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THE DISTINCTIVE SHAPE OF KINGSHIP IN ANCIENT ISRAEL: A CONSIDERATION OF KINGSHIP IN THE PENTATEUCH

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ABSTRACT: This article explores the shape of kingship in ancient Israel with reference to the Pentateuch and particularly Deuteronomy 17:14–20. It demonstrates that Israel's kingship is distinctive from that of the surrounding nations. The distinctive nature is linked, in the first place, to the creation of the nation and, secondly, to the stipulations for kings contained in Deuteronomy 17. It concludes that although there is some similarity between kingship in Israel and the surrounding nations, at root kingship in Israel is fundamentally distinctive. Whereas in the ancient Near East the king was god, in Israel God was king.

KEYWORDS: Kingship; Deuteronomy; Israel; Pentateuch; Ancient Near East.

Introduction

The presence of Israelite kingship in the Pentateuch is debated. Whybray argues that apart from Deuteronomy 17:14–20, 'It is of interest to note that there is no reference to a king of Israel anywhere else in the Pentateuch.'[2] This, however, is an overstatement. In Exodus YHWH is presented as Israel's king and they the people of his kingdom (Exod. 15:18; 19:6). In Numbers YHWH is again identified as Israel's king (Num. 23:21) and

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2   R. Norman Whybray, *Introduction to the Pentateuch* (Grand Rapids, MI: Eerdmans Publishing, 1995), 100–101.

there is an indication that a future human leader will imbibe royal pre-
rogatives (24:17–19; cf. Gen. 49:10). Moreover, Abraham is promised
kings among his descendants (Gen. 17:6, 16; 35:11). YHWH's kingship
is also asserted in Deuteronomy 33:5. It is therefore justifiable to resist
Whybray's sweeping statement. The Pentateuch is certainly not replete
with references to Israelite kingship, but it is certainly present beyond
Deuteronomy 17:14–20. Nevertheless, from the above references the pre-
dominant shape of kingship in ancient Israel according to the Pentateuch
is that YHWH is Israel's king.[3] Brueggeman observes: 'As an alternative
to pretentious oppressive political authority, represented early in Israel's
imagination by pharaoh, Israel proposes to order its public life under the
direct rule of Yahweh, in a sort of theocracy, "the kingdom of Yahweh" (cf.
Exod 19:6).'[4] Human kingship is not ruled out, however, it must merely
be instituted within the rubric of YHWH's kingship as will be explored
further below.[5]

The institution of human kingship alongside divine kingship, main-
taining a division between the two kings, is unique in the ancient Near
East. This assertion will be defended first by considering briefly kingship
in the ancient Near East. The second step will examine Israel's nationhood
and proffer the exodus as the time at which Israel inherited nationhood.
Israel's formation has an important bearing on the shape of kingship
given YHWH's activity. Finally, this article will explore Deuteronomy
17:14–20 as the governing text for the distinctive shape of kingship in
ancient Israel.

3   Walter Brueggemann, *Theology of the Old Testament: Testimony, Dispute,
    Advocacy* (Minneapolis, MN: Fortress Press, 1997), 238–41; G. V. Smith, 'The
    Concept of God/the Gods as King in the Ancient Near East and the Bible',
    Trinity Journal 3, no. 1 (1982): 33.

4   Brueggemann, *Theology of the Old Testament*, 600.

5   Paul D. Hanson, 'The Community of Faith', in *The Flowering of Old Testament
    Theology: A Reader in Twentieth-Century Old Testament Theology, 1930–1990*,
    ed. Ben C. Ollenburger, Elmer A. Martens, and Gerhard F. Hasel, Sources for
    Biblical and Theological Study 1 (Winona Lake, IN: Eisenbrauns, 1992), 370;
    Whybray, *Pentateuch*, 101.

Kingship in the ancient near east

Kingship in the ancient Near East must be considered briefly. The extensive accumulation of archaeological and textual data across the nineteenth and twentieth centuries has provided a more sharply focused picture of the ancient Near East.[6] It is beyond the scope of this article to examine in detail all the data. Instead, noting the fruit of two centuries of scholarship is sufficient. Livingston observes, 'Comparing the material in the OT with the broader cultural scene, one notes that the Hebrew people were much like their neighbours in regard to housing, food, dress, trade, farming, crafts, implements, weapons, language, script, and many other skills.'[7] Israel, however, was not a mere duplication of other ancient Near Eastern cultures and nations, 'Where theology and morals were important, the Hebrews were vastly different from their neighbours.'[8] Israel's distinctiveness is likewise apparent in their ideology surrounding kingship, because 'the king was not to be identified with deity.'[9] As noted above, Israel maintained a human kingship and a divine kingship. The two are undoubtedly intimately connected, but they are not one and the same as was often the case with the surrounding nations.

Lambert warns 'The modern term "king" is itself inadequate and potentially misleading' when discussing kingship in the ancient Near East 'because of the overtones which it brings,' moreover, 'it is the conventional English translation of two ancient words, the Sumerian *lugal* and the Akkadian *šarru*.'[10] The ancient concept of king designates an indi-

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6   G. Herbert Livingston, 'The Relation of the Old Testament to Ancient Cultures', in *Introductory Articles*, ed. Frank E. Gæbelein, The Expositor's Bible Commentary 1 (Grand Rapids, MI: Zondervan, 1979), 340.

7   Livingston, 355.

8   Livingston, 355.

9   Livingston, 356.

10   W. G. Lambert, 'Kingship in Ancient Mesopotamia', in *King and Messiah in Israel and the Ancient Near East: Proceedings of the Oxford Old Testament Seminar*, ed. John Day, Journal for the Study of the Old Testament Supplement 270 (Sheffield, England: Sheffield Academic Press, 1998), 55.

vidual leader exercising rule over territories of different sizes, from cities through nations to entire empires. In Egypt the king was considered both a god and the son of god by virtue of the office. In Mesopotamia the king was understood to represent divinity. Across the ancient Near East the king was always considered to be installed to his office by the gods.[11] Royal ideology in the cultures of the ancient Near East has been succinctly summarised by Preuss, who notes that 'there can be no discussion of a homogenous royal tradition in the ancient Near East.'[12] He does, however, observe that deification and the performance of priestly duties are common.[13] Kingship in the ancient Near East is therefore a fluid concept with common features.

The foundational study in this field in the twentieth century was undertaken by Engnell. He meticulously and systematically surveys Israel's neighbours highlighting the features that constitute their royal ideology. In each culture he notes that to some extent the king is always regarded as divine—Egyptian kings considered divine from birth, Akkadian kings likewise, Hittite kings attain divinity at some point during their kingship or after their death, and Ugaritic kings appear to be the fruit of divine procreation but are arguably not divine themselves.[14] Additionally, there are some cultures in which the king also performs sacral duties as a priest. The Akkadian king's 'greatest and most important role in the cult is his own priestly functions therein.'[15] Or, indeed, some cultures in which

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11   K. Seybold, H. Ringgren, and H-J. Fabry, 'מֶלֶךְ', in *Theological Dictionary of the Old Testament*, ed. G. Johannes Botterweck, Helmer Ringgren, and Heinz-Josef Fabry, trans. Douglas W. Scott, vol. VIII (Grand Rapids, MI: Eerdmans Publishing, 1997), 349–52.

12   Horst Dietrich Preuss, *Old Testament Theology*, trans. Leo G. Perdue, vol. 2 (Edinburgh: T & T Clark, 1996), 30.

13   Preuss, 2:30.

14   Ivan Engnell, *Studies in Divine Kingship in the Ancient Near East*, Second Edition (Oxford: Blackwell, 1967), 4, 16, 57, 78.

15   Engnell, 30. Here he also notes that the king was the object of the culture by consequence of his divinity."publisher": "Blackwel,"publisher-place":"Oxford," source":"Amazon.com", "title": "Studies in Divine Kingship in the

the king is the object of the cult, such as the Hittite king.[16] One aspect of kingship in the ancient Near East that has been further developed since Engnell's work is that of the king's justice of righteousness on behalf of his subjects. Whitelam identifies this as a key aspect of kingship with Israel's neighbours. The Mesopotamian king 'viewed the monarch as guarantor of justice throughout the realm.'[17] Elsewhere 'the king's judicial functions were regarded as of such prime importance' that failure to perform them 'brought into question [the king's] right to the throne.'[18] Likewise, the Egyptian king was to guarantee justice throughout the realm.[19] Thus, in addition to deification and the exercise of sacral duties, the king of the ancient Near East was expected to uphold justice.[20]

The preceding observations are not wholly alien to Israelite kingship, but nor are they identical. Nel surmises that 'The concept of a *melek*-rulership in Israel has its roots in the political system of the Canaanite cities of the Middle and Late Bronze age. … Egyptian influences are also possible.'[21] The most notable similarity is the formal characteristics of Israel's concept of the just king in comparison to the other cultures of

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Ancient Near East", "author":[{"family":"Engnell", "given":"Ivan"}],"issued":{"-date-parts":[["1967"]]}},"locator":"30", "label":"page", "suffix":". Here he also notes that the king was the object of the culture by consequence of his divinity."}],"schema":"https://github.com/citation-style-language/schema/raw/master/csl-citation.json"}

16 Engnell, 61.

17 Keith W. Whitelam, *The Just King: Monarchical Judicial Authority in Ancient Israel*, Journal for the Study of the Old Testament Supplement 12 (Sheffield, England: JSOT Press, 1979), 23.

18 Whitelam, 25.

19 Whitelam, 27.

20 Whitelam, 17, 37.

21 Philip J. Nel, 'מלך', in *New International Dictionary of Old Testament Theology and Exegesis*, ed. Willem A. VanGemeren, vol. 2 (Grand Rapids, MI: Zondervan, 1997), 958. See Preuss, *Old Testament Theology*, 2:31, who writes: 'Israel borrowed and indeed must appropriate elements of royal ideology from its ancient Near Eastern environment.'

the ancient Near East.[22] Significant contrasts exist too, however. Scale is the first contrast. Baines correctly observes that 'ancient Egypt and the world of the Hebrew Bible were far removed in scale and social institutions.'[23] Thus there was a simplicity to the kingship envisaged in Israel, perhaps explaining the scarce attention it receives in the Pentateuch. Second, Preuss's conclusion that 'Sacral kingship may not have existed in Israel'[24] is surely understated. The priesthood is a separate office in Israel, pre-existing kingship. Indeed, Israel's first king Saul is in part rejected by YHWH because of his attempt to exercise sacral duties (e.g., 1 Sam. 13:9–14).[25] Third, in Israel the king is not divine and yet God is king. As Brueggeman highlights, 'Israel's rhetoric is permeated with "Yahweh as king".'[26] This is not only evident in references to YHWH's kingship in Exodus 15:18; 19:6, Numbers 23:21, and Deuteronomy 33:5. It is also apparent in YHWH's role as suzerain in the treaty structure of

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22 Whitelam, *The Just King*, 36–37.

23 John Baines, 'Ancient Egyptian Kingship: Offical Forms, Rhetoric, Context', in *King and Messiah in Israel and the Ancient Near East: Proceedings of the Oxford Old Testament Seminar*, ed. John Day, Journal for the Study of the Old Testament Supplement 270 (Sheffield, England: Sheffield Academic Press, 1998), 16.

24 Preuss, *Old Testament Theology*, 2:31.

25 We must, however, be careful as there is evidence that Davidic kings, at times, functioned as priests. The biblical evidence is inconclusive on two counts. First, it fails to definitively rule out the possibility of a king-priest operating in Israel. Second, it does not sufficiently demonstrate that the king did anything more than perform priestly duties ad hoc. Deborah W. Rooke, 'Kingship as Priesthood: The Relationship between the High Priesthood and the Monarchy', in *King and Messiah in Israel and the Ancient Near East: Proceedings of the Oxford Old Testament Seminar*, ed. John Day, Journal for the Study of the Old Testament Supplement 270 (Sheffield: Sheffield Academic Press, 1998), offers the intriguing suggestion that the king had both the right and the duty to perform priestly duties, yet delegated this to the priest. For a more thorough discussion that is based on Psalm 110:4 see, S. D. Ellison, 'Hope for a Davidic King in the Psalter's Utopian Vision' (Ph.D. diss., Queen's University, Belfast, 2021), 163–67.

26 Brueggemann, *Theology of the Old Testament*, 238.

Deuteronomy.[27] Therefore, instead of combining king and deity in divine kingship like her neighbours, Israel partners the divine king and the human king. Thus, even this brief consideration of kingship in the ancient Near East reveals that 'Although Israel's terminology was the same as the terms used in other ancient Near Eastern cultures, the conceptual images which these terms represented were not always identical.'[28] This will be detailed further in the discussion of Deuteronomy 17:14–20 below, but prior to that the formation of Israel as a nation must be considered for this influences the shape of kingship in ancient Israel.

The formation of Israel as a nation

Any consideration of the formation of Israel as a nation must acknowledge 'A fierce controversy now surrounds the question of Israelite origins.'[29] While the extensive nature of the discussion mitigates against an in-depth exploration of the topic in this article, it is possible to identify the two primary opposing views. The first is a rejection of any historical ancient nation named Israel. Davies argues for this, identifying three 'Israels': one literary, one historical, and one ancient (i.e., a scholarly construction).[30] He contends that the biblical text presents 'an ideal "Israel", namely the entity created in the biblical literature, which, as we have seen, does not correspond to the real historical Israel.'[31] The Israel that biblical scholars refer to is a nation constituted solely by the Hebrew Scriptures according to Davies.[32] The second view claims that there is evident cor-

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27 Eugene H. Merrill, *Deuteronomy*, New American Commentary 4 (Nashville, TN: B&H Publishing, 1994), 47–48.

28 Smith, 'The Concept of God/the Gods as King in the Ancient Near East and the Bible', 38.

29 Mark G. Brett, 'Israel's Indigenous Origins: Cultural Hybridity and the Formation of Israelite Ethnicity', *Biblical Interpretation* 11, no. 3–4 (2003): 400.

30 Philip R. Davies, *In Search of 'Ancient Israel'*, Journal for the Study of the Old Testament Supplement 148 (Sheffield, England: JSOT Press, 1992), 11.

31 Davies, 75.

32 Davies, 161.

respondence between the biblical narrative and archaeological evidence. Repeatedly the biblical narratives accurately reflect the social setting recreated by archaeological discoveries.[33] Indeed, Knauth observes that 'Historically and archaeologically the Israelites were part of a wider phenomenon at the beginning of the Iron Age, namely, the emergence of ethnically based national bodies.'[34] It must also be appreciated that an overreliance on archaeology is problematic. For,

Archaeological remains (when this phrase is taken to exclude written testimony from the past) are of themselves mute. They do not speak for themselves, they have no story to tell and no truth to communicate. It is archaeologists who speak about them, … placing the findings within an interpretive framework that bestows upon them meaning and significance.[35]

It is therefore with an awareness of this debate that we consider the formation of the nation of Israel as presented in the Hebrew Bible.

This article proposes that the formation of the nation of Israel can be narrowed to the time of the exodus. Throughout the Pentateuch בני ישראל is the most frequently employed construction when referring to Israel as a distinct group.[36] In Genesis and Exodus 1:1 the construction clearly refers to the literal sons of Jacob/Israel, but from Exodus 1:9, on the lips of Pharaoh, and 3:10, on the lips of YHWH, it refers to Israel as a distinct people group. There is, however, a developmental aspect

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33 Brett, 'Israel's Indigenous Origins', 400–401; Robin J. DeWitt Knauth, 'Israelites', in *Dictionary of the Old Testament: Pentateuch*, ed. T. Desmond Alexander and David W. Baker (Leicester, England: Inter-Varsity Press, 2003), 456–456. So too M. J. Selman, 'Comparative Customs and the Patriarchal Age', in *Essays on the Patriarchal Narratives*, ed. A. R Millard and D. J Wiseman (Leicester, England: Inter-Varsity Press, 1980), 128.

34 Knauth, 'Israelites', 457.

35 Iain Provan, V. Philips Long, and Tremper Longman III, *A Biblical History of Israel* (London: Westminster John Knox Press, 2003), 46. Also, Walter C. Kaiser Jr and Paul D. Wegner, *A History of Israel: From the Bronze Age through the Jewish Wars*, Revised Edition (Nashville, TN: B&H Academic, 2016), 224.

36 Knauth, 'Israelites', 452.

to this designation: the members of the twelve tribes descended from the eponymous Jacob/Israel, the totality of the twelve tribes just prior to the establishment of the monarchy, and a religious designation for worshippers of the Israelite God, YHWH.[37] Thus, Buch correctly states: 'the 12 *sons* of Jacob did not constitute a nation. Jacob and his sons were merely a family or a clan. Only when they evolved into 12 *tribes* was the nation born.'[38] The question of when this evolution took place can now be answered. Among the wide array of suggestions, three plausible proposals are: 1) taking possession of the land;[39] 2) the giving of the Law on Mount Sinai;[40] and 3) the establishing of the monarchy.[41] Each of these suggestions, however, seem to delay the formation of Israel as a nation given its collective activity prior to these events. Rather, given Israel's own thinking as revealed in the Pentateuch, indubitably the exodus is a more plausible point as which to mark the formation of a nation. Indeed, it is the paradigmatic salvific event in the life of YHWH's people. Toombs aptly captures the reasons why the exodus is compelling:

[The exodus] forms the subject matter of the first five books of the Bible, and provides the philosophy of history which underlies all of Israel's historical writing. … In the events of the exodus the political framework of the nation was established, its economic and social ideals settled, and its theology defined.[42]

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37 Knauth, 452–53.

38 Joshua Buch, 'The Biblical Number 12 and the Formation of the Ancient Nation of Israel', *Jewish Bible Quarterly* 27, no. 1 (1999): 51. Emphasis original.

39 Knauth, 'Israelites', 455, for example.

40 Graeme L. Goldsworthy, 'Kingdom of God', in *New Dictionary in Biblical Theology*, ed. T. Desmond Alexander and Brian S. Rosner (Leicester, England: Inter-Varsity Press, 2000), 619, for example.

41 Keith W. Whitelam, *The Invention of Ancient Israel: The Silencing of Palestinian History* (London: Routledge, 1996), 122, for example.

42 Lawrence E. Toombs, *Nation Making*, Bible Guides 4 (New York, NY: Lutterworth Press, 1962), 12.

The exodus from Egypt is the moment that Israel's formation as a nation was initiated. Although this formation was not immediate and required ratification through ensuing events—most notably the giving of the Law at Sinai—it is the beginning of the nation.

This conclusion is defensible in several ways. First, within the narratives of the Hebrew Bible it is possible to trace the beginnings of state formation. Wagner-Tsukamoto concludes that it is possible to trace 'the early beginnings of an economic theory of state formation in the Hebrew Bible.'[43] Second, caution must be exercised that the nationhood of ancient Israel is not considered in terms of contemporary models of nationhood.[44] Third, the designation of amphictyony holds the first two points together. Initially Israel was understood as an amphictyony through the work of Noth.[45] While the trend in recent scholarship has been to move away from this understanding,[46] Lemche provided a compelling argument that Noth's initial suggestion warrants further reflection.[47] Undeniably Israel's grouping did not possess the same sophistication as the established Greek amphictyonies, nor operate in the same fashion. Nevertheless, from the time of the exodus, Israel was an organised grouping of tribes that functioned together as a unit. Fourth, this unity is based on YHWH, his relationship with them and their commitment to him, as opposed to any political purpose.[48] In other words, this am-

43 Sigmund Wagner-Tsukamoto, 'State Formation in the Hebrew Bible: An Institutional Economic Perspective', *Journal for the Study of the Old Testament* 37, no. 4 (2013): 421.

44 Whitelam, *Invention of Ancient Israel*, 120.

45 Martin Noth, *The History of Israel* (London: Adam & Charles Black, 1965).

46 H-J. Zobel, 'יִשְׂרָאֵל', in *Theological Dictionary of the Old Testament*, ed. G. Johannes Botterweck and Helmer Ringgren, trans. David E. Green, vol. VI (Grand Rapids, MI: Eerdmans Publishing, 1990), 408; Kaiser Jr and Wegner, *History of Israel*, 21–22, 275–78.

47 Neils Peter Lemche, 'The Greek "Amphictyony": Could It Be a Prototype for the Israelite Society in the Period of the Judges?', *Journal for the Study of the Old Testament*, no. 4 (1977): 58–59.

48 Knauth, 'Israelites', 456; Smith, 'The Concept of God/the Gods as King in the

phictyony functioned because of the events of the exodus. The nation is formed both theologically and historically via the defining salvific event in Israel's history.[49] Consequently, the designation of Israel as a theocracy is accurate.[50] It is not, however, the only way to designate the governance structure of the nation.

As Israel developed from a family of twelve sons to a nation of twelve tribes, shaped and influenced by significant episodes in its history, and the God who orchestrated those episodes, they developed a sophisticated social structure which was ultimately governed by torah. The basis of the social structure was kinship ties, pre-monarchical Israel was primarily tribal—or better an amphictyony, of sorts.[51] Authority within this system was exercised at three different levels, each an escalation on the previous. The first and lowest level of authority was exercised by the male head of family groups over his own family to rule on interfamilial disputes.[52] The second level of authority was that of the tribe, exercised by elders (likely a gathered group of heads of families), often legislating on disputes between family groups.[53] The final authority was the Priests, who exercised authority on matters that could not be resolved by local communities.[54] Despite the differing levels of authority, all took their bearing from torah. This has led to Porter's suggestion that Moses is the proto-typical king as

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Ancient Near East and the Bible', 36; Zobel, '416 ,'יִשְׂרָאֵל.

49   Toombs, *Nation Making*, 21.

50   Brueggemann, *Theology of the Old Testament*, 600.

51   Knauth, 'Israelites', 456; Victor H. Matthews, 'Israelite Society', in *Dictionary of the Old Testament: Historical Books*, ed. Bill T. Arnold and H. G. M. Williamson (Leicester, England: Inter-Varsity Press, 2005), 521, 523; Randall W. Younker, 'Social Structure', in *Dictionary of the Old Testament: Pentateuch*, ed. T. Desmond Alexander and David W. Baker (Leicester, England: Inter-Varsity Press, 2003), 786.

52   Whitelam, *The Just King*, 39.

53   Whitelam, 43.

54   Whitelam, 46.

the royal lawgiver.[55] While such a proposal possesses some merit, it fails to recognise the divine origin of the law, Moses's role as a mediator, and the reality that all Israelites—Moses and forthcoming kings alike—were subject to torah.[56] As Smith observes, 'The centrality of the covenant relationship to the unique position of Yahweh as king supports the premonarchal belief in the kingship of Yahweh.'[57] Therefore, Israel did indeed operate as a theocracy, but each individual did not relate to YHWH the king on their own basis. A structure existed in which each Israelite lived before the face of God. In this state Israel existed from the exodus. Evidently, however, Sinai can be pinpointed as the moment in which 'the people are welded together and given a sense of national identity and mission in the undisturbed confines of the desert.'[58]

The intricacies of the debate surrounding the origin of Israel are plethora. The above brief consideration proffers the conclusion that the nation of Israel was constituted through the exodus. A nation consisting of a collection of twelve tribes, holding common ground in their relationship to and service of YHWH, operated as an entity. The authority structure which offered governance of the social structure of the nation further underscores YHWH's rule through his torah. On the basis of this exploration of kingship in the ancient near east and the formation of the nation of Israel that Deuteronomy 17:14–20 can now be examined.

The distinctive shape of kingship in Deuteronomy 17:14–20

Comment on Deuteronomy must first be offered before focusing attention on Deuteronomy 17:14–20 in particular. Alexander notes, 'The book of Deuteronomy brings the Pentateuch to a significant climax.'[59] Both its po-

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55   J. R. Porter, *Moses and Monarchy* (Oxford: Blackwell, 1963), 15, 22, 23, 27.

56   Hanson, 'Community of Faith', 370.

57   Smith, 'The Concept of God/the Gods as King in the Ancient Near East and the Bible', 37.

58   Kaiser Jr and Wegner, *History of Israel*, 192.

59   T. Desmond Alexander, *From Paradise to the Promised Land: An Introduction to the Pentateuch*, Third Edition (Grand Rapids, MI: Baker Academic, 2012), 286.

sition in the canon and distinctive theological voice within the Pentateuch underscore the climactic nature of the book.[60] Deuteronomy does not only serve as a fitting conclusion to the Pentateuch but also a foundational introduction to the subsequent narrative in the historical books.[61] Moreover, it casts its shadow throughout the rest of the Old Testament.[62] Indeed, due to its pervasive influence, some claim that Deuteronomy is a late composition that synthesises much of the Hebrew Bible's theology.[63] This can be rejected, however, if we read the book on its own terms. Deuteronomy claims to be the words of Moses (Deut. 1:1) delivered on the plains of Moab (1:5).[64] Given this examination of Deuteronomy 17:14–20 will deal with the text as it stands its claims will be accepted as accurate. Simply because a book remains relevant throughout an extend period of history does not mean it must succeed rather than precede the events with which it is pertinent.[65] Finally, mention must be made of the book's structure. Alter argues that 'Deuteronomy is the most sustained

60   David G. Firth and Philip S. Johnston, eds., 'Introduction', in *Interpreting Deuteronomy: Issues and Approaches* (Downers Grove, IL: IVP Academic, 2012), 14; Everett Fox, *The Five Books of Moses: Genesis, Exodus, Leviticus, Numbers, Deuteronomy: A New Translation with Introductions, Commentary, and Notes*, vol. 1, The Schocken Bible (New York, NY: Schocken Books, 1995), 841.

61   J. Gordon McConville, 'Book of Deuteronomy', in *Dictionary of the Old Testament: Pentateuch*, ed. T. Desmond Alexander and David W. Baker (Leicester, England: Inter-Varsity Press, 2002), 182–83.

62   Tremper Longman III and Raymond B. Dillard, *An Introduction to the Old Testament*, Second Edition (Nottingham, England: Apollos, 2007), 102.

63   See, for example, the discussion in Jeffrey H. Tigay, *Deuteronomy*, The JPS Torah Commentary (Philadelphia, PA: Jewish Publication Society, 1996), xix–xxvi.

64   Merrill, *Deuteronomy*, 22–23.

65   William S. LaSor, David A. Hubbard, and Frederic W. Bush, *Old Testament Survey: The Message, Form, and Background of the Old Testament*, Second Edition (Grand Rapids, MI: Eerdmans Publishing, 1996), 117–18.

deployment of rhetoric in the Bible.'[66] While this rhetoric is delivered as a series of sermons, it possesses a striking resemblance to ancient Near Eastern vassal treaties.[67] As Alexnader highlights, 'there can be little doubt that an awareness of [Deuteronomy's similarities to vassal treaties] enables us to appreciate better the main characteristics of the covenant in Deuteronomy.'[68] The vassal treaty structure consists of two parties and the contract between them. In this case we have YHWH the great king and initiator of the covenant, Israel the vassal people and covenant partner, and the book of Deuteronomy the covenant treaty which stipulates and delineates the nature of the relationship.[69] It is therefore correct to contend that 'every indication points to the conclusion that Deuteronomy is one of the most significant books in the Old Testament.'[70]

It is within this significant book that we find the only instructions concerning kings in Israel in the Pentateuch, and arguably all of Scripture. The central speech runs from 5:1–26:19, and within this are found instructions concerning leadership (16:18–18:22). At the centre of this section sits the pericope concerned with the king. As will be argued below, these instructions are not what might be expected in the ancient Near East in relation to kingship. Deuteronomy 17:14–20 can be divided into three parts: two positive injunctions (14–15, 18–20) enveloping a series of three negative injunctions (16–17).

Part One: Chosen by YHWH (17:14–15)
Two features of kingship in ancient Israel are immediately evident in 17:14–15. First, the Israelite king is not the highest king in the land.

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66   Robert Alter, *The Five Books of Moses: A Translation with Commentary* (New York, NY: Norton & Company, 2004), 869.

67   The foundational work on this is Meredith G. Kline, *Treaty of the Great King: The Covenant Structure of Deuteronomy* (Grand Rapids, MI: Eerdmans Publishing, 1963).

68   Alexander, *Paradise to the Promised Land*, 289.

69   Merrill, *Deuteronomy*, 27–32, 47–48.

70   LaSor, Hubbard, and Bush, *Old Testament Survey*, 127.

Second, Israel do not yet have a king. It is striking, considering 1 Samuel 8–12, that there is no negativity attached to this anticipated petition by Israel for a king. This demonstrates that 'a monarchy as such need not be antithetical to the principle of theocratic government.'[71] Moreover, there is anticipation of kings ruling YHWH's people earlier in the Pentateuch (Gen. 17:6, 16; 35:11; 49:10; Num. 24:17).[72] Even so, also noteworthy is that this petition is simply permissible but not demanded.

The Israelites are instructed emphatically to ensure that their king is a brother. Undoubtedly this was to preserve Israel's distinctive religious character as it was central to the nation's unity.[73] It also, however, ensured that the king was not unduly elevated.[74] Christensen further suggests that the prohibition against appointing a foreigner as king may be designed to quash any temptation to look for an individual experienced in kingly rule.[75] These verses may appear to contain a contradiction—do the people set a king over them or does YHWH choose him—but these two aspects are not incompatible. Kline remarks, 'It is noteworthy that in the secular suzerainty treaties a similar oversight of the vassal's choice of

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71   Kline, *Treaty of the Great King*, 97.

72   Daniel I. Block, *The Triumph of Grace: Literary and Theological Studies in Deuteronomy and Deuteronomic Themes* (Eugene, OR: Cascade, 2017), 336: 'While the history of the monarchy in Israel would prove disastrous in many respects, no Israelite prophet and no biblical author rejected the monarchy in principle.'

73   Peter C. Craigie, *Deuteronomy*, The New International Commentary on the Old Testament (Grand Rapids, MI: Eerdmans, 1976), 255.

74   R. E. Clements, *Deuteronomy*, Reprint, Old Testament Guides (Sheffield, England: Sheffield Academic Press, 1997), 59, notes that this removes 'any belief that the king was a semi-divine, or uniquely endowed, being. He is merely human, although his approval by God and his right to the kingship are expressed through the formula of divine selection.'

75   Duane L. Christensen, *Deuteronomy 1:1–21:9*, Second Edition, Word Biblical Commentary 6a (Nashville, TN: Thomas Nelson, 2001), 384. Cf. Tigay, *Deuteronomy*, 167.

king is exercised.'[76] Therefore, to state the injunction positively, Israel is permitted to appoint a fellow Israelite to the position of king under the guidance of their suzerain king YHWH. The Israelite king is not God but chosen by God.

Part Two: Trusting in YHWH (17:16–17)[77]
The three negative injunctions in 17:16–17 circumscribe the activity of the king and call for trust to be placed in YHWH, the great king. Specifically, the king is prohibited from amassing horses, wives, and wealth. In the ancient Near East horses represented military strength, wives entailed political strength, and wealth presupposed dominance over a subservient people.[78] The text does not demand that the king abstains from these things, merely that the king does not exploit his position for personal gain (note the repetition of 'for himself').[79] Moreover, the impetus is not only obedience in these specifics, but a general attitude of trust in YHWH in all aspects of life. Indeed, the accumulation of the things prohibited would almost certainly have necessitated uncomfortable alliances with nations whose god(s) was not YHWH. Thus, these prohibitions further strengthen the perseverance of Israel's distinctive religious character.[80] This is further underscored with the command that the king was not to cause the people to return to Egypt—what would effectively be a 'moral reversal of

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76 Kline, *Treaty of the Great King*, 98.

77 On the specificity of these prohibitions suggesting a late date for Deuteronomy's composition (given their similarity to the snares Solomon becomes entrapped in), Merrill, *Deuteronomy*, 266, astutely observes that these prohibitions are 'simply a statement of profound insight into the human condition, one that understands the pride and predilections of those who would rule in ignorance or defiance of divine mandate.'

78 Christensen, *Deuteronomy*, 384.

79 Daniel I. Block, *Deuteronomy*, The NIV Application Commentary (Grand Rapids, MI: Zondervan, 2012), 419.

80 J. Gordon McConville, *Deuteronomy*, Apollos Old Testament Commentary 5 (Leicester, England: Apollos, 2002), 295.

the exodus.'[81] Tigay suggests that 'it refers to sending Israelites to Egypt as slaves or mercenary troops in order to pay for horses.'[82] If this is so, it would be more than a moral reversal, it would be an actual reversal of the exodus—a dissolution of the nation, an undoing of its formation.[83] 'These prohibitions, therefore, fit perfectly with the picture of a king who is simply a brother Israelite'[84] for their core is trusting in YHWH.[85]

Part Three: Subject to YHWH (17:18–20)

The final segment of this passage offers the way in which the preceding injunctions might be kept. Deuteronomy 17:18–20 display the king as a model Israelite, for here the king is instructed to write, keep, read, and observe 'this law' (v. 18). At minimum, this phrase refers to Moses's second address in Deuteronomy (5:1–26:19), but it more likely refers to Deuteronomy in its entirety.[86] Significantly, the law to be written out by the king is the same law that is binding on Israelites—it is not applicable to him alone.[87] In these verses though, it is explicit that the king 'had no authority to teach or interpret the Torah, let alone amend it.'[88] This is an astonishing for a king in the ancient Near East. As opposed to creating the law, 'The king is to be actively engaged in personally producing a text of the teaching.'[89] There are a variety of summaries offered regarding the purpose of this attention devoted to the torah. Kalland helpfully elucidates a three-fold purpose of serving YHWH, carefully attending

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81   McConville, 294.

82   Tigay, *Deuteronomy*, 167.

83   Craigie, *Deuteronomy*, 255–56.

84   McConville, *Deuteronomy*, 295.

85   On trusting both YHWH's salvific acts and authoritative word, see S. D. Ellison, 'The One and Only?', *Midwestern Journal of Theology* 21, no. 2 (2022): 111–19.

86   Daniel I. Block, 'The Burden of Leadership: The Mosaic Paradigm of Kingship (Deut 17:14-20)', *Bibliotheca Sacra* 162, no. 647 (2005): 269.

87   See Tigay, *Deuteronomy*, 168.

88   Block, 'The Burden of Leadership', 275. Also, Clements, *Deuteronomy*, 31.

89   Alter, *The Five Books of Moses*, 966.

to the words of torah, and ensuring an equal footing between the king and his brother Israelites.[90] All these purposes, however, are subsumed in the ultimate aim that 'Thus the king becomes the model Israelite.'[91] In short, the king must possess an inner disposition that results in practical application by way of outward actions.[92] The king is subject to YHWH.

Clements asserts this is a 'surprisingly pietistic demand' for a king.[93] While this is true, it does not mean that the injunctions are unattainable. Israel faithfully observed some of these injunctions. There is no evidence, for example, of Israel ever placing a foreigner on their throne. Furthermore, despite the failures which did occur in Israel's history, the moral force of these kingship laws was not invalidated. Deuteronomy 17:14–20 therefore evinces 'the revolutionary nature of Israelite kingship.'[94] Kingship in Israel possessed a distinctive shape.

Conclusion

After considering kingship in the ancient Near East, the formation of Israel as a nation, and the stipulations that the nation of Israel were given in relation to their kings, we can conclude that 'Deuteronomy's views on kingship, which are unique in the world of antiquity, stand in sharp contrast with those of its neighbours … In ancient Israel, the king was subject to the law along with his subjects.'[95] As noted above, while there

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90 Earl S. Kalland, *Deuteronomy*, ed. Frank E. Gæbelein, The Expositor's Bible Commentary 3 (Grand Rapids, MI: Zondervan, 1992), 117.

91 Edward J. Woods, *Deuteronomy*, Tyndale Old Testament Commentaries 5 (Nottingham, England: Inter-Varsity Press, 2011), 220.

92 Jan Ridderbos, *Deuteronomy*, trans. Ed M. van der Maas, The Bible Student's Commentary/Regency Reference Library (Grand Rapids, MI: Zondervan, 1984), 201.

93 Clements, *Deuteronomy*, 31.

94 Block, *Deuteronomy*, 421.

95 Christensen, *Deuteronomy*, 387. Further, see Block, *Triumph of Grace*, 340–41; Gregory R. Goswell, 'The Shape of Kingship in Deut 17: A Messianic Pentateuch?', *Trinity Journal* 38, no. 2 (2017): 180.

are some similarities between kingship in the ancient Near East more broadly and Israel's version, the differences are significant. Indeed, Israel's view of kingship repudiates the prevailing models of the ancient Near East.[96] The shape of kingship is related directly to Israel's formation as a nation, for it establishes YHWH as the suzerain in the Mosaic covenant.[97] Tigay's suggestion that the king is 'essentially an optional figurehead' is overstating the case, however.[98] It is better to say that a vice-regency operates in which YHWH's kingship is represented through the torah-obeying Israelite king—'the people of YHWH were to be ruled by a viceroy of YHWH.'[99] The distinctive shape of kingship in Israel is that while in neighbouring territories the king was god, in Israel God was king.[100]

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96 McConville, 'Book of Deuteronomy', 187.

97 Brueggemann, *Theology of the Old Testament*, 238.

98 Tigay, *Deuteronomy*, 166.

99 Block, *Triumph of Grace*, 337.

100   Kline, *Treaty of the Great King*, 98.

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