Joshua, and there the account does not follow it consequently.

⁴² The ban is further mentioned in Deut 7:26; Josh 2:10; 6:17,18,21; 7:1.11.12.13.15; 8:26; 10:1.28.35.37.39.40; 11:12.20.21; 19:38; 22:20; Judg 1:17; 21:11; 1 Sam 15:3.8.9.15.18.20.21; 1 Chr 2:7; for other passages see below.

⁴³ The pre-exilic versions of the conquest story in Joshua are under dispute among scholars. R. G. Kratz, *Die Komposition der erzählenden Bücher des Alten Testaments. Grundwissen der Bibelkritik* (URB 2157; Göttingen, 2000), pp. 193–219, finds elements of an older Joshua legend in Josh 2:1–7.15–16.22–23; 3:1.14a.16; 4:19b; 6:1–3a*.5.12a.14a*.20b; 8,1–2a.10a.11a.14.19; 12:1a.9–24. T. Römer, *The So-Called Deuteronomistic History: A Sociological, Historical and Literary Introduction* (London–New York, 2005), pp. 81–90, finds a conquest account from Josiah’s time in Josh 5–12, which shows influences of Assyrian accounts with “three different types of conquest accounts: one in which the city, its inhabitants and possessions are annihilated (Josh. 6*); one in which the city is destroyed but some booty is seized (Josh. 8*); and a third type in which the people choose to surrender and become vassals” (p. 89). The ideal of the first story, for Römer, is similar to that of the Mesha Stele and can be compared to the Deuteronomistic ideal. But it is evident for Kratz as well as for Römer and others that the consequent appliance of the ban is a motif that comes from Deuteronomistic literature. Whereas Römer thinks that early layers of this literature come from Josianic times, Kratz assumes their origin in the exilic period.

motivated extermination of foreign peoples. Historically it has verifiably never been performed by Israel.⁴⁴

In the context of the original Deuteronomic law in Deut 12–25*, the scribes developed a legal perspective on war, and an impulse for a further development of an international law of war. They formulated a martial law to which Israel was bound by divine commandment with respect to the other nations. In a set of rules this law made it compulsory to offer peace before engaging in acts of war against a fortified city (cf. Deut 20:10–14). The law prohibited the destructions of plantations surrounding a city during siege, in order to protect the civilians against deprivations (Deut 20:19–20). Humanitarian rules were formulated with respect to the protection of female captives (Deut 21:10–14). The scribes formulated limitations for the obligations that could be set on young men when they were mustered (Deut 20:5–9). They also added rules of hygiene for the military camp (Deut 23:10–15). When these earlier written Deuteronomic regulations later became part of a Deuteronomistic conquest account, a distinction was introduced between the historically singular conquest war and other wars in Israel's history: The ban ritual – in accord with Deuteronomistic teaching – was explicitly limited to the period of the conquest only! Yet, with respect to the archaeological evidence one must say that the ban never became a regular ritual or institution of Israelite warfare. In fact, it remained purely theoretical.⁴⁵ Its purpose was to give expression to the claim that Israel's right to live in the region was based on a divine everlasting law. According to the Deuteronomistic paradigm, the only case in which the ban could be

⁴⁴ W. F. Albright's model of a unified conquest has been rejected already in the 1970's, the models of Alt, Noth, Mendenhall and Gottwald – of a "peaceful infiltration" or an 'internal revolt' cannot longer be discussed as equal alternatives; for an overview of recent discussions of this subject, cf. Grabbe, *op. cit.* (note 13), pp. 100–104. For the historical background of the settlement from an archaeological point of view cf. N. Na'aman, "The 'Conquest of Canaan' in the Book of Joshua and in History", in I. Finkelstein and N. Na'aman (eds.), *From Nomadism to Monarchy: Archaeological and Historical Aspects of Early Israel* (Jerusalem, 1994), pp. 218–281; for an introduction to the scholarly discussion regarding the settlement period cf. I. Finkelstein, *The Archaeology of the Israelite Settlement* (Jerusalem, 1988); idem, "The Rise of Early Israel: Archaeology and Long-Term History", in S. Ahituv and E. D. Oren (eds.), *The Origin of Early Israel – Current Debate: Biblical, Historical and Archaeological Perspectives* (Beer-Sheva 12; Beersheba, 1998), pp. 7–39; idem, *The Bible Unearthed: Archaeology's New vision of Ancient Israel and the Origin of its Sacred Texts* (New York, 2001); and W. Dever, "Israelite Origins and the 'Nomadic Ideal': Can Archaeology Separate Fact from Fiction?", in S. Gitin, A. Mazar and E. Stern (eds.), *Mediterranean Peoples in Transition: Thirteenth to Early Tenth Centuries BCE in Honor of Professor Trude Dothan* (Jerusalem, 1998), pp. 220–237; idem, *Who Were the Early Israelites and Where Did They Come From?* (Grand Rapids, 2003).

⁴⁵ Weippert, *op. cit.* (note 1), p. 486, already argues that there is no archaeological or historical evidence for an appliance of the ban ritual by the ancient Israelites. For further treatment of issue cf. C. H. W. Brekelmans, *De Herem in het Oude Testament*, (Diss. Theol.; Nijmegen, 1959); F. Crüsemann, "Gewaltimagination als Teil der Ursprungsgeschichte. Banngebot und Rechtsordnung im Deuteronomium", in F. Schweitzer (ed.), *Religion, Politik und Gewalt* (Gütersloh, 2006), pp. 343–360; W. Dietrich, *Die dunklen Seiten Gottes, Bd. 1: Willkür und Gewalt*, (Neukirchen-Vluyn, 2002), pp. 195–201; N. Lohfink, "הרם", ThWAT, III (Stuttgart, 1982), pp. 192–213; idem, "Die Schichten des Pentateuch und der Krieg", in idem (ed.), *Gewalt und Gewaltlosigkeit im Alten Testament* (QD 96; Freiburg – Basel – Wien, 1983), pp. 51–110; C. Schäfer-Lichtenberger, "Bedeutung und Funktion von Herem in biblisch-hebräischen Texten", *BZ* 38 (1994), pp. 270–275.

applied was that of an apostasy of an Israelite township, Deut 13:13–19. This text is an scribal addition that depends on the older, Deuteronomistic basic layer in Dtn 13:2–10* that contained distinctions against all rebels who tried to convince the people to follow other gods. The secondary "Fortschreibung" transfers this idea into the ideal sphere of Deuteronomistic thought and historiography; it is not older than the Deuteronomistic frame of Deuteronomy 5 and was not written before neo-babylonian times.⁴⁶ Even the case of a whole city committing apostasy seems to be hypothetical, because a city that completely gave up the Yahwistic religion has never existed in reality.

According to the pre-Deuteronomistic tradition regarding the implementation of a ban ritual, the performance was associated with a special vow, as demonstrated by the etiological legend on Hormah, Num 21:1–3. Under the influence of the Deuteronomistic doctrine this tradition was radicalized in 1 Sam 15.⁴⁷ According to Ex 17:8–14, the tribe had offended conventional international rules of humanity by attacking the peaceful crowd of the Israelites on their way through the desert. Thus, the attack offended fundamental laws, because the people in the desert were under divine protection, as proved in the war at Refidim (Ex 17:15). Therefore there were no limitations on the persecution of the offenders (Deut 25:17–19). When Saul refuses to obey the commandment to enforce full sanctions upon the evildoers, and does not enforce the complete ban (1 Sam 15:3.9–10), he loses his legitimacy as a king of Israel (1 Sam 15:28–29). This story too must be considered a legendary account, meant to convey the conviction regarding the holiness of Israel and its claim to the Promised Land. Finally, however, the Deuteronomists were aware that a complete implementation of the ban never took place. This is demonstrated by the clause added to the account of Solomon's governmental measures in 1 Kgs 9:20–21: "There were still people left from the Amorites, Hittites, Perizzites, Hivites and Jebusites – these peoples were not Israelites. Solomon conscripted the descendants of all these peoples remaining in the land, whom the Israelites could not exterminate by ban, to serve as slave labor, as it is to this day."

After the establishment of Yahwistic monotheism in Israel in post-exilic times, חרם was understood as a punishment for blasphemy (2 Kgs 20:22–24.28.42) and idolatry (Ex 22:19). A verdict was proclaimed as irreversible, and could not be replaced by any measures of reimbursement (Lev 27:29). According to Isa 43:27–28 the reason for the destruction of the First Temple was the long history of offenses committed by Israel's religious leaders: "Your first ancestor sinned and your spokesmen were outrageous against me, so I profaned the office-bearers⁴⁸ of the sanctuary (ואחלל שרי קדש) and I delivered Jacob to the ban (ואתנה לחרם יעקב), and Israel to reviling".

⁴⁶ E. OTTO, *Das Deuteronomium. Politische Theologie und Rechtsreform in Juda und Assyrien* (BZAW 284; Berlin – New York, 1999), pp. 45–50, argues that the case discussed in Deut 13:16 is not simply that of a politically rebellious city as referred to in the Sefire Inscription III:12–13 (KAI II, 269), cf. C. Koch, *Vertrag, Treueid und Bund. Studien zur Rezeption des altorientalischen Vertragsrechts im Deuteronomium und zur Ausbildung der Bundestheologie im Alten Testament* (BZAW 383; Berlin – New York, 2008), pp. 164–165. The language of the text is close to dtg parts in Josh 6:17–26; 7:1.26; 8:2.28, cf. J. Pakkala, *Intolerant Monolatry in the Deuteronomistic History* (Göttingen, 1999), pp. 30–31.

⁴⁷ F. Stolz, *Das erste und zweite Buch Samuel* (ZBK AT 9; Zürich, 1981), pp. 100–105.

⁴⁸ For the term cf. also 1 Chr 24:5 with reference to the leading priests in the Jerusalem temple.

Here the ban is understood as the punishment of Israel in the Babylonian Exile. The elected people of Israel themselves (Isa 44:1!) had to suffer the ban, when they lost the Temple and the land and the integrity of their communion with God.⁴⁹ The text embodies a conviction that can also be found in other texts referring to the exilic period. According to the oracle in Jer 25:8–11, YHWH enforced the ban on Judah through Nebuchadnezzar: “Therefore thus says YHWH of hosts: Because you have not obeyed my words, behold, I will send for all the tribes of the north, declares JHWH, and for Nebuchadnezzar the king of Babylon, my servant, and I will bring them against this land and its inhabitants [...],⁵⁰ and I will devote them to ban, and make them a horror, a hissing, and an everlasting desolation!”

The remembrance of the Assyrian’s cruelty towards the peoples of the ancient Near East remained alive even in the exilic and post-exilic period. This might be the reason why in 2 Kgs 19:11 the extermination of entire societies was understood as a comprehensive execution of the ban ritual. The narrator has Sennacherib’s messenger say to king Hezekiah (2 Kgs 19:10–11): “Say to Hezekiah king of Judah: Do not let the god you depend on deceive you when he says, ‘Jerusalem will not be given into the hands of the king of Assyria.’ Surely you have heard what the kings of Assyria have done (הנה אתה שמעת את־אשר עשו מלכי אשור) to all the countries, when they applied the ban onto them (לכל הארצות להחרים)!” Here the execution of the ban ritual against conquered countries is described as a basic characteristic of Assyrian policy, and this accusation is repeated in the parallels, Isa 37:11 and 2 Chr 32:14! In the context of the book of Isaiah the hubris in the Assyrians’ attitude, alongside their implementation of the ban ritual is criticized as an inhuman transgression of fundamental rights (cf. also Isa 10:7). Equivalently, an oracle in Jer 50:18–21 demands the destruction of Babylon and the enforcement of the ban as retaliation for the destruction of the Temple of Jerusalem. It remains, however, restricted to certain regions: “18 Therefore, thus says JHWH of hosts, the God of Israel: See, I will punish the king of Babylon and his land, as I have punished the king of Assyria. ... 20 In those days, and in that time – says YHWH – the iniquity of Israel shall be sought for, and there shall be none; and the sins of Judah, and they shall not be found, because I will forgive those whom I reserve. Go up against the land of Merathaim, even against it, and against the inhabitants of Pekod: kill them with the sword (חרב) and devote those to ban who come after them (והחרם אחריהם) – says JHWH – and do according to all that I have commanded you!”

The ban is thus seen as part of the punishment of Babylonia, but it shall not be exerted against civilians, only against the Babylonian army: “Thus says JHWH: See, I will stir up the spirit of a destroyer against Babylon and the people of Leb Kamai: I will send foreigners to Babylon to winnow her and to devastate her land ... Let not the archer string his bow, nor let him put on his armor! Do not spare her young men: devote their complete army to the ban (צָבָאָהּ כָּל הַתְּרִימוֹ) ” (Jer 51:1–3). In the later texts of the Chronicles (2 Chr 20:23) the implementation of the ban by Ammonites and Moabites is heavily criticized. In Daniel 11:44 the reproach appears that Antiochus IV applied the ban to masses of people (רַבִּים, הַתְּרִימוֹ). The text names this as the culmination of a series of accusations for Antiochus’ blasphemous

⁴⁹ The text imagines the death of the first generation of the exiled people, however, the punishment does not refer to the generation addressed by the prophetic message, cf. U. Berges, *Jesaja 40–48* (HThK AT; Freiburg – Basel – Wien, 2008), p. 315.

⁵⁰ LXX adds “and against all these surrounding nations”.

and inhuman aggression that is to be punished by God immediately⁵¹. Overall implementation of the ban ritual against entire populations in common international warfare was – according to the Jewish scribes of the late Second Temple period – prohibited.

III. 3. The Deuteronomistic Ban-Theory and the Priestly Redactions of the Pentateuch

The priestly scribes of the Second Temple period created the composition of the Hexateuch by combining pre-Deuteronomistic and priestly accounts on the Fathers and the Exodus (Pg) with the Deuteronomistic law and conquest narrative. Neither the older narratives nor the Covenant Code, nor the Priestly Code mentioned the ban concept.⁵² Even when these texts were combined in a composition leading from Genesis to Joshua, the commandment in Deut 7:2 was not transferred into the texts of the so-called Tetrateuch. However, there are significant parallels to Deut 7:1–5 in the narrative of the renewal of the covenant at Mount Sinai (Ex 34), and in a secondary later attachment to the Covenant Code (Ex 20:22–23:19) in Ex 23:20–33 (see the synoptic text below).

Deut 7:1–5	Ex 34:11–16	Ex 23:23–24.31b–33
<p>1 When YHWH your God brings you to the land that you are about to enter and possess, and He dislodges many nations before you – the Hittites, Girgashites, Amorites, Canaanites, Perizzites, Hivites, and Jebusites, seven nations much larger than you – 2 and YHWH your God delivers them to you and you defeat them, you shall devote them to the ban – (החרם תחרים אתם):</p> <p><u>you shall not make a covenant with them and you shall not have mercy upon them!</u></p>	<p><i>11 Observe what I am commanding you today: I am indeed driving out from before you the Amorites, and the Canaanites, and the Hittites, [Sam.: + and the Girgasites] and the Perizzites, and the Hivites, and the Jebusites.</i></p> <p><i>12 Be vigilant, lest you make a covenant with those dwelling in the land in which your are</i></p>	<p>23 When my angel (messenger) goes before you and brings you to the Amorites, the Hittites, the Perizzites, the Canaanites, the Hivites, and the Jebusites,</p> <p>I will annihilate them.</p>

⁵¹ For the historical backgrounds for the various texts cf. P. D. Stern, *The Biblical Herem: A Window on Israel's Religious Experience* (BJS 211; Atlanta, GA 1991); C. L. Crouch, *War and Ethics in the Ancient Near East: Military Violence in Light of Cosmology and History* (BZAW 40; Berlin – New York, 2009), pp. 181–184.

⁵² The etiological narrative about Horma in Num 21:1–3 may be an exception, but here the ban is just a single measure because of a special vow, not a method to devote the whole land to YHWH and his people.

<p>3 You shall not intermarry with them: <u>you shall not give your daughter to their sons or take their daughters for your sons.</u></p> <p>4 for they will turn your children away from me to worship other gods, and YHWH's anger will blaze forth against you and he will promptly wipe you out.</p> <p>5 <i>Instead, this is what you shall do to them: you shall tear down their altars, smash their pillars, cut down their sacred posts, and consign their images to the fire.</i></p> <p>6 For you are a holy people, consecrated to YHWH your God: of all the peoples on earth YHWH your God chose you to be his treasured people.</p>	<p><i>entering, lest it become a snare in your midst.</i></p> <p><i>13 For their altars you will tear down, and their pillars you will smash, and his Asherah you will cut down. 14 For you shall not worship another god, because YHWH, whose name is Jealous, is a jealous God!</i></p> <p>15 – <u>lest you make a covenant with those dwelling in the land.</u></p> <p>And they will prostitute themselves after their gods and they will sacrifice to their gods. And one will call to you, and you will eat from his sacrifice.</p> <p>16 <u>And you will take from his daughters for your sons,</u> and his daughters will prostitute themselves after their gods, and they will cause your sons to prostitute themselves after their gods.</p>	<p>24 You shall not bow down to their gods, and you shall not serve them, and you shall not do as they do, for you will tear them down and you will thoroughly shatter their pillars.</p> <p>31b I will give into your hand all the inhabitants of the land, and you will drive them out from before you.</p> <p>32 <u>You shall not make a covenant with them</u> or with their gods. 33 And they must not dwell in the land, lest they cause you to sin against me, for you will serve their gods and it will be to you a snare.</p>
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The complex history of these compositions cannot be analyzed and discussed in detail here. The Deuteronomistic commandment in Deut 7:1–2a is substantiated in Deut 7:6 (cf. the text in recto script in the first column of the synopsis above). Deut 7:2b (cursive script) contradicts the commandment, because the case of making covenants with the foreign peoples cannot be thought of, if the main commandment is obeyed. When Deuteronomy and Joshua were integrated into a Hexateuch-composition, the story of the revelation of the Covenant Code and the break and renewal of the Covenant at Mount Sinai was connected to it. The Commandments of the New Covenant in Ex 34:11–16⁵³ take up the Deuteronomistic introduction of the ban-commandment from Deut 7:1, but do *not* mention the ban! Instead they provide an explanation as to what this commandment should mean for the generation of the new Covenant, namely to avoid covenants with other peoples in the Land and to destroy foreign cult objects in the territory where Israelites intended to settle (Ex 34:11–14, cursive script in the second column). The reason, according to older account about the deception of the Gibeonites in Josh 9, is that no rights of foreigners to settle in the Promised Land should be acknowledged, and that the validity or authority of foreign religions was unacceptable for Israelites. After the book of Joshua was integrated into a scroll with Genesis to Deuteronomy* into the Hexateuch, its original Deuteronomistic ending was repeated at the beginning of the

⁵³ The deuteronomistic author who quoted the basic account from Ex 34 in Deut 10:1–5, 10–11* did not yet know or refer to this additional text!

new scroll of Judges (compare Judges 2:6–9//Josh 24:28–31).⁵⁴ According to the New Covenant-text in Ex 34 it is YHWH alone, who wages the war of the conquest, and Israel is only the beneficiary of his powerful acts. One could even say that Israel is demilitarized. The Sinaitic New Covenant stresses the intrinsic meaning of the commandment with respect to the Moabitic New Covenant of Deuteronomy, and thereby offers a new hermeneutical key for the understanding of the Deuteronomistic tradition. This, presumably, is the reason, why in Deut 7 verses 2b and 5 were inserted (cursive script). To give a further motivation for the Mosaic speech in Deuteronomy the composition of the Hexateuchal account points to the episode reported in Num 25:1–5, when Israelites were seduced to break the covenant by Moabite women, who invited them to partake in sacrifices and worship for the foreign god of Baal-Peor.⁵⁵

In addition, a further interpretation of the prohibition of making covenants with the foreign peoples in the land is introduced, namely the prohibition of mixed marriages. This theme is introduced in Ex 34:15–16 and in Deut 7:3–4* (cf. the text in small script in the synopsis above). The secondary (post-Deuteronomistic and post-Hexateuchal) introduction to the book of Judges (1:1–2:5) lists several reasons for the fact that the land had not been conquered totally, and a secondary expansion of the Covenant Code in the epilogue Ex 23:21–24.31b–33 (small script) corresponds to that view. The legends about the messenger leading Israel into the Promised Land have their origin in a tradition, whose scribal traditions have not yet been identified clearly. They were involved in the disputes about mixed marriages in Yehud and Samaria that culminated at the time of Ezra. The interpretation of the ban-theory at that time focuses on preserving the Israelite identity by strict avoidance of any exogamic intermarriage.

During the following period of the 4th century B.C.E., when texts from the Priestly tradition were added successively to the Pentateuch, the accounts about divine war were spiritualized and idealized. The original so-called Priestly Code (P) did not contain a report on the conquest.⁵⁶ According to the Priestly world view creation underlies a universal divine Covenant of peace (Gen 9), and Israel's trust inheriting the land rests only on the promise to Abraham (Gen 17). The priestly layer in the narrative Ex 14 on Israel's crossing the Sea of Reeds⁵⁷ mainly stresses ,

⁵⁴ In addition, the note about Josef's burial was added, cf. Josh 24:32 / Gen 50:25.26; the motif binds together the patriarchal and the exodus-conquest-story. The note about the death of Eleazar in Josh 24:33 was added by even later priestly scribes.

⁵⁵ This motif is associated with the last station the wilderness wandering, that had been mentioned by the Deuteronomists in Deut 3:29, i.s. Bet Peor.

⁵⁶ N. Lohfink, "Die Priesterschrift und die Geschichte", in W. Zimmerli (ed.), *Congress Volume Göttingen 1977* (VT Supp. 29; Leiden, 1978), pp. 189–225, still defended the argument that P was continued in the book of Joshua, but this was confuted by V. Fritz, *Das Buch Josua* (HAT 1/7; Tübingen, 1994); cf. also Rainer Albertz, *Die kanonische Anpassung des Josuabuches: Eine Neubewertung seiner sogenannten "priesterschriftlichen Texte"*, in: Thomas Römer – Konrad Schmid, *Les dernières rédactions du Pentateuque, de l'Hexateuque et de l'Enneateuque* [BETHL 203, Leuven 2007], 199–216.

⁵⁷ Ex 14:1,2abα.3–4.8a.10abβ.15–16.17abα.18a.21α.b.22.23α.26.27α.28a.29 (cf. J. C. Gertz, *Tradition und Redaktion in der Exerzählung. Untersuchungen zur Endredaktion des Pentateuch* [FRLANT 186; Göttingen, 2000], pp. 195–206). J.-L. Ska, "La sortie d'Égypte (Ex 7–14) dans le récit sacerdotal (Pg) et la tradition prophétique", *Biblica* 60 (1979), pp. 191–215; and N. Lohfink, ("Die Schichten des Pentateuch und der Krieg", in idem, *Studien*

that the event was a divine miracle to provide evidence for YHWH's glory (*kbd*) and power (Ex 14:17–18). The later priestly description of the military camp of Israel in Num 1–4 is more interested in describing the possible order of tents around a sanctuary in order to keep purity and ensure the observance of ritual law among a huge mass of people in the religious congregation, than to give a description of warfare according to sacral regulations. The concept of חרם is associated with the regulation of priestly privileges, when God says to Aaron, Num 18:14: “Everything that is devoted to ban in Israel shall be yours (כל־חרם בישראל לך יהיה)!” The same regulation can be found in the Zadokite priestly rules in Ezek 44:29. Everything that was devoted and consecrated to the Holy One, was excluded from profane, non-priestly usage, even a field consecrated to YHWH (cf. Lev 27:21) or any other devices, cf. Lev 27:28: “Nothing that a man devotes as haeraem to YHWH from what ever he owns – whether a human or an animal or his land property – may be sold or redeemed: everything devoted as haeraem is most holy to YHWH” -

אך־כל־חרם אשר יחרם איש ליהוה מכל־אשר־ללו מאדם ובהמה ומשדה אחרתו!
לא ימכר ולא ינאל כל־חרם קדש־דשים הוא ליהוה:

The description of a Mosaic war according to the concept of these late writers in Num 31 is an example of priestly scribal erudition, which discusses problems of a “sacral warfare” in accordance with the distinctions on war in Deut 20, 21 and 13 and with the demands of sacral purity and expiation of the Priestly Code and the Holiness-Code texts in a narrative form. The text is therefore often considered as an early Midrash. Everything is kept under the surveillance and scrutiny of Moses and of the High Priest Eleazar (vv. 12.13.21.25.31). The idealistic priestly concept takes the war-account as a starting point to discuss questions of sacral purity, especially the problem of getting in touch with corpses.⁵⁸ This is the reason, why the book of Joshua was reworked by priestly scribes in the late Persian period.⁵⁹

From the priestly-scribal erudition the sacral concept of חרם in the context of the sanctuary, found its way also into prophetic texts that were re-edited during the late Second Temple period. The assault against Zion and the sanctuary provokes the judgment of the Holy God. YHWH threatens to enforce the ban on all armies of the nations who offended the Holy (Isa 34:2): “34:2 YHWH is angry with all nations, his wrath is on all their armies: he will devote them to ban, he will give them to slaughter (הִתְּרִימֶם נְתַנֶּם לְטִבָּח)”.⁶⁰

According to the visionary text in Micah 4:13, the people of Zion will participate in the judgment against the nations and thus God causes them to “devote the ill-gotten gains to YHWH” (והחרמתו ליהוה בצעם) – before all nations assemble on mount Zion to receive the Torah and the exiles are gathered to return to Jerusalem (Micah 4:1–5,6–8).

zum Pentateuch [SBAB 4; Stuttgart, 1988], pp. 255–315, esp. 280), argued that the priestly account has left the paradigm of war-narratives when describing the God's judgment over Pharaoh and the Egyptians.

⁵⁸ Schmitt, *op. cit.* (note 1), pp. 150–157, describes the text as an example of “priestly-hierarchic conceptualizing of war” and of the “sacralizing of war-traditions”.

⁵⁹ Josh 4:12–13,15–17,19; 5:10–12; 9:15b,18–21,27; 14:1–5; 17:2–6*; 18:1; 19:51; 20:1–9; 21:1–42; 22:7–34, cf. R. Achenbach, “Der Pentateuch, seine Theokratischen Bearbeitungen und Josua – 2 Könige”, in K. Schmid and T. Römer (eds.), *Les dernières rédactions du Pentateuque, de l'Hexateuque et de l'Ennéateuque* [BETHL 203; Leuven, 2007], pp. 225–253; R. Albertz, *op. cit.* (note 54); Schmitt, *op. cit.* (note 1), pp. 157–158.

⁶⁰ A special focus in that context is put on the Edomites (cf. Isa 34:5).

In certain Psalms from the exilic period, the conquest of Jerusalem is commemorated. Ps 79:1–3 interprets the bloodshed caused by the heathen peoples as a defilement, and demands the punishment of the wicked nations (Ps 79:6–12).⁶¹ But from late prophetic texts another view enters the biblical tradition, namely the hope for conversion of the nations to YHWH and the pacification of the world at the end of history (Isa 2:2-4; 19:23-25; 66:18-23; Mic 4:1-3). Thus Zec 14:9-11 outlines the vision of a time of salvation in which no ban will threaten Jerusalem anymore: “And YHWH shall be king over all the earth! In that day there shall be one YHWH and his name shall be one! And they shall dwell therein (Jerusalem) and never again shall there be a ban (decreed) (וְהָרַם לֹא יִהְיֶה עוֹד) and Jerusalem shall dwell secure!”

When the uniqueness and oneness of YHWH as the fundament of all commandments of the Torah according to Deut 6:4 will be acknowledged universally, the menace of another destruction of Jerusalem will have vanished. Until that time, the danger of any defilement of the Holy puts the city under a permanent threat. The ending of the book of Malachi contains a final admonition, that the reconciliation between the generation of the “fathers” and the “sons” and their mutual decision to follow the Torah of Moses will ensure that YHWH will not punish the land again (פֶּן אֲבוֹא וְהִכִּיתִי הָאָרֶץ) by devoting it to another destruction by ban (חָרַם), Mal 3:24. Thus the sacral term חָרַם is the last word of the prophetic canon as an admonition directed against Israel. Thus the late texts of the Old Testament attest to a sacralization of the concept of YHWH’s wars. It was developed under the influence of politically marginalized priestly scribes in the province of Yehud.

In the new account of Judah’s history, the Chroniclers focus on the history of the Temple and the role of the monarchy for Israelite religion. The king is installed in the temple (1 Chr 17:14), Solomon is chosen as the son of YHWH to sit on the throne of the kingdom of YHWH over Israel (1 Chr 28:5). In the light of this account, which derives from Ptolemaic times, God is described as the only sovereign: He lets the king rest from his enemies, grants him victory in war and prosperity, concedes the construction of the temple, etc. Gerhard von Rad has provided a classical description of the Chronicler’s depiction of wars:⁶² “In the account of the *war of Jehoshaphat against the peoples of the east* (2 Chr. 20:1–30), the old elements return again virtually in paradigmatic completeness, but in what spiritual sublimation! Martin Noth has suggested plausibly as the historical nucleus of the account an attack of a band of Nabateans in the pastoral area of the Judean villages south of Bethlehem;⁶³ out of this event the narrator constructs a threat in which the very existence or nonexistence of the state of Judah was at stake. However, the king does not take arms, but in a service of fasting calls on Yahweh’s help through an appeal to the salvation history (vv. 4–13). An inspired Levite commands the Judeans not to fear; the battle is not theirs, but Yahweh’s (vv. 14–17). Before the battle the king gives a war sermon in which he admonishes the army to have faith (v. 20). Then the singers in their holy vestments are ranked in front of the

⁶¹ For an interpretation of the text cf. M. Emmendorfer, *Der ferne Gott. Eine Untersuchung der alttestamentlichen Volksklagelieder vor dem Hintergrund der mesopotamischen Literatur* (FAT 21; Tübingen, 1998), pp. 147–162; F-L Hossfeld and E. Zenger, *Psalmen 51–100* (HThK; Freiburg–Basel–Wien, 2000), pp. 443–451.

⁶² Von Rad, *op. cit.* (note 1), pp. 129–130.

⁶³ Martin Noth, “Eine palästinische Lokalüberlieferung in 2. Chr. 20,” (*ZDPV* 67, 1944/1945), pp. 46ff.

battle array of the armed soldiers. As they have just begun with their song of praise, something “lying in wait”), thus some kind of supernatural powers, fall upon the enemy, who kill themselves reciprocally in the panic which ensues, so that the Judeans do not need to wield a sword (n. 3: To this intervention of heavenly powers compare 2 Chr. 14:12.) There is nothing reported of a *herem*; instead of this there is an additional thanksgiving celebration held at the location of the victory.”

In Jewish thinking during the Ptolemaic reign, the promotion of international peace initiatives comes to the fore. The Jews had not been active in warfare since the time of Josiah, and thus a vision arose that according to their Torah a state of peace for the nations could be developed (cf. Isa 2:2–4; 51:4–5; Ps 46:6–9).⁶⁴ These visions had their origin within a community that understood itself as the “holy remnant” of God’s chosen people. The military success of the Maccabees promoted a degree of de-sacralization. It was also clear that evidently, in the course of a war. The observation of Sabbath and other law’s of purity was to be suspended to some degree. In contrast, the attempt of the Qumran community to adjust strictly all behavior in war time to the conditions of sacral traditions led to their ruin. The conjunction of eschatological phantasies and devotion to the fundamental ideas of a divine war lead to the collapse of the last Jewish revolts against the Romans.⁶⁵

⁶⁴ Otto, *op. cit.* (note 7), pp. 150 about Isa 2:2–4: “Der Gedanke der Einrichtung einer internationalen Schiedsgerichtsbarkeit, die von den Völkern allein aufgrund der Überzeugungskraft der Idee freiwillig akzeptiert werde, ermöglicht es nun tatsächlich, Konflikterfahrungen in der Völkerwelt mit der Pazifizierung der internationalen Politik zu vermitteln. Damit können nun über Ps 46 hinaus auch die Völker selbst zu Subjekten des Demilitarisierungsprozesses werden. Ist es in Ps 46 Gott, der die Waffen vernichtet, angesichts dessen den Völkern nur die Einsicht in die Wirkungslosigkeit ihres kriegerischen Tuns bleiben soll, sind in Jes 2,4b die Völker selbst Subjekte des Geschehens, die auf militärische Gewaltanwendung verzichten, das Kriegshandwerk nicht mehr erlernen und die Waffen für die friedliche Nutzung in der Landwirtschaft umrüsten”. Andreas Kunz, *Ablehnung des Krieges. Untersuchungen zu Sacharja 9 und 10* (HBS 17; Freiburg, 1998).

⁶⁵ For the scholarly discussion about the last revolt, i.e. that of Bar Kokhba, cf. B. Isaac, “The Revolt of Bar Kokhba. Ideology and Modern Scholarship”, in A. Oppenheimer (ed.), *Between Rome and Babylon* (Texts and Studies in Ancient Judaism 108; Tübingen, 2005), pp. 197–224. For a Christian adaptation of Old Testament ideas concerning war during the crusades and later cf. Schmitt, *op. cit.* (note 1), pp. 171–208.