ABSTRACT OF THESIS

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Degree Doctor of Philosophy Date November 1973
Title of Thesis A STUDY OF THE ROOT 'SPÌ WITH SPECIAL REFERENCE TO THE PSALTER

The study of the root 'SPÌ with special reference to the Psalter revealed first of all that the root occurs frequently enough in the Old Testament to suggest that the meanings attached to it possess great importance in the life and worship of ancient Israel.

Earlier studies are surveyed to provide light on what has already been done on this subject. An analysis of the occurrence of the root according to the different types of literature in the Old Testament is given; and a comparison with some of the words which have related meanings (e.g. edaykāh and tōrah) is provided.

It was deemed necessary to place the study in context and perspective and so a chapter is given to the occurrence of the root in the literature of the Old Testament other than the Psalter. This revealed that the root 'SPÌ has reference to the judicial process in Israel; that there is a highly ethical element in the root; and that the root is closely associated with Yahweh. All of these point to a development of the meaning of 'ispāt in the direction of "manner of life" which Yahweh expected from Israel.

One of the chapters dealing with the Psalter provides translations of the passages where the root occurs with exegetical notes relating to each passage. This study revealed that the root 'SPÌ is closely associated with the themes emphasized in the cultic life of Israel. Yahweh is the righteous Judge whose saving acts are celebrated in the cult so that they become contemporary for the worshiper and evoke from him a response of obedient faith which is revealed in the fact that he executes justice in his

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everyday life. Yahweh has revealed His will to His covenant people Israel so that her misnāt is the style of life He expects from His covenant partner, namely, obedience within the covenant which is shown by just and merciful conduct.

Discussion of those psalms which may be called prayers of the falsely accused reveals that the psalmists' appeal to divine justice had a practical relevance. The theme of divine justice within the covenant is also discussed and this part of the study provides a clearer view of the meaning of misnāt in its relationship to the Covenant which Yahweh made with Israel at Sinai. The celebration of the renewing of the Sinai covenant as well as the celebration of the appearing of Yahweh as King and Judge in the midst of His people was a powerful reminder to the people that their God was a present source of strength and life to them. The psalmist believed that Yahweh would readily offer His divine justice to those who fulfilled the obligations of the covenant by their obedience to Yahweh's commandments in daily life and work.
SUMMARY

The study of the root ūṣṭ with special reference to the Psalter revealed first of all that the root occurs frequently enough in the Old Testament to suggest that the meanings attached to it possess great importance in the life and worship of ancient Israel.

Earlier studies are surveyed to provide light on what has already been done on this subject. An analysis of the occurrence of the root according to the different types of literature in the Old Testament is given; and a comparison with some of the words which have related meanings (e.g. šēḏāḵāh and tōrāh) is provided.

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life of Israel. Yahweh is the righteous Judge whose saving acts are celebrated in the cult so that they become contemporary for the worshiper and evoke from him a response of obedient faith which is revealed in the fact that he executes justice in his everyday life. Yahweh has revealed His will to His covenant people Israel so that her mispāṭ is the style of life He expects from His covenant partner, namely, obedience within the covenant which is shown by just and merciful conduct.

Discussion of those psalms which may be called prayers of the falsely accused reveals that the psalmists' appeal to divine justice had a practical relevance. The theme of divine justice within the covenant is also discussed and this part of the study provides a clearer view of the meaning of mispāṭ in its relationship to the Covenant which Yahweh made with Israel at Sinai. The celebration of the renewing of the Sinai covenant as well as the celebration of the appearing of Yahweh as King and Judge in the midst of His people was a powerful reminder to the people that their God was a present source of strength and life to them. The psalmist believed that Yahweh would readily offer His divine justice to those who fulfilled the obligations of the covenant by their obedience to Yahweh's commandments in daily life and work.
A STUDY OF THE ROOT SPT
WITH SPECIAL REFERENCE TO THE PSALTER

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NOVEMBER, 1973
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<tr>
<td><strong>JB</strong></td>
<td>The <em>Jerusalem Bible</em>, English Translation, 1966.</td>
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<td><strong>JBL</strong></td>
<td>The <em>Journal of Biblical Literature.</em></td>
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<td><strong>KJV</strong></td>
<td>King James or Authorised Version</td>
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<td><strong>LXX</strong></td>
<td>The Septuagint.</td>
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<td><strong>MT</strong></td>
<td>Massoretic Text.</td>
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<td><strong>NEB</strong></td>
<td>New English Bible, 1970.</td>
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<tr>
<td><strong>SKAI</strong></td>
<td>A. R. Johnson, <em>Sacral Kingship in Ancient Israel.</em></td>
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<td><strong>VT</strong></td>
<td><em>Vetus Testamentum.</em></td>
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<td><strong>WI</strong></td>
<td>H. -J. Kraus, <em>Worship in Israel.</em></td>
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<td><strong>ZAW</strong></td>
<td><em>Zeitschrift fur die alttestamentliche Wissenschaft.</em></td>
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TRASLITERATION AND ENUMERATION

The transliteration of Hebrew words in this dissertation is the system outlined on page xiii of The Old Testament and Modern Study, (edited by H. H. Rowley), 1951.

The enumeration of Biblical passages is as follows: when both the English and the Hebrew enumeration are listed, the Hebrew enumeration appears in brackets; otherwise only the English enumeration is provided, which, of course, is often the Hebrew enumeration as well.

It should also be noted that Canadian spelling (e.g. 'judgment') has been used throughout the dissertation.
I

INTRODUCTION

Simply on the basis of the incidence of the root גֶּדֶנ in the Old Testament alone (631 times without counting those times it is used as part of a proper name), a special study of this root is indicated in order that its essential meaning or meanings may be determined. The tremendous number of occurrences indicates the importance of גֶּדֶנ in the literature and theology of the Old Testament.

Because the use of this root is so extensive, the area of study of this dissertation is predominantly the Psalter. The usage of גֶּדֶנ in the Psalter, however, cannot properly be understood apart from its usage in the remainder of the Old Testament; thus a substantial portion of the study will deal with its usage there. At every point the attempt is made to discover what the Old Testament understands by גֶּדֶנ and what is the scope of its meaning.

The study indicates very strongly that the English words "judge" and "judgment" can be very misleading when we are translating the root גֶּדֶנ in the Old Testament. Today's usage of these words tends in the direction of either the judicial meaning (that of a judge deciding a case and announcing a verdict) or else the meaning that connotes a negative reaction when appraising a matter or person. Indeed the former meaning does appear in the Old Testament, but the Hebrew root includes many
other meanings and one must be careful not to impose a judicial
meaning on a passage that may not have any such reference.

There is a large body of literature on the usage of the
root ṣāḥ in the Old Testament but much of it is in scattered
magazine articles, commentaries, encyclopaedias and other publi-
cations. There have been some specific studies made and for
this reason a chapter is given to a survey of earlier studies.

With regard to the use of ṣāḥ in the Psalter, however, one has
to rely on commentaries which deal with this topic to some degree.

This dissertation will attempt to draw the comments together
and assess them in order to highlight the essential meaning or
meanings of ṣāḥ in the Psalter. Detailed exegetical notes are
given for the relevant passages in the Psalter. Particular
attention is given to a discussion of the root when it has refer-
ence to Yahweh.

Following the chapter on the Psalter itself where attention
is especially given to those psalms in which the root ṣāḥ appears,
a chapter is given over to the discussion of two themes in the
Psalter which have direct relevance for a study of the root ṣāḥ.
One of these themes is the relationship of divine justice to the
covenant which Yahweh made with Israel at Sinai, the giving of
which covenant was re-enacted on the occasion of the Autumn
Festival when Yahweh's coming as king in the midst of Israel
was also celebrated. The second theme discussed is the vindica-
tion of an individual who seeks to be faithful to Yahweh; an
attempt is made to show the practical relevance of divine justice
to the everyday life of the Israelite community by studying those psalms which may be described as prayers of the falsely accused.

A brief section of the dissertation is given to a comparison of the root ʾšp̊t with words which have related meanings and which, in many cases, appear in parallelism with ʾšp̊t or are closely associated with it. Such comparison helps in interpreting the meaning of the root.

Because of the number of derivatives of the root ʾšp̊t and also for the sake of providing organization to the study of them, five classifications have been used: I. the noun ʾmisp̊ṭ; II. the plural ʾmisp̊ṭīm; III. ʾšp̊ṭ and all verbal derivatives, excluding the Qal Active Participle; IV. ʾšp̊ṭ, ṣẘṭ̊m, the Qal Active Participle; and V. ṣẘṭ̊m. Sometimes the root has reference primarily to God, sometimes primarily to Man; in order to provide a more systematic treatment a division in the usage is made thus: 1. God; 2. Man. This division, it should be emphasized, is not meant to suggest in any way the modern day dichotomy between "secular" and "spiritual"; that is foreign to the Old Testament which views all of life under God.

In the chapter on the usage of the root in the Old Testament excluding the Psalter, an analysis of the usage has been made according to types of literature rather than according to a chronological scheme.

The foregoing indicates the scope of this study of the root ʾšp̊t with special reference to the Psalter. As with many
of the themes of the Old Testament, there is not just one meaning of the root but a variety of meanings. The study, however, will reveal those essential meanings which tend to tie the variety of meanings together; it will also reveal that the meaning of the root špt for Israel is closely associated with her relationship to Yahweh.
II
SURVEY OF EARLIER STUDIES

As a foundation for the investigation of the usage of špt in the Old Testament, and, in particular, its use in the Psalter, a summary will be given of some of the studies that have been done in this area. It will not be an exhaustive survey but rather representative. Particular attention will be paid to some of the more important and lengthy studies. In some cases, attention will be paid to smaller works which are representative of the main lines of interpretation which scholars have adopted in explaining the use of špt in the Old Testament. Occasionally some critical evaluation of the views will be expressed; but, on the whole, such evaluation will be done throughout the study as various meanings of the root are studied.

One of the first men to do some detailed study in this area was H. W. Hertzberg in 1922 and 1923 in his enquiry into the meaning of the idea mišpāt in the Old Testament,¹ in which he stresses that there is a development in the idea, beginning with the thought of "fairness" or "just decision" and leading to an emphasis on grace and God's unmerited intervention on behalf of His people.

Hertzberg introduces his material with a brief investigation of the root, finding that originally two meanings were recognized,

namely "rule" and "decide", and he feels that the former meaning is the original.¹ He states that even where the activity of deciding is emphasized the legal sense is clear in such passages as Exodus 18:22,26; I Samuel 3:13; 7:15ff.; 8:20; Isaiah 1:23; 11:3,4; and Jeremiah 5:28.² Such a statement needs to be questioned; for example, to say that קִּשְׁפֶּת the in I Samuel 3:13 is definitely legal is to put a restriction on the meaning of the phrase which the author may not have wished at all.³ Again I Samuel 8:20 makes a definite reference to ruling and leading in battle rather than to a legal decision! Surely also Isaiah 1:23 makes reference to justice and fair dealing, indeed to an obligation on the part of the judge, rather than merely to a legal decision or verdict.

In order to support his argument for "ruling", Hertzberg draws on passages where "judge" or "judges" are named alongside "prince" and "King", such as Exodus 2:14; Micah 7:3; Hosea 7:7; Psalm 2:10. To note this close association, however, and even to recognize that the sense of "ruling" is contained within the root סִפּ is not necessarily to say that this is its primary meaning. There are passages, of course, such as I Samuel 8 and II Samuel 15:4, which indicate the close association between "judging" and being king, but I feel that Hertzberg's treatment

¹ H. W. Hertzberg, op. cit., p. 258.
² ibid., p. 256.
³ The Revised Standard Version, for example, translates סִפּ in this verse as "punish".
stresses "ruling" overmuch so that the role of the king in deliverance of God's people is not sufficiently dealt with. The Old Testament evidence, however, supports his emphasis on the close connection between judging and ruling and we shall note this especially in the period of the monarchy when it was the king's responsibility to ensure that justice was dealt to his subjects. From these observations Hertzberg maintains that "rule" represents the original meaning of the root, and thus the passing of judgment is principally the duty of the ruler. Then Hertzberg claims that out of the idea of ruling emerges the decision of the ruler's will and alleges that the verb expressed eine zentrifugale Willensbewegung.

In the prophetic literature, Hertzberg says, the ethical aspect of mispāṭ takes on decided importance, where what is involved is not merely administration of justice but administration of justice developed upon an ethical standard. Micah and Isaiah, for example, regard mispāṭ as discernment between good and evil which speaks out and acts on behalf of the good. Hertzberg, especially in his second article, deals fully with mispāṭ in its relation to Yahweh Whose will includes an ethical obligation on the part of His followers. Here it appears that Hertzberg comes near to regarding mispāṭ as a claim of Yahweh on His people, or that way of life which He asks of them within

2. ibid., p. 274.
the covenant, although Hertzberg does not elaborate on this theme. Yahweh acts with justice and so must His followers if they are to know Him and come to Him. Hertzberg, however, neglects to stress sufficiently that these claims of Yahweh on His followers are part of Yahweh's concern for His people and not merely requirements which He demands of them.

Hertzberg's emphasis, in the first of the two articles, on eine zentrifugale Willensbewegung is stressed again in the second article where he deals mainly with Yahweh's mispāṭ and mispāṭīm. Yahweh's mispāṭīm in the first instance are an expression of Yahweh's will, a placing together of the manifestations in which Yahweh's will is firmly expressed. As it has already been observed, mispāṭ has an ethical connotation: Yahweh's mispāṭīm, when experienced as good, place a claim on His people to walk in His ways.

An important development in the concept of mispāṭ is the emphasis that justice is to be given to the poor and the oppressed. Deuteronomy 10:18 is an example: "He executes justice for the fatherless and the widow, and loves the sojourner, giving food and clothing." Yahweh, as the God who makes known His mispāṭīm to the people, is also concerned that the individual should practise mispāṭ. Justice towards the poor, says Hertzberg, is present in ancient times; for example, in the law of

2. ibid., p. 20.
Hammurabi. In Israel, however, it is an outflowing of Yahweh's righteousness; and the use of 'ôhēb along with 'ōseh mispāt in the same text (Deuteronomy 10:18) shows that mercy is just as important as righteousness. So the description arises that when Yahweh helps the poor to his right, He thereby proves to be good, merciful, gracious.

Related to this thinking is the reference also, for example in Ezekiel 34:16, that mispāt is that which raises the weak and brings down the strong. During and after the exile this aspect of mispāt is stressed, because Israel now finds herself in the category of the weak and the oppressed. In the exile, Israel is now "low" and thereby can lay claim to the help of Yahweh. Previously the emphasis was on the fact that Yahweh did give justice and Israelites must give justice to the poor and weak as a group within Israel. But now the whole people of Israel is in this category and stands in need of Yahweh's dealing with them according to the mispāt of the poor and weak. Israel's punishment was the exile itself and yet even within it there is a "tone" of grace, especially now evident that Israel is regarded as low and humbled. Here Yahweh's grace in His mispāt begins to show more clearly. In Jeremiah 30:11 Hertzberg sees an example of grace within punishment: Yahweh will punish Israel in a way

1. ibid., pp. 20f.
2. ibid., p. 34.
corresponding to the measure of her offence, but not exceeding that measure. Here is a punishment that is not hard (since lammisspāt is placed over against lō’ e ešēh kālān) or, speaking positively, a mild graciousness and, therefore, a definite tone of grace. Further support is the reference regarding the punishment of the heathen as compared with the gracious dealing with Israel.¹

Hertzberg makes reference to Jeremiah to show that Yahweh’s misspāt is not some fixed written code but involves something that is effected practically. This is emphasized in Jeremiah 5:4f where derek is used. Similarly, in Jeremiah 22:15f., the right knowledge of God and doing the will of Yahweh is revealed by doing misspāt.² The ethical note sounded by the prophets is carried a step further in Jeremiah with the thought of inner possession of this ethic, and Jeremiah speaks of misspāt as honesty and integrity and lō’ misspāt as dishonesty and lack of integrity. Over against the one-sided self-reliance on the Temple (chap. 7) and Torah (chap. 8:8f), Jeremiah emphasizes that the way of Yahweh is ethical and that only he can serve Him who determines himself and his life ethically.³

Hertzberg observes in Ezekiel a new note in the concept of

1. ibid., pp. 37f.
2. ibid., pp. 22f.
3. ibid., pp. 24f.
mispa'atim. As well as referring to Yahweh's mispa'atim given to Israel, Ezekiel refers to the mispa'atim of the heathen, and in 20:32 he declares that Israel's behaviour is like that of the heathen. What is its content? The content of these mispa'atim, which do not lead to life, is to serve false gods and such worship opposes the will of Yahweh. Ezekiel 18:10-13, for example, shows that such a non-observance of cultic commands and ethical ways leads to punishment. The sin of Israel is that she knows but does not do the mispa'atim of Yahweh. She differs from the heathen in that she knows; the heathen do not know and are not responsible when they go against Yahweh's mispa'atim.

Hertzberg has a long section on the Book of Job in which he deals with the issues of reward and retribution. A burning question in post-exilic times was how Yahweh's mispat stood in relation to the individual. He regards the whole book of Job as refuting the thought that God manipulates justice according to arbitrariness. The Elihu speeches reveal this: from the omnipotence and greatness of God Elihu does not proceed to arbitrariness but to inconceivability of God's ways. God does not pervert justice, since punishment or harm to the righteous one can be viewed as a means of education and purification. Yet

2. ibid., pp. 29ff.
man's righteousness (e.g. Job's) can be the ground for claiming Yahweh's יִשְׂפָט. For support here, Hertzberg makes reference to some Psalms: for example, Psalm 37:3-6 shows that יִשְׂפָט is grounded in man's integrity and goodness; Psalm 9:17 shows that the wicked have a negative relationship to יִשְׂפָט.

Hertzberg does not attempt to look in detail at the Psalter, but he does take time to show that the preceding view is only one side of the coin which the Psalter presents to us. There is also an emphasis on God's action and intervention, His grace within יִשְׂפָט, which is not dependent on man's good deeds. Many psalms request God to act, not on the basis of fairness but simply to help the oppressed or humble (e.g. Psalms 83:3f; 72 and 36:7). Yahweh's dealing with humbled Israel is surely an indication of the way He deals with the individual (so Psalm 25: 6ff.). Psalm 103:6ff. stresses love and pity within God's יִשְׂפָט.

Thus gradually the idea of fairness diminishes and the idea of grace grows within יִשְׂפָט. Yet how is this compatible with many references, especially in the Psalms, where God's יִשְׂפָט is experienced in relation to human deeds regarded as meritorious? Hertzberg attempts to draw a distinction between "merit" and "worthiness" which is difficult to accept.

Considerable space has been given to a discussion of

1. ibid., pp. 51ff.
2. ibid., p. 60.
Hertzberg's investigation since it is one of the most penetrating studies as well as one of the most comprehensive. It is limited of course with regard to the area of research of this dissertation, in two ways: first, Hertzberg's emphasis is on ṾISPAT rather than on the root ṢPT as a whole; and secondly, he deals sparingly with the Psalter. He dig deeper, however, and brings to the surface for consideration many issues which are of prime importance in order to gain an understanding of ṾISPAT in the Old Testament.

No study of an Old Testament concept would be complete without reference to J. Pedersen. His view of ṾISPAT is that it is very definitely related to the covenant. "He who judges must determine what the will of the covenant requires, and also carry it out." Pedersen regards the references to Yahweh's coming to judge the earth in the Psalms (e.g. Psalms 82:8; 96:13, 98:9) as meaning that Yahweh "is to ensure the final victory of the covenant by striking down all its enemies...." Along with this emphasis on the covenant, Pedersen feels that ṾISPAT "is used to denote the decisive actions, by which a broken relation is established, the judicial proceeding as well as the word or

3. Ibid., p. 349.
act by which right is being recreated. He stresses that mishpāt denotes what should be the true relations between human beings: "...the word denotes what a man may claim and what he is to do towards others or, in other words, the right and duty of everyone. The King's mishpat (I Samuel 8:9; cf. 10:25) is what the king, according to his position within the covenant, must demand and grant." 'Bending' mishpāt is, then, the same as dissolving "the harmony which conditions the maintenance of the covenant."

K. HJ. Fahlgren in 1932 in a study on śèdākā, refers to mishpāt as the most important synonym. He agrees, more or less, with Hertzberg in his emphasis that "rule" is the original meaning of the root. Fahlgren considers that the "judge" in the period of the Judges did not fill a judicial office but rather was the leader of the people in times of crisis; he was a deliverer whom God sent to save the people from its enemy. His attributes were strength and power rather than impartiality and wisdom which we associate with a judge. So it is, says

1. ibid., p. 349.
2. ibid., p. 350.
3. ibid., p. 351.
4. K. HJ. Fahlgren, śèdākā, nahestehende und entgegengesetzte Begriff im Alten Testament. The study on mishpāt is on pp. 120-138.
5. ibid., p. 121.
Fahlgren, that Samuel is rejected because his age did not allow him to be a leader in battle.¹ Although the emphasis of leadership and strength may be present in the literature, Fahlgren leaves very little room for any judicial function, which is surely an extreme position.² He alleges, however, that the verb originally expressed initiative directed towards restoring a harmonious situation, both in battle and in individual disputes.³

Fahlgren follows Pedersen in seeking to understand the term in relation to the covenant⁴ and lays emphasis on the community relationship between Israel and Yahweh. God's dealings with His people result in condemnation or acquittal according to whether or not they are faithful to the covenant relationship.⁵ With

1. ibid., p. 122.

2. B. W. Anderson, The Office of the Judge in the Old Testament, Dissertation, Yale University, 1964, pp. 107f., disagrees with Fahlgren, saying that, in the case of Samuel, his assumption is wrong. The motive for demanding a king is not that Samuel is too old, but a desire to imitate other nations and concern on the part of the elders about the future leadership of Israel under Samuel's sons. Anderson feels that the two-fold aspect of leadership and administration of the law are both present in the verb šapāt.


4. Note, also, that G. Pidoux follows Pedersen and Fahlgren in understanding mišpat in relation to the covenant. His article is necessarily brief and I think he is right in stressing one of the main points in the concept, that of salvation or deliverance, especially as regards Yahweh's action on behalf of His people. (See G. Pidoux, "Judgment, Old Testament," in J. J. Von Allmen, Vocabulary of the Bible, 1958, pp. 209-211.)

regard to Yahweh's **mispat**, Fahlgren says that it means, on the one hand, help and salvation for all who belong to the community, and, on the other hand, punishment for all outside. In the latter case **mispat** may also mean punishment for any inside the community who have broken communion with Yahweh. These statements certainly need elaboration which Fahlgren does not provide.

There is a study (1938) by V. Herntrich in Gerhard Kittel's *Theologisches Wörterbuch zum Neuen Testament*. He deals with several themes which show his dependence on Hertzberg. He agrees with the emphasis on "rule" in the stem, but cites I Samuel 8, Isaiah 2:4 and Micah 3:5 as examples which show the intermingling of the meanings "rule" and "judge". Herntrich also sees a development in the concept which eventually leads to the meanings "religion" and "reality", and even "grace" and "salvation".

In his section "God as Giver and Keeper of **mispat**", Herntrich deals with the question of how a legal concept has become a theological term with regard to God and Israel. His explanation lies in the covenant relationship between Yahweh and

1. *ibid.*, p. 133.
Israel, a relationship which is based on faith in a personal
God who has revealed Himself in history to the worshipping
community. The language of the covenant law reflects this
("Thou shalt") in which the "I" of the God of the covenant
speaks to His people. Yahweh Himself watches over the keeping
of His mispātīm and thus often appears on the scene on behalf
of His people against enemies from outside.

Hermtrich, like Hertzberg, stresses the ethical content of
mispāt, and its change in meaning to one of grace and mercy.
Reference has already been made to his emphasis (cf. Pedersen
and Fahlgren) on the covenant, which unifies the terms justice
and grace.

Osborne Booth in 1941 presented a study of mispāt, but,
as the title suggests, he deals only with its semantic develop-
ment. His study reveals that "manner" or "custom" was a very
early meaning and Booth proposes that it was the original
meaning of mispāt. The next step in the development was that
of the meaning "law" or "judicial decision"; Booth considers

1. ibid., p. 924.
2. ibid., pp. 926ff.
3. ibid., pp. 929ff.
4. Osborne Booth, The Semantic Development of the Term mispāt
in the Old Testament, Dissertation, Yale University, 1941.
A summary of his thesis was published in the Journal of
that the legal concept is prior to the concept of "the Right".\textsuperscript{1} The one who had established justice by defeating Israel's enemies was the one authorized to give the law. Because the decisions of the ḫophet were in a large measure the application of established customs, they represented the transition from custom to law. Then the meaning "the right" developed which led to the emergence of the idea of a divine salvation-judgment, either for the individual or for Israel.\textsuperscript{2}

B. W. Anderson's study\textsuperscript{3} deals mainly with the office of ḫophet in Israel in which he seeks to understand how the diverse functions of "judge", "deliverer" and "ruler" are embraced in the same office and traces the development of the office in Israel's society. He does this by looking at what the judge does in concrete situations, since in the Old Testament literature there is no clear and comprehensive description of the institution. In the early period, the judge filled an office that was essentially charismatic. In the time of Moses, the emphasis was "on performing the function which maintains the inner equilibrium of the camp."\textsuperscript{4} In the period of the Judges, the emphasis was on military leadership. The Judge is "the

\begin{itemize}
\item 1. \textit{ibid.}, pp. 162f.
\item 2. \textit{ibid.}, pp. 168ff.
\item 3. \textit{op. cit.}
\item 4. \textit{ibid.}, p. 46.
\end{itemize}
divinely inspired deliverer who appears at a moment of grave historical crisis and causes the land to have 'rest' by repelling the invader." Anderson thinks, however, that even in this period the office included the authority to administer the law. I Samuel 12, says Anderson, reveals that the judge "was the recognized ruler of the people, and the narrative indicates that the judgeship included the primary functions of government". After Samuel, the king assumes the functions of the judge: rulership of the people which includes military leadership in time of war and help in legal matters in time of peace. Anderson deals at length with the office of judge under the monarchy, stressing that it was now held by appointment, was separated from the function of the king (although he was final authority under God) and was confined to legal administration, having lost its connection with military leadership.

Anderson deals at considerable length with God as Judge but his main purpose in doing this is to assist in determining man's role as judge in ancient Israel. He mentions that "since the Israelites projected the office of the 691 from man to God at an early period, it is reasonable to expect that the

1. ibid., p. 61
2. ibid., pp. 62, 74.
3. ibid., p. 99.
4. ibid., p. 113.
divine Judgeship would retain primitive features long after the human counterpart had been modified radically or had completely disappeared." As Israel's king, Yahweh both administers justice to oppressed individuals and vindicates the nation by overthrowing her enemies.

Anderson's is a very descriptive study of the office of judge. He does not deal in any detail with the concept mishpāt or with the Psalter, nor does he deal with the root in relation to eschatology.

There is some material in this area by N. H. Snaith which should be mentioned, principally in A Theological Word Book of the Bible and in his own book, The Distinctive Ideas of the Old Testament. He gives consideration to the meaning of tōrāh in relation to mishpāt which will be referred to in the next chapter.

Snaith stresses that the term mishpāt cannot be separated from God. Although the function of a judge was to give decisions according to custom or precedent, he gave no other judgments than those regarded as the word of God. "It is necessary therefore to think of 'doing mishpat' (Micah 6:8) as meaning 'doing

1. ibid., p. 232.
3. N. H. Snaith, DIOT, 19th.
4. See pp. 34ff.
God's will as it has been made clear in past experience. In Amos 5:24 it means the declaration of God. According to one line of development, then, mishpat is of God, being His declared will, whilst the 'secular' meaning is 'habit, custom'.

This however is only part of the meaning of mishpat in the Old Testament, declares Snaith, for it has reference also to God's judgment of men; then gradually the idea grows of a great day of judgment, the consummation of history.

There is a dissertation by H. K. Ladwig on the concept of God as Judge in the Old Testament. In his introductory material he tends to be on the side of those who see in the root spōt the emphasis on restoring right relations. His view is that whoever is sovereign in a given unit of society is the spōt because he is capable of enforcing his decisions; only with the growth of the political unit does he become the administrator whose decisions are enforced by the sovereign or government.

In his chapter on the profane use of mishpat, Ladwig observes a development in meaning. He tends to agree with Booth in seeing "custom" as the earliest meaning, then there is the step to the

1. N. H. Snaith, DIOT, p. 76.
4. ibid., p. 24.
5. ibid., pp. 30ff.
sense of a regulation or law. With regard to Yahweh's _mispát_ towards Israel, Ladwig supports the covenant view: "...œψψτο..." is always more than an existing legal ordinance which receives additional endorsement from God...it is the expression of His will for those who are bound to Him by the _יִּרְאֵ֑ה_ and thus the very revelation of God's nature.1

An important element, says Ladwig, in the concept of God as Judge is that Yahweh is protector of His people. "God is called Judge, not because He reveals new truth of a legal or moral nature, but because those whose existence has been protected or altered by His sovereign acts recognize Him as _שׁוֹפֵט_ in these acts. Thus the revelation consists in the acts of Yahweh, His judgments on His adversaries."2 But Yahweh does more than protect; He also regulates the social conditions and internal relationships of His people by the revelations of His will. Yahweh is the partner in the Covenant whose _mispát_ protects His covenant people. So it is that Yahweh's _mispát_ is "to preserve the integrity of His chosen people and to keep the nation and her members in the Covenant relationship."3 The prophetic message about the divine _שׁוֹפֵט_ is that Yahweh is a righteous Judge, Ladwig maintains. God is righteous because of the fact that whatever God looked for in Israel, He had a right to demand it because of the

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1. _ibid._, p. 44.
2. _ibid._, p. 54.
3. _ibid._, p. 63.
Covenant relationship.

Along with other scholars, Ladwig claims that there is an ethical content to *mispāt*, and also that there is a development beyond that to the meaning of salvation with regard to Yahweh's action on behalf of His people.²

Leon Morris, in a recent book,³ gives an interesting presentation of the doctrine of judgment in the Old Testament. He deals with the fundamental idea of *mispāt* in terms of rule, custom and discrimination. In contrast to Hertzberg and Herntrich, he comes down on the side of discrimination, that is, a distinguishing between parties, and he cites as examples Ezekiel 18:16; Deuteronomy 1:16; I Kings 3:9. His study includes a section on judgment and action: "*Mishpāt* denotes a dynamic 'right-doing'. This is not right action in general, but specifically right action as the result of discrimination. There is always the fundamental thought of distinguishing between the right and the wrong. But there is always also the added thought of decisive action as the result of that discrimination."⁴ He deals (in a deeper and more penetrating way than Hertzberg) with *mispāt* as being a claim of Yahweh on His people, relating it to the covenant. "The individual Israelite was bound to God and to

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1. *ibid.*, pp. 82ff.
other Israelites by the covenant tie. Judgment must be exercised in this context. It is no accident that judgment is often linked with words like chesed and tsedeq, which are integral to the whole conception of covenant. In this regard Yahweh's laws or "ordinances" are His merciful provision to His people in order to show them the right, and He desires that they, like Himself, should "do mishpat".

Morris also deals with the concept of "The Judgment of the Lord", which he regards as the outworking of Yahweh's mercy and wrath. This often means deliverance as in Deuteronomy 10:18 and Psalm 25:9; but for evildoers it spells doom, e.g. Isaiah 14:1; Deuteronomy 32:41. Morris, like most others, stresses the positive side of the meaning of mishpat although he allows for the negative side as well. He deals also with the futuristic elements of mishpat as it relates to Yahweh and gives space to other words in the Old Testament often translated "judge", or "judgment".

H. C. Thomson emphasizes the idea of divine decision within

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1. ibid., p. 19.
2. ibid., p. 22.
3. ibid., p. 23.
4. ibid., pp. 26ff.
mis\textsuperscript{p}\textsubscript{a}t, as he explores the root \textsuperscript{s}p\textsuperscript{t} in the Book of Judges. He refers to Deborah (Judges 4:4-6) in her seeking a direct decision from Yahweh as well as her deciding on case-law, because she was a charismatic person. "She was a source of mis\textsuperscript{p}\textsubscript{a}t, divining the will of Yahweh in some situation of importance to the amphictyony or part of it."\textsuperscript{1}

R. de Vaux surveys the institution of the judge in ancient Israel.\textsuperscript{2} He traces the development of the role of the judge from the father to the elders of the town,\textsuperscript{3} to a detailed description of the king as judge and of the judges appointed by him. He also describes judicial procedure in Israel, by piecing together some of the allusions in the Old Testament to the process of a trial.\textsuperscript{4}

To summarize: some scholars consider "ruling" to be the fundamental idea with the root \textsuperscript{s}p\textsuperscript{t}; others hold to the view that "making a decision" or "discriminating" is the main idea expressed; still others hold that "manner" or "custom" is the essential meaning. Several scholars emphasize that mis\textsuperscript{p}\textsubscript{a}t is definitely related to the covenant relationship between Yahweh and Israel, and frequent reference is made to the ethical content of the root.

\textsuperscript{1} ibid., p. 77.
\textsuperscript{2} Roland de Vaux, Ancient Israel: Its Life and Institutions, 1961.
\textsuperscript{3} ibid., pp. 22ff., 151ff.
\textsuperscript{4} ibid., pp. 155ff.
In this survey of earlier studies consideration has been given to some of the more important items of research with regard to the root ūnt and such consideration has revealed some of the issues which are involved in such a study. Other works will be cited at appropriate places throughout the dissertation.
III
LEXICOGRAPHICAL ANALYSIS
AND
COMPARISON WITH WORDS WITH RELATED MEANINGS

A. Occurrence
The classification mentioned in the introduction will provide the framework for an analysis of the occurrence of the root špṭ in the Old Testament:

1. mišpāṭ:

<table>
<thead>
<tr>
<th>Location</th>
<th>Occurrences</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pentateuch</td>
<td>49</td>
</tr>
<tr>
<td>Former Prophets</td>
<td>37</td>
</tr>
<tr>
<td>Chronicles, Ezra, Nehemiah</td>
<td>17</td>
</tr>
<tr>
<td>Latter Prophets</td>
<td>107</td>
</tr>
<tr>
<td>Wisdom Literature</td>
<td>49</td>
</tr>
<tr>
<td>Song of Songs, Lamentations, Ruth, Esther, Daniel</td>
<td>2</td>
</tr>
<tr>
<td>Psalter</td>
<td>34</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>295</strong></td>
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</tbody>
</table>
2. **mišpāṭīm:**

<table>
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<th>Occurrences</th>
</tr>
</thead>
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<td>34</td>
</tr>
<tr>
<td>Former Prophets</td>
<td>7</td>
</tr>
<tr>
<td>Chronicles, Ezra, Nehemiah</td>
<td>11</td>
</tr>
<tr>
<td>Latter Prophets</td>
<td>34</td>
</tr>
<tr>
<td>Wisdom Literature</td>
<td>N11</td>
</tr>
<tr>
<td>Song of Songs, etc.</td>
<td>1</td>
</tr>
<tr>
<td>Psalter</td>
<td>31</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>118</strong></td>
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</tbody>
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3. **šapāţ:***

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<tr>
<td>Former Prophets</td>
<td>30</td>
</tr>
<tr>
<td>Chronicles, Ezra, Nehemiah</td>
<td>7</td>
</tr>
<tr>
<td>Latter Prophets</td>
<td>48</td>
</tr>
<tr>
<td>Wisdom Literature</td>
<td>5</td>
</tr>
<tr>
<td>Song of Songs, etc.</td>
<td>3</td>
</tr>
<tr>
<td>Psalter</td>
<td>22</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>130</strong></td>
</tr>
</tbody>
</table>
4. **סֶפֶת, סֶפֶתִים:**

<table>
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<tr>
<th>Location</th>
<th>Occurrences</th>
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</thead>
<tbody>
<tr>
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<td>11</td>
</tr>
<tr>
<td>Former Prophets</td>
<td>18</td>
</tr>
<tr>
<td>Chronicles, Ezra, Nehemiah</td>
<td>10</td>
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<tr>
<td>Latter Prophets</td>
<td>13</td>
</tr>
<tr>
<td>Wisdom Literature</td>
<td>6</td>
</tr>
<tr>
<td>Song of Songs, etc.</td>
<td>2</td>
</tr>
<tr>
<td>Psalter</td>
<td>10</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>70</strong></td>
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</tbody>
</table>

5. **סֶפֶת:**

<table>
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<th>Occurrences</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pentateuch</td>
<td>4</td>
</tr>
<tr>
<td>Former Prophets</td>
<td>nil</td>
</tr>
<tr>
<td>Chronicles, Ezra, Nehemiah</td>
<td>2</td>
</tr>
<tr>
<td>Latter Prophets</td>
<td>11</td>
</tr>
<tr>
<td>Wisdom Literature</td>
<td>1</td>
</tr>
<tr>
<td>Song of Songs, etc.</td>
<td>nil</td>
</tr>
<tr>
<td>Psalter</td>
<td>nil</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>18</strong></td>
</tr>
</tbody>
</table>

**TOTAL of all occurrences**

| of the root סֶפֶת | 631\(^1\) |

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1. This figure does not include those occurrences where the root appears as part of a proper name.
B. Etymology

Inasmuch as Israel was an integral part of the culture of the ancient Near East, some reference must be made to the occurrence of the root ṣāṭ in extra-biblical material.

B. W. Anderson, in his study of the office of ṣōpēt, deals with this issue. The Akkadian verb ṣāpātu(m), almost an exact equivalent of the Hebrew ṣāpaṭ, can be traced back to Old Babylonian; some scholars, however, doubt that the Akkadian root is cognate with Hebrew since sometimes it is written with t instead of ṣ. The participle, ṣāpītum(m) occurs as the designation of a public official.

There is also an affinity between Ugaritic and Hebrew. The roots ḫn and ṭpt are used interchangeably to refer to the idea of obtaining justice for an oppressed individual; the noun mtpt also occurs in Ugaritic meaning "rule" or "sovereignty". This reveals that Ugaritic, like Hebrew, appears to have a double meaning for the root.

In Carthage, the office of ṣūfēt belongs to a very advanced stage of civil magistracy, and the word refers to a ruler or magistrate.

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2. B. W. Anderson, ibid., p. 7, quotes Albright as preferring to connect ṣāpātu(m) with the Hebrew root ṣāṭ, and the Akkadian root ṣābātu(m), "to smite", with the Hebrew root ṣāṭ.
4. ibid., p. 28. Cf. Snaith, DIOT, P. 74.
H. Ferguson, in his inquiry, also comments that where the root occurs in related languages, ṣp.t has a double meaning and the question is "whether the idea of ruler is primitive and that of judge derived from it, or vice versa."¹ His investigation leads him to conclude that the idea of "making a decision" is the primitive one and the idea of "ruling" was later added to it.

V. Hemtrich finds the meaning in Assyrian much the same as in Hebrew, sometimes referring to "decision", sometimes to "rule".²

The etymological evidence appears to show that the root has more than one meaning: it may be used for the idea of "deciding" or the idea of "ruling". There is support for both meanings in cognate languages, just as in the Old Testament itself.

It should be remembered, however, that the root has a history of usage within the Old Testament which makes it mean far more than either of these alone or together and Snaith rightly emphasizes that the root cannot be separated from God.³ Thus the emphasis for any understanding of the root must be laid on the literature of the Old Testament because of the specific

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2. V. Hemtrich, op. cit., p. 923.
3. Snaith, DIOT, p. 74. Cf. Porteous, in Living the Mystery, p. 26, where he says: "it is important for us to realize that, when we study the Biblical language...we are dealing with something that is used, not as a philosopher might use
development in social life and thought peculiar to Israel.

It should also be emphasized that usage is more important than etymology. Etymological study may show that originally the root has a certain meaning. But subsequent usage may change the meaning.¹ This is certainly true of Biblical words which may originate from a general, secular background but which are given new content of meaning in order to convey new truth.²

C. Comparison With Words With Related Meanings

ṣedāḵāh

Many, many times the root ṣdk is associated with ṣpṭ in the Old Testament. ṣedāḵāh often appears in parallelism with mishpāṭ which lends support to the translation "justice" for mishpāṭ in many passages. Like ṣpṭ, the root ṣdk is closely related to God: the fact that the Hiphil of the verb is used so much indicates the Biblical emphasis that man cannot put himself it, to convey abstract truth in the form of propositions, but rather to suggest a truth which cannot be directly described, because it belongs to the category of supernatural event."

1. For example, the word "prevent" in the KJV was used in Psalm 79:8 because in 1611 A.D. the usage of that word was still related to the original meaning of the Latin prevenio, namely "go before" or "go ahead of". Today's usage of the word "prevent", however, has almost an entirely opposite meaning, namely "forbid".

2. Cf. the fact that Israel adopted some of the institutions of her Canaanite neighbours but infused them with new meaning, particularly in relation to her Heilsgeschichte.
right but that Yahweh enables man to be righteous.\textsuperscript{1}

Snaith indicates that "righteous" originally meant "conforming to the norm", i.e. to the character of God Himself;\textsuperscript{2} the fact that ṣpṭ is associated with ṣḏk so often supports the view that is maintained in this dissertation that one of the predominant meanings of ḫṣpṭ is the manner of life which Yahweh requires of Israel, the obedience of faith He expects from His covenant partner.\textsuperscript{3} Yahweh expects His people to do justice and to follow after righteousness because of membership in the covenant community; He Himself sets the example in that He judges with righteousness. (Cf. Psalms 9:3; 96:13; 98:9). E. Jacob, in his Theology of the Old Testament, stresses that the root ṣpṭ needed elaboration or commentary if the obligations of Israel towards Yahweh were to be understood properly. "The conception of ḥṣpṭ, evolving in the direction of custom, rule, law, into the character of what is obligatory and constraining, became incapable of expressing all that was meant by the righteousness of Yahweh; therefore, in speaking of God the judge, stress had

\textsuperscript{1} Cf. St. Paul's emphasis on "justification" in the New Testament which certainly derives from the Hebraic background. Of course the Hiphil of the verb is used with respect to human judges as well; one of the fundamental duties of the judge is to declare in the right him who is in the right and to condemn him who is in the wrong. (Deuteronomy 25:1; II Samuel 15:14).

\textsuperscript{2} Snaith, in Richardson's Theological Word Book of the Bible, p. 202.

\textsuperscript{3} Cf. Mowinckel, He That Cometh, p. 67.
to be laid on the norm of his action (tsedeq) and on the visible manifestation of that norm (tsedaqah). The tsedaqah is not contradictory to the view of God as judge, it is indeed its essential condition.  

The close association between sdk and špt also supports the view, which is discussed later, that the root špt can include the meaning of "deliverance", even "salvation", since sdk also came to be viewed in this way.

Fahlgren in his study of sēdāḵāh gives mišpāţ the first place as a synonym. He mentions that 50 times the two words are more or less directly bound up together.

2. See pp. 105f.
3. Cf. E. Jacob, op. cit., p. 101. See also J. Skinner in Hasting's Dictionary of the Bible, Vol. IV, p. 273, who mentions that "judicial righteousness is equivalent to deliverance or protection," and cites I Samuel 24:15 and Isaiah 1:17 to show that šapāţ can mean to vindicate or defend the poor and defenceless. Note, however, as Snaith so aptly remarks, that this did not mean that the depressed classes should receive treatment different from the rest of the community. "Theoretically, there is no doubt, the prophets held that there should be one law for all, rich and poor alike. But their message arose out of the frank recognition that here most in human affairs there was room for improvement. In practice these unfortunates did not receive the same treatment. That is why the prophets singled them out so markedly. Their need was greater. Further, it was evident that unless God Himself did something for them, then nothing would be done at all." (DIOT, p. 69). Snaith goes on to say that "even as early as the eighth century, tsedeq is more than a barely ethical word. Already it is invading the salvation vocabulary." (ibid.)
4. Fahlgren, op. cit., p. 120. Note that this figure refers only to mišpāţ and not to the root špt as a whole. The
tôrâh

Repeatedly in the Old Testament, ideas such as "righteousness", "justice", "law" are mentioned in close association with God and cannot be separated from Him.¹ So when a decision is given for the first time (tôrâh)² or whether the answer is based on a precedent (mîspâṭ), both are the declared word of God. Snaith discusses the connection between these two words: "When a cult-official, priest or cult-prophet, was asked for a ruling on a matter of faith or conduct, the answer he gave was regarded as being the command of God with regard to the particular point which had been raised. If the question had never been asked before, then the official consulted the divine oracle, by sacrifice or sacred lot if he were a priest, by dream or in ecstasy or vision, if he were a cult-prophet. The word which came to him, and which he thereupon communicated to the

verbal derivatives of the root špî are associated with the root šdk many, many times as well.

1. Von Rad stresses this point in connection with justice and legal axioms in the Old Testament when he comments that it "is no neutral law, but Jahweh himself in person, that is addressing men. Thus law was for Israel something much more personal: it was God's will for order, which in the end could never become really stabilised and objective." (G. von Rad, Old Testament Theology, Vol. I, p. 95).

2. We must be careful not to assume that this is the only meaning of tôrâh, which would be an erroneous assumption. The Hebrew word tôrâh also had a development in meaning: at first, as has been indicated, it meant instruction or decision given for a particular case; then, collectively, it came to mean the whole body of rules governing men's relations with God and with each other; finally, it refers to the Pentateuch. See R. de Vaux, AT, p. 143.
questioner, was a definite instruction from God. It was called a tōrāh (that which was taught, an instruction). When the same question was next asked, there was no need for the consultation of the oracle, for there was now a precedent. The official gave exactly the same answer as had been given on the previous occasion, but because he was now following a precedent, his answer was no longer a tōrāh, but a mishpat. The two words are synonymous to the extent that they are both the declared word of God. They are different in that tōrāh, at this early stage, meant an original pronouncement, whilst mishpat meant a decision according to precedent. But both equally are the word of God.¹

It is important to stress the words "at this early stage" in the preceding comments by Snaith, for mishpat takes on much more meaning as the history of Israel unfolds. Östborn² cites Deuteronomy 17:8-11 in order to emphasize a relation between tōrāh and mishpat: instruction by the priests is united with the duty of proclaiming the "judgment" or "right" (cf. Ezekiel 44:23f., II Chronicles 19:8ff.).

The association of špṭ and tōrāh shows how the meaning of the root špṭ is anchored in God. Just as tōrāh is an expression of Yahweh's will, so the root špṭ, even when it refers directly to man, has theological content and cannot be severed from God.

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1. Snaith, DIOT, p. 75.
The root **dîn** is used in the Old Testament with the meaning "judge", "judgment", but its occurrence is not so common as that of **špt**. The root **dîn** has a legal base; e.g. Isaiah 3:13 is certainly the language of the law-court. Like **špt**, it can have the meaning "rule" as in Zechariah 3:7 and Proverbs 20:3. Because **dîn** is used in association with **špt** it helps to show that the idea of judgment in the Old Testament certainly has a legal basis, a reference to the judicial activity of discrimination in accordance with right.

**rîb**

**rîb** is often used with reference to lawsuits. **BDB** gives "strive, contend" as the main meaning (cf. Exodus 23:2f., II Samuel 15:2). The most significant passages where **rîb** occurs are those in which Yahweh is involved in the lawsuit (e.g. I Samuel 25:39; Psalm 43:1; Jeremiah 2:9 and Micah 6:1-8).

**hkk**

The noun **hûk** from the root **hkk** is used in the Old Testament primarily to mean "statute" or "ordinance" and it is not surprising to find it used, therefore, in the plural in parallelism with **mišpāṭîm**. Like **mišpāṭîm** it is often used to refer to the statutes or ordinances of Yahweh.

**zî lôhîm**

The question whether **zî lôhîm** can be considered a synonym for **šôpêhîm** in Exodus 21 and 22 and in Psalms 58 and 82 will be dealt with in chapter five.
THE USE OF ᵊˢᵖᵗ IN THE OLD TESTAMENT EXCLUDING THE PSALTER

In this chapter it will become quite obvious that the root ᵊˢᵖᵗ has more than one meaning and even more than one "essential" meaning. An attempt will be made to determine whether the root has a special content of meaning for the covenant community of Israel. Can ᵊˢᵖᵃᵗ be considered as describing one of the main themes of covenant faith and life? Exactly what is the ᵊˢᵖᵃᵗ that Yahweh requires of Israel? What does it mean when the root is used with reference to Yahweh? What is the function of the judge in Israel? These questions suggest the scope of investigation within this chapter.

At the outset it can be said that the current interpretation given to the English words "judge" and "judgment" is sometimes too narrow a meaning for the Hebrew root. This will become clear as the variety of meanings are discussed.

In dealing with the literature of the Old Testament a strictly chronological scheme will not be followed. That would involve the dating of sources which is beyond the scope of this study. Rather an analysis of the usage of the derivatives from the root ᵊˢᵖᵗ will be made according to types of literature. The following is the classification of the literature which will be followed: A) The Pentateuch; B) The Former Prophets; C) I and II Chronicles, Ezra and Nehemiah; D) The Latter Prophets;
E) The Wisdom Literature (Job, Proverbs and Ecclesiastes); and
F) Song of Songs, Lamentations, Ruth, Esther and Daniel.

The meanings of the root which are considered to be the more important ones will be listed along with the passages where the root occurs. For purposes of clarity and organization the root will be divided into noun derivatives and verb forms, as follows: I. the noun miṣpāt; II. the plural miṣpātim; III. šāpaṭ and all verbal derivatives excluding the Qal Active Participle; IV. šōpāt, šōpēṭim, the Qal Active Participle; and V. šēpāṭim. Under these five headings there will be subheadings to indicate the various meanings of each. Also there will be a further division into two categories: (i) God; and (ii) Man. In this instance there is bound to be some overlapping because sometimes a single use has reference to both God and Man. This division is made, however, to point up the fact that the root šāṭ is used both with reference to God (in the large majority of instances, to Yahweh) and to Man (in most instances to corporate Israel or to individuals within the covenant community, but sometimes with reference to other nations as well).

There will be occurrences of the root when it is not clear from the context which meaning is preferable but in such cases one meaning is chosen, even if arbitrarily. There will be certain texts which highlight the usage of the root in the Old Testament and these will be discussed rather than just listed in the analysis.
In order to show clearly the usage of the root *ṣọṭ* in the Old Testament and in order to eliminate repetition of words, the method adopted in this dissertation is that of column charts. The headings in the columns will show at once the meaning of the root in the several texts.

A. The Pentateuch

I. The noun *miscēṭ*

(a) "ordinance", "law"

<table>
<thead>
<tr>
<th>(i) God</th>
<th>(ii) Man</th>
</tr>
</thead>
<tbody>
<tr>
<td>Exodus</td>
<td>15:25</td>
</tr>
<tr>
<td>Leviticus</td>
<td>5:10</td>
</tr>
<tr>
<td>Leviticus</td>
<td>9:16</td>
</tr>
<tr>
<td>Leviticus</td>
<td>24:22</td>
</tr>
<tr>
<td>Numbers</td>
<td>9:14</td>
</tr>
<tr>
<td>Numbers</td>
<td>15:16,24</td>
</tr>
<tr>
<td>Numbers</td>
<td>27:11</td>
</tr>
<tr>
<td>Numbers</td>
<td>29:6,18,21,24,27,30,33,37</td>
</tr>
<tr>
<td>Numbers</td>
<td>35:29</td>
</tr>
</tbody>
</table>

Exodus 21:31

In the Pentateuch, *miscēṭ* with the meaning "ordinance" has reference to God, i.e. *miscēṭ* is the ordinance of God, although, of course, His ordinance has application to Man.¹ In most cases God's ordinance applies to Israel but on occasion both to Israel and "the sojourner" (cf. Leviticus 24:22; Numbers 9:14, 15:16). The one occurrence of *miscēṭ* meaning "ordinance of man" in all probability has religious significance and was thought of as

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¹. Here is an example of how difficult it is to distinguish finally between the use of *miscēṭ* as it refers to God and its use as it applies to Man.
founded in God.

(b) "justice"

<table>
<thead>
<tr>
<th>(i) God</th>
<th>(ii) Man</th>
</tr>
</thead>
<tbody>
<tr>
<td>Genesis 18:25</td>
<td>Genesis 18:19</td>
</tr>
<tr>
<td>Deuteronomy 10:18</td>
<td>Exodus 23:6</td>
</tr>
<tr>
<td>Deuteronomy 32:4</td>
<td>Deuteronomy 16:19</td>
</tr>
<tr>
<td>Deuteronomy 21:17</td>
<td>Deuteronomy 27:19</td>
</tr>
</tbody>
</table>

Throughout the study it will be observed that the use of the noun mišpāt makes clear that Yahweh requires a very great deal from His covenant people. This is clear especially when mišpāt has the meaning "justice" which appears so often in the Latter Prophets and the Wisdom Literature. The usage with the meaning "justice" also has reference both to God and Man as can be observed from the few occurrences of this usage in the Pentateuch. Granted, Yahweh requires a very great deal from His covenant people; but that is so primarily because Yahweh Himself observes mišpāt. A common expression is that Israel should "do justice" (the verb used is 'āšāh) even as Yahweh Himself does (e.g. Genesis 18:25). Deuteronomy 10:18 emphasizes this same point, where it is mentioned that Yahweh's justice is extended to the less fortunate, even to those outside the covenant.

Yahweh was vitally concerned with how the people of the covenant treated their neighbours and particularly the poor or neglected portion of society. Thus He admonished them to keep His way by doing justice (Genesis 18:19); and that was
best done by not showing partiality in one's decisions with respect to this class in society. Note particularly Exodus 23:6ff. where negative commands (such as "you shall not pervert the justice of the poor") are numerous enough to give the positive emphasis of "doing justice".

(c) "decision", "discrimination"

(1) God

Deuteronomy 1:17b
Deuteronomy 32:41

(11) Man

Exodus 28:15, 29, 30a^3, 30b^3
Leviticus 19:15, 35
Leviticus 35:12
Numbers 27:21
Deuteronomy 1:17a
Deuteronomy 16:18
Deuteronomy 17:8, 9, 11

It will be observed quite often that it is sometimes very difficult to decide whether a meaning has reference primarily to God or to Man. This is true in the meaning of "decision", particularly the reference the "breastplate of decision" or

1. Although Leviticus 19:15 and 35 are dealt with under the meaning "decision", certainly a reference to "justice" is also present.

2. This is the classification where the English word "judgment" would apply provided a negative connotation is not always given to it.

3. Note that the letter "a" or "b" with a text signifies that this form of the root (according to the classification I, II, III, etc.) appears more than once in the same verse. Such a notation, however, will not reveal the fact that another form from one of the other classifications may also appear in the same verse. If such is the case, its occurrence is listed within its own classification.
"the decision of Urim", since such practice, carried out by man (and therefore indicated in the chart as referring to man) was certainly instituted by God.

The meaning "decision" certainly overlaps with the previous meaning "justice", but in the references mentioned here there is certainly a leaning towards the idea of making a decision, although the decision is to be made with justice.

(d) "manner", "custom"

<table>
<thead>
<tr>
<th>(i) God</th>
<th>(ii) Man</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td>Exodus 21:9</td>
</tr>
<tr>
<td>Exodus 26:30</td>
<td></td>
</tr>
<tr>
<td>Deuteronomy 18:3</td>
<td></td>
</tr>
<tr>
<td>Deuteronomy 19:6</td>
<td></td>
</tr>
<tr>
<td>Deuteronomy 21:22</td>
<td></td>
</tr>
</tbody>
</table>

Pedersen gives some light on the unusual use of _mispat_ in Deuteronomy 19:6 and 21:22. "He who breaks the covenant in such a manner as to make the breach irreparable, has death as his _mishpat_; death is what the quality of his soul must necessarily lead up to." It is on the basis of his remarks that these two texts have been included under the meaning "manner".

1. E.g. It is difficult to choose a meaning in Deuteronomy 32:41, because Yahweh's decision is certainly a just one, and therefore vengeance is called for.

2. Actually the reference here is to the "plan" of the tabernacle; but Israel is to construct it, therefore it is listed under the category "Man".

(e) "trial", "cause"

<table>
<thead>
<tr>
<th>(i) God</th>
<th>(ii) Man</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deuteronomy 27:5</td>
<td>Numbers 21:17</td>
</tr>
<tr>
<td>Deuteronomy 25:1</td>
<td></td>
</tr>
</tbody>
</table>

This use is not common in the Pentateuch. The Hebrew word "hōk" is used more often, where a case is to be heard or tried. (Cf. also Exodus 23:6 where "mispaṭ" is used for "justice" and "rib" is used for "case").

II. The plural "mispaṭim", meaning "ordinances"

<table>
<thead>
<tr>
<th>(i) God</th>
<th>(ii) Man</th>
</tr>
</thead>
<tbody>
<tr>
<td>Exodus 21:1</td>
<td>Nil</td>
</tr>
<tr>
<td>Exodus 21:3</td>
<td></td>
</tr>
<tr>
<td>Leviticus 18:4,5,26</td>
<td></td>
</tr>
<tr>
<td>Leviticus 19:37</td>
<td></td>
</tr>
<tr>
<td>Leviticus 20:22</td>
<td></td>
</tr>
<tr>
<td>Leviticus 25:13</td>
<td></td>
</tr>
<tr>
<td>Leviticus 26:15,43,46</td>
<td></td>
</tr>
<tr>
<td>Numbers 9:3</td>
<td></td>
</tr>
<tr>
<td>Numbers 35:24</td>
<td></td>
</tr>
<tr>
<td>Numbers 36:13</td>
<td></td>
</tr>
<tr>
<td>Deuteronomy 6:1,5,8,14,45</td>
<td></td>
</tr>
<tr>
<td>Deuteronomy 5:1,31</td>
<td></td>
</tr>
<tr>
<td>Deuteronomy 6:1,20</td>
<td></td>
</tr>
<tr>
<td>Deuteronomy 7:11,12</td>
<td></td>
</tr>
<tr>
<td>Deuteronomy 8:11</td>
<td></td>
</tr>
<tr>
<td>Deuteronomy 11:1,32</td>
<td></td>
</tr>
<tr>
<td>Deuteronomy 12:1</td>
<td></td>
</tr>
<tr>
<td>Deuteronomy 26:16,17</td>
<td></td>
</tr>
<tr>
<td>Deuteronomy 30:16</td>
<td></td>
</tr>
<tr>
<td>Deuteronomy 33:10,21</td>
<td></td>
</tr>
</tbody>
</table>

In the Pentateuch "mispaṭim" appears mostly in Deuteronomy, with reference to the "ordinances" of Yahweh. Israel, of course, is to obey and keep His ordinances so the word has an application to Man. It should be noted that once again the verb "cāsāh" is
often associated with the root which supports the view that 
mišpāṭ can mean "way of life" or even "conduct".¹ This view 
leaves support to the JB translation, "customs", to indicate the 
way of life which Yahweh requires of His people. The fact that 
mišpāṭim so often refers to Yahweh shows that the basic thought 
is that of Israel's relationship to Him and not that of conformity 
to human custom. In fact, the "manner of life" or "customs" 
which Yahweh requires of Israel will be different from that of 
other nations who are not associated with Him in the bešrit;² 
Yahweh's "ordinances" are "righteous" (Deuteronomy 4:8).

It is important to keep this emphasis in mind with regard 
to the frequent occurrence of the root špt in Deuteronomy where 
the revelation of the divine will tends to become stereotyped. 
The fact that mišpāṭim is in close association with Yahweh keeps 
them from being cold and theoretical; Yahweh's ordinances are 
never arbitrary because the basis of them is a covenant which 
unites Yahweh to Israel. His mišpāṭim embrace the whole existence 
of Israel (including each individual member), making known

¹. Deuteronomy 6:11 and 11:1 indicate that those who keep 
Yahweh's mišpāṭim demonstrate that they "love" Him and 
"do not forget" Him. Certainly such language is indicative 
of obedience and response on the part of those who are the 
covenant people of Yahweh.

². Note that in Leviticus 20:23 (where the cognate word ḫōk 
is used) Israel is admonished not to walk according to the 
"customs" or "manner of life" of other nations. Cf. 
Ezekiel 5:7 and 11:12.
the authority of a God to whom one must yield obedience.  

III. סָפַט and all verbal derivatives, excluding the Qal Active Participle.

(a) "decide", "discriminate".

<table>
<thead>
<tr>
<th>(i) God</th>
<th>(ii) Man</th>
</tr>
</thead>
<tbody>
<tr>
<td>Genesis</td>
<td>16:5</td>
</tr>
<tr>
<td>Genesis</td>
<td>31:53</td>
</tr>
<tr>
<td>Exodus</td>
<td></td>
</tr>
<tr>
<td>5:21</td>
<td>Exodus</td>
</tr>
<tr>
<td></td>
<td>18:13, 16, 22a</td>
</tr>
<tr>
<td></td>
<td>22b, 26</td>
</tr>
<tr>
<td>Leviticus</td>
<td>19:15</td>
</tr>
<tr>
<td>Numbers</td>
<td>35:24</td>
</tr>
<tr>
<td>Deuteronomy</td>
<td>1:16</td>
</tr>
<tr>
<td></td>
<td>Deuteronomy</td>
</tr>
<tr>
<td></td>
<td>26:1</td>
</tr>
</tbody>
</table>

This usage is similar to those few instances where the noun has the meaning "decision", which have already been referred to. The meaning is essentially that of deciding in a case where a judgment is required on the basis of whether or not an act has been a just one (e.g. Genesis 16:5).

An important passage in the Pentateuch is Exodus 18:13-27. This passage indicates that the office of judge in Israel has its origin in Moses, with influence exerted by his Kenite father-in-law. Jethro advises that Moses should depart from the Bedouin custom whereby the military and religious leader was


2. H.-J. Kraus did a study on the prophetic proclamation of law in Israel which he traces back to Moses; in fact he refers to it as a "Mosaic office". Moses was the first charismatic and prophetic mediator of the law and for him there was no separation between law and covenant. See "Die prophetische Verkundigung des Rechts im Israel", Theologische Studien, Vol. LI, pp. 3-38.
also the judge and legislator and delegate some part of his functions. Moses was to represent the people before God by acting in cases which required reference to the sacred lot and thereby show the people what God's will was; those with authority delegated by Moses were to make decisions on the basis of statute or precedent. This passage indicates the differentiation between religious and civil law which obtained at a later period. The division of responsibility had a very practical application, in that it provided a sharing of the burden. Moses had been giving guidance to the people in the difficulties of everyday life and had doubtless built up many precedents in his ruling over a period of time; now he assigns part of the task to others. The task appears to be that of performing the function which enables the people to be at peace in their relationships rather than just giving decisions in a legal sense.

(b) "judge", including the sense of "rule"¹

(i) God

God

(ii) Man

Genesis 19:9a,9b

Deuteronomy 16:18

IV. šopot, šopotîm, the Qal Participle

(a) "decide", "discriminate"

¹ The root špt sometimes has a wider meaning than deciding for or against in a case; it can also mean "rule" or "govern". This seems to be the case in the three occurrences listed. For a discussion of how the meaning "rule" developed, see pp. 55f.
(i) God  
Nil  
Numbers 25:5  
Deuteronomy 1:16  
Deuteronomy 16:18  
Deuteronomy 17:9,12  
Deuteronomy 19:17,18  
Deuteronomy 21:2  
Deuteronomy 25:2

(ii) Man

(b) "judge", including the sense of "rule".

(i) God  
Genesis 18:25  
Exodus 2:14

(ii) Man

The reference to Yahweh as וּפָטָן in Genesis 18:25 is important to notice for our study because it indicates that Yahweh rules all the earth and in His rule He will not act contrary to the demands of His own nature. Here is a glimmer of an emphasis that is brought out in the Latter Prophets and particularly in the Psalter.

V. וּפָטָן, meaning "acts of judgment"

(i) God  
Exodus 6:6  
Exodus 7:4  
Exodus 12:12  
Numbers 33:4

(ii) Man

These four occurrences of וּפָטָן use the word with reference to Yahweh's action and are evenly divided in terms of redemption and disaster. The first two texts refer directly to Yahweh's intervention when He acted to deliver Israel from Egypt and are directly associated with the great act of redemption known as the Exodus. On the other hand, negatively so to speak,
two uses are with regard to the action of Yahweh on other gods which spells disaster. Yahweh's action may be regarded as having two effects: Yahweh's acts are interpreted positively for Israel and negatively for the gods of Egypt. In all four texts the emphasis is on the power of Yahweh which ties in with Genesis 18:25 where there is a suggestion of monotheism with regard to Yahweh's rule over all the earth.


I. The noun mišpāṭ

(a) "ordinance", "law"

<table>
<thead>
<tr>
<th>(i) God</th>
<th>(ii) Man</th>
<th>Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td>Joshua</td>
<td>2K 24:25</td>
</tr>
<tr>
<td></td>
<td>I Samuel</td>
<td>30:25</td>
</tr>
</tbody>
</table>

(b) "justice"

<table>
<thead>
<tr>
<th>(i) God</th>
<th>(ii) Man</th>
<th>Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td>I Samuel</td>
<td>8:3</td>
</tr>
<tr>
<td></td>
<td>II Samuel</td>
<td>8:15</td>
</tr>
<tr>
<td></td>
<td>I Kings</td>
<td>3:11, 28b</td>
</tr>
<tr>
<td></td>
<td>I Kings</td>
<td>10:9</td>
</tr>
</tbody>
</table>

1. Cf. Deuteronomy 32:39ff. where this two-pronged description is evident; Yahweh's action has two results: healing and wounding.


3. A fuller discussion of this concept, that Yahweh's actions have a double effect, is given when the occurrence of šešpāṭîm in Ezekiel is dealt with (see pp. 61ff.).

Once again the emphasis is on conduct: Israel's relationship to Yahweh in the covenant must be shown in her everyday dealings with others. This must be the case with the king as well, especially in dispensing justice.

(c) "decision", "discrimination"

<table>
<thead>
<tr>
<th>(i) God</th>
<th>(ii) Man</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td>Joshua</td>
</tr>
<tr>
<td></td>
<td>Judges</td>
</tr>
<tr>
<td>II Samuel</td>
<td>15:2,6</td>
</tr>
<tr>
<td>I Kings</td>
<td>3:28a</td>
</tr>
<tr>
<td>I Kings</td>
<td>7:7</td>
</tr>
<tr>
<td>I Kings</td>
<td>20:140</td>
</tr>
<tr>
<td>II Kings</td>
<td>25:61</td>
</tr>
</tbody>
</table>

(d) "manner", "custom"

<table>
<thead>
<tr>
<th>(i) God</th>
<th>(ii) Man</th>
</tr>
</thead>
<tbody>
<tr>
<td>II Kings</td>
<td>Joshua</td>
</tr>
<tr>
<td>17:26,27</td>
<td>Judges</td>
</tr>
<tr>
<td>Joshua</td>
<td>6:15</td>
</tr>
<tr>
<td>Judges</td>
<td>13:12</td>
</tr>
<tr>
<td>Judges 18:7</td>
<td>18:7</td>
</tr>
<tr>
<td>I Samuel</td>
<td>2:13</td>
</tr>
<tr>
<td>I Samuel</td>
<td>8:9,11</td>
</tr>
<tr>
<td>I Samuel</td>
<td>10:25</td>
</tr>
<tr>
<td>I Samuel</td>
<td>27:11</td>
</tr>
<tr>
<td>I Kings</td>
<td>4:28 (5:8)</td>
</tr>
<tr>
<td>I Kings</td>
<td>18:28</td>
</tr>
<tr>
<td>II Kings</td>
<td>1:7</td>
</tr>
<tr>
<td>II Kings</td>
<td>11:14</td>
</tr>
<tr>
<td>II Kings</td>
<td>17:33,34,40</td>
</tr>
</tbody>
</table>

1. Both in II Kings 25:6 and I Kings 20:140 JB translates mis̪at as "sentence" which alludes to the type of decision given. The NEB leaves the matter open in II Kings 25:6 and interprets the meaning simply to be a reference to the king of Babylon hearing the case.

2. Manuscript evidence given in the footnote by R. Kittel in BH for reading the singular, mis̪at, instead of the plural is accepted, which is further supported by verse 40. The second occurrence of mis̪at in this verse is not listed in the chart because Kittel's suggestion in the footnote in
The meaning "manner of life" is once again shown to be a possible rendering for מִשְׁפָּאָ, particularly in Judges 13:12; I Samuel 10:25; and II Kings 17:33, 34 and 40.

The occurrence of מִשְׁפָּאָ in II Kings 17:26 and 27 listed under (i) God, does not refer to the God of Israel but rather to "the god of the land". The interpretation adopted here (by placing it under the meaning "manner" rather than "ordinance") is that מִשְׁפָּאָ refers to the cultic rites or the acceptable manner in which to worship "the god of the land". It appears that translators of JB and NEB have followed this interpretation. Here, however, is another example of how difficult it is to choose what is the essential meaning of the root שְׁפַּ in some texts.

(e) "trial", "cause"

(i) God

I Kings 8:45, 49

II Samuel 15:4

(ii) Man

II. The plural מִשְׁפָּאָ, meaning "ordinances".

BH that the phrase קֶּחֵקֹתָם וּקֶּמֶשְׁפָּאָ has been added is accepted; the third masculine plural pronominal suffix does not fit smoothly into the context. There is disagreement among the English translations as to how to translate the phrase: KJV retains it as it is which makes the rendering cumbersome; RSV omits the suffixes and changes מִשְׁפָּא to the plural; JB changes the suffixes to the third masculine singular; and NEB changes the suffixes to the singular and מִשְׁפָּא to the plural.
<table>
<thead>
<tr>
<th>(i) God</th>
<th>(ii) Man</th>
</tr>
</thead>
<tbody>
<tr>
<td>I Kings 2:3</td>
<td>Nil</td>
</tr>
<tr>
<td>I Kings 6:12,38</td>
<td></td>
</tr>
<tr>
<td>I Kings 8:58</td>
<td></td>
</tr>
<tr>
<td>I Kings 9:4</td>
<td></td>
</tr>
<tr>
<td>I Kings 11:3</td>
<td></td>
</tr>
<tr>
<td>II Kings 17:37</td>
<td></td>
</tr>
</tbody>
</table>

The "doing" of Yahweh's ordinances is again mentioned in II Kings 17:37 following a brief recital of Heilsgeschichte. The use of mispāṭîm in I Kings 9:4 is clearly ethical: the king is to walk before Yahweh in obedience, a parallel description of keeping Yahweh's ordinances. Such passages reveal how Yahweh's mispāṭîm were considered to be the demands of Yahweh on the covenant community, demands He laid down, not arbitrarily, but because of His deep concern for Israel. He required a specific manner of behaviour for those bound to Him by the covenant; the mispāṭîm in turn were a revelation of Yahweh's moral nature. Thus obedience of faith was required in very practical, everyday activities and relationships.

### III. šāpat and all verbal derivatives excluding the Qal Active Participle.

(a) "decide", "discriminate"

<table>
<thead>
<tr>
<th>(i) God</th>
<th>(ii) Man</th>
</tr>
</thead>
<tbody>
<tr>
<td>Judges 11:27</td>
<td>I Samuel 12:7</td>
</tr>
<tr>
<td>I Samuel 24:12(13), 15(16)a</td>
<td>I Kings 3:28</td>
</tr>
<tr>
<td>I Kings 8:32</td>
<td>I Kings 7:7</td>
</tr>
</tbody>
</table>

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1. I Kings 6:38 refers to the specifications of the Temple and is included under category (i) God, because Yahweh provided these for Israel.
(b) "judge", including the sense of "rule".

(i) God

<table>
<thead>
<tr>
<th>Passage</th>
<th>Verse</th>
</tr>
</thead>
<tbody>
<tr>
<td>I Samuel</td>
<td>15(16)b1</td>
</tr>
<tr>
<td>II Samuel</td>
<td>18:19,131</td>
</tr>
</tbody>
</table>

(ii) Man

<table>
<thead>
<tr>
<th>Passage</th>
<th>Verse</th>
</tr>
</thead>
<tbody>
<tr>
<td>Judges</td>
<td>3:101</td>
</tr>
<tr>
<td>Judges</td>
<td>12:7,8,9,11,13,14</td>
</tr>
<tr>
<td>Judges</td>
<td>15:20</td>
</tr>
<tr>
<td>Judges</td>
<td>16:31</td>
</tr>
<tr>
<td>I Samuel</td>
<td>4:18</td>
</tr>
<tr>
<td>I Samuel</td>
<td>7:6,15,16,17</td>
</tr>
<tr>
<td>I Samuel</td>
<td>8:5,6,20</td>
</tr>
<tr>
<td>I Kings</td>
<td>3:9a,9b</td>
</tr>
<tr>
<td>II Kings</td>
<td>23:22</td>
</tr>
</tbody>
</table>

IV. ṣōpēt, ṣōpēṯîm, the Qal Active Participle

(b) "judge", including the sense of "rule".

(i) God

<table>
<thead>
<tr>
<th>Passage</th>
<th>Verse</th>
</tr>
</thead>
<tbody>
<tr>
<td>Judges</td>
<td>11:27</td>
</tr>
<tr>
<td>I Samuel</td>
<td>3:132</td>
</tr>
</tbody>
</table>

(ii) Man

<table>
<thead>
<tr>
<th>Passage</th>
<th>Verse</th>
</tr>
</thead>
<tbody>
<tr>
<td>Joshua</td>
<td>8:33</td>
</tr>
<tr>
<td>Joshua</td>
<td>23:2</td>
</tr>
<tr>
<td>Joshua</td>
<td>24:1</td>
</tr>
<tr>
<td>Judges</td>
<td>2:16,17,18a,18b,18c,19a,19b</td>
</tr>
<tr>
<td>Judges</td>
<td>4:14</td>
</tr>
<tr>
<td>I Samuel</td>
<td>8:1,2</td>
</tr>
<tr>
<td>II Samuel</td>
<td>7:11</td>
</tr>
<tr>
<td>II Samuel</td>
<td>15:14</td>
</tr>
<tr>
<td>II Kings</td>
<td>15:5</td>
</tr>
<tr>
<td>II Kings</td>
<td>23:22</td>
</tr>
</tbody>
</table>

In all instances where the participle occurs in the Former

1. The context in Judges 3:10, I Samuel 24:15, and II Samuel 18:19 and 31 indicates the meaning "deliver" for these passages.

2. The sense of "punishment" seems to be included in the root here, according to the context. See comment on II Chronicles 20:9, p. 59.

3. The terminology and the context in all of these references in Judges, chapter 2, tend to support the meaning "saviour" or "deliverer".
Prophets the meaning of the root šōpēṯ seems to be more inclusive than simply that of making a judicial decision and therefore all occurrences are listed under the meaning "judge", including the sense of "rule".

Although the Deuteronomic school worked over the material in the Former Prophets, it is likely a reliable tradition that the term šōpēṯ was used to designate a charismatic leader who exercised authority in time of war and was acknowledged to possess the right to administer the law in time of peace. That the šōpēṯ is a deliverer is emphasized in the Book of Judges, but he also administered the law and thus established internal harmony (cf. Judges 4:4f.; I Samuel 7:3-17). In fact the verb yāšab can be considered a terminus technicus for a judge holding court, as in Judges 4:5; I Kings 21:8 (cf. Exodus 18:13 and Isaiah 28:6). The diverse personalities of judges such as Samson, Deborah, the priest Eli and the prophet Samuel provide testimony to the charismatic nature of the office which gave them the power to uphold Hebrew society by vindicating Israel in war and administering the law in peace.

1. The Deuteronomic framework of the Book of Judges, with its emphasis on the recurring cycle of apostasy, oppression, penitence and deliverance, tends to highlight the function of the judge as that of bringing deliverance at a moment of grave historical crisis (e.g. Judges 2:16 and 18).

2. The importance laid on the role of the judge as a deliverer is a matter of emphasis: it does not exclude the wider function of judge in administering the law, i.e., adjudicating disputes.
Gradually the office of the judge, which had been charismatic, became appointive as suggested by I Samuel 8:1-3. This led eventually to the assumption of the functions of the šöpēt by the king¹ which resulted in the development of the meaning of the root špt in the direction of "rule". Support for such a claim is certainly found in the Book of Judges where the šōpētim, as a result of their military successes, became the accepted leaders and rulers of the people.² Then, as the monarchy was established and developed, the people looked to the king for help in legal matters, especially in enforcing the judicial decisions. In addition, the title šōpēt was also applied to the royal officials who were appointed by the king in order to assist in the administration of law within the nation and who derived their authority from the crown.

That šōpēt was a title for the king is clearly indicated in the passage where Absalom seeks to usurp the throne.

---

1. That the king assumed both the function of vindicating Israel in war and also that of administering the law in peace is indicated by I Samuel 8:5 and 20.

2. Grether does not agree that "ruling" was included in the function of the šōpēt in the Book of Judges, but maintains only the meaning "arbitrating", "helping someone to get his due" can be interpreted from the term. (O. Grether, "Die Bezeichnung 'Richter' für die charismatischen Helden der vorstaatlichen Zeit", ZAW, 1939, pp. 110ff.) Grether's position, however, is an extreme one; the studies of Hertzberg, Hertrich and B. W. Anderson, all of which have been referred to earlier, show clearly that the idea of "ruling" is one of the essential meanings of the root špt, including its occurrence in the Book of Judges.
(IISamuel 15:7-10). Note, also, that Jeremiah 21:11f. and 22:1-3 (where the emphasis is placed on the king's responsibility to administer justice) indicate that as late as Jeremiah's time the royal tribunal was the highest court of appeal in the land. It was the king's duty to defend the rights of people, especially the poor and needy who did not have access to legal protection.  

C. I and II Chronicles, Ezra and Nehemiah

I. The noun miṣpāṭ

(a) "ordinance", "law"

<table>
<thead>
<tr>
<th>(i) God</th>
<th>(ii) Man</th>
</tr>
</thead>
<tbody>
<tr>
<td>II Chronicles 35:13</td>
<td>II Chronicles 8:14</td>
</tr>
<tr>
<td>Ezra 3:4</td>
<td></td>
</tr>
<tr>
<td>Ezra 7:10</td>
<td></td>
</tr>
<tr>
<td>Nehemiah 8:18</td>
<td></td>
</tr>
</tbody>
</table>

(b) "justice"

<table>
<thead>
<tr>
<th>(i) God</th>
<th>(ii) Man</th>
</tr>
</thead>
<tbody>
<tr>
<td>I Chronicles 18:14</td>
<td>II Chronicles 9:8</td>
</tr>
</tbody>
</table>

Notice should be taken here that again the verb כָּאָשׁ is used along with miṣpāṭ: the king is to be active in seeing that his subjects receive justice. The king is responsible to Yahweh who has appointed him over the people and who desires to show His love and concern for them and does so through the king.

(c) "decision", "discrimination"

1. R. de Vaux considers that "to judge" is almost a synonym for "to govern" (AT, pp. 151f.).
(i) God

II Chronicles 19:8

(ii) Man

II Chronicles 19:6

(d) "manner", "custom"

(i) God

Nil

(ii) Man

I Chronicles 15:13
I Chronicles 23:31
I Chronicles 24:19
II Chronicles 4:7,20
II Chronicles 30:16

(e) "trial", "cause"

(i) God

II Chronicles 6:35,39

(ii) Man

Nil

II. The plural **mispāṭîm**, meaning "ordinances"

(i) God

I Chronicles 16:12,14
I Chronicles 22:13
I Chronicles 28:7
II Chronicles 7:17
II Chronicles 19:10
II Chronicles 33:8
Nehemiah 1:7
Nehemiah 9:13,29(30)
Nehemiah 10:29

(ii) Man

Nil

III. **šānat** and all verbal derivatives excluding the

Qal Active Participle.

(a) "decide", "discriminate"

1. In these two verses, note the close association between the **mispāṭîm** of Yahweh and His acts on Israel's behalf. This shows once again that His "ordinances" are not impersonal, arbitrary laws but closely related to Yahweh's concern and love for His covenant people.
(i) God (ii) Man
II Chronicles 6:23 \(^{1}\) II Chronicles 19:6
II Chronicles 20:12 \(^{2}\) II Chronicles 22:8 \(^{2}\)

(b) "judge", including the sense of "rule"

(i) God (ii) Man
I Chronicles 16:33 \(^{3}\) II Chronicles 1:10,11 \(^{4}\)

IV. ʿṣōpēt, ʿṣōpētīm, the Qal Active Participle

(a) "decide", "discriminate"

(i) God (ii) Man
Nil I Chronicles 23:4
I Chronicles 26:29
II Chronicles 1:2
II Chronicles 19:5,6
Ezra 7:25 \(^{5}\)
Ezra 10:14

(b) "judge", including the sense of "rule"

(i) God (ii) Man
Nil I Chronicles 17:6,10
II Chronicles 26:21 \(^{6}\)


2. "Decision" is a probable meaning for the root ʿṣpt in II Chronicles 20:12 and 22:8, but it should be noted that the decision made appears to be a negative one, or at least with negative results.

3. The idea of "Yahweh who comes to judge the earth" is dealt with when the same theme occurs in Psalms 96 and 98 (see pp. 102ff.).


5. The Participle differs in form because this passage is in Aramaic.

V. šēpāṯîm, meaning "acts of judgment"

(i) God

II Chronicles 20:9

(ii) Man

II Chronicles 24:24

Both of these passages give to the meaning of the noun the sense of punishment. Judgment has both its positive and negative results; and what is considered negative may indeed have a positive purpose, which the latter part of II Chronicles 20:9 indicates.

D. The Latter Prophets

Over one third of the occurrences of the root šōṭ in the Old Testament are found in the Latter Prophets. Of the many times the noun mišpāṭ occurs, the predominant meaning is that of "justice". The column charts will again focus our attention on how the root is used and at the conclusion of them the predominant themes will be summarized.

I. The noun mišpāṭ

(b) "justice"

1. Here the noun is in the singular.
4. The actual figure is 213, again excluding any occurrences where the root is part of a proper name.
5. Mišpāṭ, with the meaning "justice", occurs 66 times out of a total of 107.
The number of occurrences of מִשְׁפָּט with the meaning "justice", referring both to Yahweh and to Israel, indicates clearly that because justice mattered so intensely to Yahweh He expected those who called themselves by His name to observe it in all their relationships in life. Again it is clearly evident that מִשְׁפָּט has to do with that proper response to Yahweh's action which He expects of His covenant people. Micah 6:8 can be regarded as a summary of this emphasis that rings

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1. Where the root has reference to the Messiah, the occurrence is listed as pertaining to God on the basis that the Messiah is the servant of Yahweh.
throughout the Latter Prophets and also in the Psalter: the response of Israel to Yahweh's acts on her behalf. "If we appreciate the significance of the acts of God on behalf of Israel, we must recognize that the series is not complete without that act of God within Israel's life which created a response, however imperfect and partial that response may have been." 

(c) "decision", "discrimination"

<table>
<thead>
<tr>
<th>(i) God</th>
<th>(ii) Man</th>
</tr>
</thead>
<tbody>
<tr>
<td>Isaiah 4:14,47</td>
<td>Isaiah 28:6,26</td>
</tr>
<tr>
<td>Isaiah 3:8</td>
<td>Isaiah 51:9</td>
</tr>
<tr>
<td>Jeremiah 53:8</td>
<td>Isaiah 54:17</td>
</tr>
<tr>
<td>Ezekiel 39:21</td>
<td>Ezekiel 23:24</td>
</tr>
<tr>
<td>Hosea 6:5</td>
<td>Hosea 5:1,11</td>
</tr>
<tr>
<td>Zephaniah 3:8</td>
<td>Zechariah 8:16</td>
</tr>
<tr>
<td>Malachi 3:5</td>
<td></td>
</tr>
</tbody>
</table>

(d) "manner", "custom"

<table>
<thead>
<tr>
<th>(i) God</th>
<th>(ii) Man</th>
</tr>
</thead>
<tbody>
<tr>
<td>Isaiah 58:2</td>
<td>Jeremiah 26:11,16</td>
</tr>
<tr>
<td>Jeremiah 5:1,5</td>
<td>Jeremiah 30:18</td>
</tr>
<tr>
<td>Jeremiah 6:7</td>
<td>Ezekiel 7:23</td>
</tr>
</tbody>
</table>

1. See the discussion of this theme in the Psalter, pp. 115ff.
2. N. W. Porteous, Living the Mystery, p. 42.
3. The MT text has the plural noun mishpaṭîm with the second person singular suffix. But it is preferable to consider that the root here is in the form of the singular noun with the first person singular suffix: this does not change the consonantal text and agrees with the context. This change in pointing is supported by the LXX, the Targum and the Syriac. The translation would be: "my judgment as the light goes forth".
The preceding texts in which mispaṭ has reference to God all emphasize "the manner of life" or the "response" in action which Yahweh requires from His people. The meaning "ordinance" is not sufficient in these passages to convey that way of life which the faithful Israelite of the covenant is to follow.

(e) "trial", "cause"

<table>
<thead>
<tr>
<th>(i) God</th>
<th>(ii) Man</th>
</tr>
</thead>
<tbody>
<tr>
<td>Isaiah 3:14</td>
<td>Isaiah 10:2</td>
</tr>
<tr>
<td>Isaiah 40:27</td>
<td>Isaiah 49:4</td>
</tr>
<tr>
<td>Isaiah 50:8</td>
<td>Jeremiah 5:28</td>
</tr>
<tr>
<td>Jeremiah 7:8</td>
<td>Jeremiah 17:11</td>
</tr>
<tr>
<td>Jeremiah 13:7,8</td>
<td>Jeremiah 49:12</td>
</tr>
<tr>
<td>Ezekiel 21:27(32)</td>
<td></td>
</tr>
</tbody>
</table>

II. The plural mispaṭîm, meaning "ordinances".

<table>
<thead>
<tr>
<th>(i) God</th>
<th>(ii) Man</th>
</tr>
</thead>
<tbody>
<tr>
<td>Isaiah 26:8,9</td>
<td>Jeremiah 12:1</td>
</tr>
<tr>
<td>Isaiah 53:2</td>
<td>Jeremiah 39:5</td>
</tr>
<tr>
<td>Jeremiah 1:16</td>
<td>Jeremiah 52:9</td>
</tr>
<tr>
<td>Jeremiah 4:12</td>
<td>Ezekiel 5:7b</td>
</tr>
<tr>
<td>Ezekiel 5:6a,6b,7a,8</td>
<td>Ezekiel 7:27</td>
</tr>
<tr>
<td>Ezekiel 11:12a,20</td>
<td>Ezekiel 11:12b</td>
</tr>
<tr>
<td>Ezekiel 18:9,17</td>
<td>Ezekiel 20:18</td>
</tr>
<tr>
<td>Ezekiel 20:11,13,16</td>
<td>Ezekiel 23:24</td>
</tr>
<tr>
<td>19,21,24,25</td>
<td>Zephaniah 3:15</td>
</tr>
<tr>
<td>Ezekiel 36:27</td>
<td></td>
</tr>
</tbody>
</table>

1. The singular form of the noun is adopted here, with support from the LXX, since the meaning "custom" fits the context better than a translation for mispaṭe, which is in the MT.
III. **šāpaṭ** and all verbal derivatives excluding the **qal** Active Participle.

(a) "decide", "discriminate"

<table>
<thead>
<tr>
<th>(i) God</th>
<th>(ii) Man</th>
</tr>
</thead>
<tbody>
<tr>
<td>Isaiah 2:4</td>
<td>Isaiah 5:3</td>
</tr>
<tr>
<td>Isaiah 11:3,4</td>
<td>Isaiah 59:4</td>
</tr>
<tr>
<td>Isaiah 13:26</td>
<td>Jeremiah 5:28</td>
</tr>
<tr>
<td>Isaiah 66:16</td>
<td>Ezekiel 23:24,45</td>
</tr>
<tr>
<td>Jeremiah 2:35</td>
<td>Ezekiel 4:l,2la,12b1</td>
</tr>
<tr>
<td>Jeremiah 25:31</td>
<td>Micah 3:11</td>
</tr>
<tr>
<td>Ezekiel 7:3,8</td>
<td>Zechariah 7:9</td>
</tr>
<tr>
<td>Ezekiel 16:38</td>
<td>Zechariah 8:16</td>
</tr>
<tr>
<td>Ezekiel 17:20</td>
<td>Ezekiel 18:30</td>
</tr>
<tr>
<td>Ezekiel 20:35,36a,36b</td>
<td>Ezekiel 21:1h</td>
</tr>
<tr>
<td>Ezekiel 33:20</td>
<td>Ezekiel 34:22</td>
</tr>
<tr>
<td>Ezekiel 34:20,22</td>
<td>Ezekiel 36:19</td>
</tr>
<tr>
<td>Ezekiel 38:22</td>
<td>Ezekiel 18:30</td>
</tr>
<tr>
<td>Joel 3:2(h:2)</td>
<td>Micah 4:3</td>
</tr>
</tbody>
</table>

(b) "judge", including the sense of "rule".

<table>
<thead>
<tr>
<th>(i) God</th>
<th>(ii) Man</th>
</tr>
</thead>
<tbody>
<tr>
<td>Isaiah 51:5</td>
<td>Isaiah 1:17,23</td>
</tr>
<tr>
<td>Ezekiel 7:27</td>
<td>Ezekiel 20:3a,4b</td>
</tr>
<tr>
<td>Ezekiel 11:10,11</td>
<td>Ezekiel 22:2a,2b</td>
</tr>
<tr>
<td>Ezekiel 21:30(35)</td>
<td>Ezekiel 23:6</td>
</tr>
<tr>
<td>Ezekiel 35:11</td>
<td>Obadiah 21</td>
</tr>
<tr>
<td>Joel 3:12(h:12)</td>
<td></td>
</tr>
</tbody>
</table>

1. In this verse the **k'etib** (**lišpōt**) is being followed for the first occurrence of the root **špāt** and the **k're** (**yišp'ětuhû**) for the third occurrence of the root.
IV. יָסָטָה, יָסָטָהּמ, the Qal Active Participle.

(a) "decide", "discriminate"

<table>
<thead>
<tr>
<th>(i) God</th>
<th>(ii) Man</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ezekiel</td>
<td>Isaiah 1:26</td>
</tr>
<tr>
<td></td>
<td>Isaiah 3:2</td>
</tr>
</tbody>
</table>

(b) "judge", including the sense of "rule".

<table>
<thead>
<tr>
<th>(i) God</th>
<th>(ii) Man</th>
</tr>
</thead>
<tbody>
<tr>
<td>Isaiah 16:5</td>
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</tr>
<tr>
<td>Jeremiah 11:20</td>
<td>Hosea 13:10</td>
</tr>
<tr>
<td></td>
<td>Amos 2:3</td>
</tr>
<tr>
<td></td>
<td>Micah 5:1</td>
</tr>
<tr>
<td></td>
<td>Micah 7:3</td>
</tr>
<tr>
<td></td>
<td>Zephaniah 3:3</td>
</tr>
</tbody>
</table>

V. יָסָטָהּמ, meaning "acts of judgment"

<table>
<thead>
<tr>
<th>(i) God</th>
<th>(ii) Man</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ezekiel 5:10,15</td>
<td>Ezekiel 16:41</td>
</tr>
<tr>
<td>Ezekiel 11:9</td>
<td>Ezekiel 23:10</td>
</tr>
<tr>
<td>Ezekiel 14:21</td>
<td>Ezekiel 28:22,26</td>
</tr>
<tr>
<td>Ezekiel 25:11</td>
<td>Ezekiel 30:11,19</td>
</tr>
</tbody>
</table>

Notice should be taken here that in most cases where יָסָטָהּמ occurs in Ezekiel, especially with reference to Yahweh, it refers to punishment that Yahweh will inflict, both on Israel (e.g. Ezekiel 5:10) and on other nations (e.g. Ezekiel 25:11 and 23:10).

1. In BH, J. A. Bewer provides some manuscript evidence for יָסָטָהּמ in this verse; further support is given by Ezekiel 16:41 where this word occurs in a similar context. The MT has the plural of the noun יָסָטָה which can also be translated "acts of judgment". It appears that either word gives the same meaning, but the occurrence of יָסָטָהּמ in 16:41 lends the extra support for accepting it also in 23:10.
and 30:14). Rather than arbitrary punishments, they appear to be the due penalty for evil deeds. This shows that Yahweh's action has the effect of punishment on Israel's enemies and on herself as well as salvation for the faithful.\(^1\)

From the analysis of usage of the root \(\text{špt}^\text{†}\) in the Latter Prophets it can be observed that the prophets stressed the ethical element within \(\text{misp\'at}\). This emphasis is made with reference to Israel, in terms of the style of life which she is to follow; and also with reference to Yahweh who as Judge \text{par excellence}\ reveals His righteousness and justice in His own action in history. The ethics which the prophets expound are very practical; indeed they are Yahweh's demands on His covenant people for everyday life which are never disassociated from His covenant-love.

Also in the Latter Prophets there is development in the idea of Yahweh as the righteous Judge who is on the side of the needy and the oppressed.

The idea of the "Day of Yahweh"\(^2\) assumes importance in the

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1. This theme will be dealt with in the Psalter as well.

2. Note that Mowinckel gives a cultic interpretation to this phrase (PIW, I, p. 116); the message of the prophets and of the psalmists certainly supports this, for in the cult Yahweh's "coming to judge" was celebrated, particularly in the Enthronement Festival. Israel was deeply aware that Yahweh's activity of Judge had already been partially accomplished in the course of history and this emphasis was also included in her liturgy. But within the cultic context there are also eschatological elements in the idea of the "Day of Yahweh", both in the prophetic literature and in the Psalter.
message of the prophets and is certainly associated with the theme of judgment. It will be a day of decision for all the unjust including those who boast of belonging to the people of the covenant but who have not been faithful to Yahweh. "Judgment will be administered either by the intervention of God Himself, who will take in His hands the reins of history, which leads to descriptions of theophanies or manifestations of God in person (Micah 1:2), or by means of cosmic phenomena or military catastrophes, the enemy invading the land and destroying all the cities and all living creatures (Amos 9; Hosea 5; 10)."¹ Such judgment, however, has a very positive purpose of restoration, purification, salvation; its goal is the banishment of sin and the restoration of communion between Yahweh and His people.

As Judge, Yahweh must uphold ṭešpat which is a characteristic of His own nature and is also that which He expects from Israel as her response to Him; if Israel does not "do ṭešpat", then she must face the consequences (Amos 4:12; 5:11f.; 5:16f.). Thus, even for Israel, the Day of Yahweh could be a day of darkness and not a day of light (Amos 5:18).² Such an insight opened the way for a development of the idea of Yahweh as Judge or Ruler of the whole earth, which theme is portrayed in Deutero-

---

² Yet even in the midst of such warnings as Amos proclaims to Israel, the gracious concern of Yahweh is still offered to those who will return to Him, e.g. Amos 5:14f.
Isaiah and the Psalter especially.

E. The Wisdom Literature

I. The noun $\text{mispâ}$

(b) "justice"

<table>
<thead>
<tr>
<th>(i) God</th>
<th>(ii) Man</th>
</tr>
</thead>
<tbody>
<tr>
<td>Job 8:3</td>
<td>Job 19:7</td>
</tr>
<tr>
<td>Job 31:12,17</td>
<td>Job 27:2</td>
</tr>
<tr>
<td>Job 36:6</td>
<td>Job 29:14</td>
</tr>
<tr>
<td>Job 32:9</td>
<td>Job 34:4</td>
</tr>
<tr>
<td>Job 35:2,5</td>
<td>Job 36:17</td>
</tr>
<tr>
<td>Proverbs 1:3</td>
<td>Proverbs 2:8,9</td>
</tr>
<tr>
<td>Proverbs 8:20</td>
<td>Proverbs 12:5</td>
</tr>
<tr>
<td>Proverbs 13:23</td>
<td>Proverbs 16:8,11</td>
</tr>
<tr>
<td>Proverbs 17:23</td>
<td>Proverbs 18:5</td>
</tr>
<tr>
<td>Proverbs 19:28</td>
<td>Proverbs 21:3,7,15</td>
</tr>
<tr>
<td>Proverbs 28:5</td>
<td>Proverbs 29:1,26</td>
</tr>
<tr>
<td>Ecclesiastes 3:16</td>
<td>Ecclesiastes 5:8</td>
</tr>
</tbody>
</table>

The preceding chart readily reveals that "justice" is the

1. Psalms 1, 37 and 112, which can be considered as belonging to Wisdom Literature, are not dealt with here but in chapter V.

2. "Justice" is the probable meaning here; but this is an instance where it is difficult to determine the exact meaning. The reference may simply be to the decision that is awaited.

3. Note that $\text{hašîd}$ is parallel to $\text{mispâ}$ in this verse. See a discussion of the meaning of $\text{hašîd}$ as it relates to the root $\text{spt}$ on p. 86.
most common meaning of מִשְׁפַּ֣ת in the Wisdom Literature. Many of
the instances where it occurs can be considered as instruction to
those who are the faithful ones within the covenant between Yahweh
and Israel. This supports our view, then, that מִשְׁפַּ֣ת in Israel
is her response in everyday life to Yahweh’s action on her
behalf; or, in other words, that which Yahweh requires of faith-
ful Israel. The Wisdom Literature closely associates מִשְׁפַּ֣ת with
Yahweh, e.g. Proverbs 2:9 and 29:26.

(c) "decision", "discrimination"

<table>
<thead>
<tr>
<th>(i) God</th>
<th>(ii) Man</th>
</tr>
</thead>
<tbody>
<tr>
<td>Job 10:8</td>
<td>Job 34:23</td>
</tr>
<tr>
<td>Proverbs 16:33</td>
<td>Proverbs 16:10</td>
</tr>
<tr>
<td>Ecclesiastes 11:9</td>
<td>Proverbs 24:23</td>
</tr>
<tr>
<td></td>
<td>Ecclesiastes 12:14</td>
</tr>
</tbody>
</table>

Proverbs 24:23 points up an emphasis that was made in the
Latter Prophets; namely, that there is to be no partiality shown
when a decision is being made about a case (cf. Amos 2:6; Isaiah
10:2; Micah 3:9, 11; Jeremiah 5:28). This instruction is also
made in the Pentateuch (cf. Leviticus 19:15; Deuteronomy 1:17
and 16:19). Justice is to be given; the judge must not be a
respecter of persons.

(d) "manner", "custom"

<table>
<thead>
<tr>
<th>(i) God</th>
<th>(ii) Man</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td>Ecclesiastes 8:5,6</td>
</tr>
</tbody>
</table>

(e) "trial", "cause"

<table>
<thead>
<tr>
<th>(i) God</th>
<th>(ii) Man</th>
</tr>
</thead>
<tbody>
<tr>
<td>Job 22:4</td>
<td>Job 9:19,32</td>
</tr>
</tbody>
</table>
III. ʿāpāt and all verbal derivatives excluding
the Qal Active Participle.
(a) "decide", "discriminate"
   (i) God                     (ii) Man
   Ecclesiastes 3:17           Proverbs 29:9
   Proverbs 31:9
(b) "judge", including the sense of "rule"
   (i) God                     (ii) Man
   Job 21:22                   Mil
   Job 22:13

IV. ʿāpet, ʿāpetim, the Qal Active Participle
(a) "decide", "discriminate"
   (i) God                     (ii) Man
   Mil                        Job 9:24
   Job 12:17
(b) "judge", including the sense of "rule"
   (i) God                     (ii) Man
   Job 9:15
   Proverbs 8:16

1. The LXX has "to his justice" or "to his decision" rather
   than "to my judge" of the MT.
2. It is preferable to follow the LXX here, as given in BH;
   thereby the parallelism of the verse is retained.
Job 23:7
Proverbs 29:14

V. ṣ-translate, meaning "acts of judgment"

(i) God
(ii) Man

If this verse is translated as pointed in the MT, then the idea of condemnation or punishment is implied. JB and NEB follow the variant reading of the LXX which involves a change in the consonantal text and not only in the pointing. The meaning "acts of judgment" is preferable for it has already been observed that such acts can have a connotation of disaster or condemnation. Predominantly, the root ṣ-translate in the Old Testament has a positive emphasis; but that does not rule out any negative aspects. Already it has been observed that the prophetic message of judgment involved a tension between punishment and salvation. Both aspects are evident in the Old Testament literature; but it must be emphasized that the positive is the predominant theme.

F. Song of Songs, Lamentations, Ruth, Esther and Daniel

The root ṣ-translate does not play a very significant role in the literature of this classification, occurring only eight times.

1. Several manuscripts of the LXX, Targum and Vulgate have miṣpēṭ instead of miṣṣōpēṭ; the translation would then be "and let me escape my trial for ever". This variant reading does not change the consonantal text and is to be preferred. It eliminates the problem of how to deal with the preposition min if the word is taken to be a participle, as in the MT.
I. The noun \( \text{mis\textbar p\textbar t} \)
   (e) "trial", "cause"
   
   (1) God
   Nil
   
   (ii) Man
   Lamentations 3:35,59

II. The Plural \( \text{mis\textbar p\textbar t\textbar m} \), meaning "ordinances"

   (1) God
   Daniel 9:5
   
   (ii) Man
   Nil

III. \( \text{s\textbar p\textbar t} \) and all verbal derivatives excluding
     the Qal Active Participle

   (a) "decide", "discriminate"

   (1) God
   Lamentations 3:59
   
   (ii) Man
   Nil

   (b) "judge", including the sense of "rule"

   (1) God
   Nil
   
   (ii) Man
   Ruth 1:1
   Daniel 9:12

IV. \( \text{s\textbar p\textbar t\textbar t}, \text{s\textbar p\textbar t\textbar t\textbar m} \), the Qal Active Participle

   (b) "judge", including the sense of "rule"

   (1) God
   Nil
   
   (ii) Man
   Ruth 1:1
   Daniel 9:12

Throughout this chapter, which has provided an analysis of
the use of the root \( \text{s\textbar p\textbar t} \) in the Old Testament, the column charts
have indicated the various meanings of the root. The listing of
the occurrence of the root according to meaning in each type of
literature (along with the commentary which accompanied many of the charts) has served to show how varied the meaning of the root šrt can be and yet there is a unity of relationship between the meanings.

Certainly the root šrt has reference to the judicial structure of Israelite society and to the rule which was exercised by those who may be called Israel's leaders throughout her history; but because of its highly ethical implications and because it so often has reference to Yahweh, the root šrt (and particularly the noun mispăt) attached to itself a meaning which may be referred to as the style of life which Yahweh expected from His covenant people, Israel. Yahweh laid a total claim upon His people and would not allow allegiance to any other "god". Yahweh is the righteous Judge par excellence who has revealed His personal demands by giving the Law which regulates the social conditions and internal relationships of His people. Yahweh expresses His nature as Judge by His saving acts in history which are sometimes viewed as punishment in that the wicked bring disaster upon themselves through their refusal to abide by Yahweh's gracious will. Such themes as these became the content for much of the liturgy of Israel which the frequent occurrence of the root šrt in the Psalter reveals.
THE ROOT שפט IN THE PSALTER

The root שפט appears 97 times in the Psalter, a fact which, in itself, indicates the importance of שפט to the message of the Psalms and to the themes dealt with in the cultic ritual and worship of Israel. The root refers many times to God, which raises the question: What is the meaning of the theme 'God is Judge' in the Israelite cult?

Before detailed study is given to the individual passages in the Psalter where the root שפט occurs, it will be helpful to outline briefly the place which the psalms occupied in the life of Israel, for worship in Israel has a very important role to play in our understanding of Israel's history and religion. Certainly worship in Israel was not insulated from Israel's life in general. The various parts of the Old Testament must be related together, as Rowley so well suggests when he writes:

"The once prevalent view, that the prophets were preachers of righteousness who had no interest in the cultus, and that they were followed by the priests who were only interested in mechan-

1. Two very fine works on this subject are H. H. Rowley, Worship in Ancient Israel, (1967), and H.-J. Kraus, Worship in Israel, (1966). Also of vital importance is Sigmund Mowinckel's two-volume work, The Psalms in Israel's Worship, (1962; the English translation by D. R. Ap-Thomas from Offersang og Sangoffer of 1951). In the present study of the root שפט in the Psalter, reference will be made repeatedly to this valuable piece of work.
ical ritual acts, and that finally pious people somehow appeared in a late age to compose spiritual songs, offered little explanation of the gathering together of the Old Testament. The relating of the parts together and the filling of the festivals with a meaning which is relevant to the character of the Old Testament as a whole, and so filling it with a meaning which is not brought to it from outside but found within the Old Testament itself, seems to me a very great gain."

To-day's approach to the Psalter, i.e. viewing the psalms as closely related to the cult in Israel and their use to accompany ritual acts, is due in large measure to two men, Gunkel and Mowinckel. Gunkel recognized the cultic origin of the psalms and classified them so that they could be seen in terms of the situations out of which they arose (Sitz im Leben). It remained for Mowinckel to carry the study further and relate the psalms specifically to their cultic use and intention; he related the Psalms to cultic acts and brought them into a closer relation

3. Gunkel felt, however, that, although the different types of psalms had their origin in cultic circles, most of them in the existing Psalter were freed from such an association and took on a more spiritual outlook.
4. Not all of Mowinckel's ideas have been generally accepted, of course. For some of the main areas of criticism of his
with the prophets.¹

Whether the autumn festival in Israel is referred to as an enthronement festival² or a covenant-renewal festival,³ its purpose is defined well by Rowley: "the great autumn festival by ritual drama and by interpreting text was designed to evoke in the people a sense of what God had done for them, and in the king, as the representative of the people with whom the well-being of the nation was bound up, a sense of what God expected of him, so that king and people alike might be challenged to a new pledge of faithfulness to God and his demands...this autumn

work, see Rowley, WAI, pp. 182ff. Kraus, for example, feels that too much can be read into passages which reveal some cultic traces (WI, p. 23; also footnote, p. 208). Johnson is indebted to Mowinckel but is also critical too; he is concerned, for example, to relate the autumn festival to the worship of Yahweh with a character of its own, though it was modelled on near eastern patterns. See his Sacral Kingship in Ancient Israel, 1955, and his essay in Myth, Ritual and Kingship (ed. S. H. Hooke), 1953.

1. For the most part Mowinckel considers that the prophets were dependent on the psalms and not vice-versa. Kraus takes the opposite view in Die Königsherrschaft Gottes im Alten Testament, 1951, pp. 99ff. Snaith, also, says that the psalms, particularly the enthronement psalms, are dependent upon Deutero-Isaiah (The Jewish New Year Festival, 1947). Note, however, as Johnson points out (OTMS, pp. 194ff.) that the evidence Snaith cites to support this claim can be used in the opposite direction to show that Deutero-Isaiah was dependent on the psalms.

2. Mowinckel's emphasis upon an enthronement festival is referred to when Enthronement Psalms are considered, p. 88.

3. This is Weiser's description which he stresses throughout his commentary, The Psalms.
festival was transformed from a mere agricultural festival when men rejoiced in the gifts of nature -- though that was also involved in it -- into something that was charged with a spiritual message to king and people.¹

The foregoing has briefly outlined the place which the Psalter occupied in the life of Israel; the psalms must be studied in the context of worship in Israel if the themes in them are to be understood aright. Now we turn to a study of the individual passages in the Psalter where the root שֵׁם occurs; this will be accomplished through translation of the passages along with exegetical comments. In order to provide some organization to the study, the psalms will be discussed according to the category (e.g. Hymns, Enthronement Psalms) in which each psalm to be studied is classified.

First of all, in order to provide continuity with chapter IV, an analysis of the usage of the root שֵׁם in the Psalter will be given in column chart form.

I. The noun מִשְׁפָּט

(a) "ordinance", "law"

¹ Rowley, WAI, p. 202. In these comments Rowley alludes to the response of Israel but he does not enlarge upon it.
<table>
<thead>
<tr>
<th>(i) God</th>
<th>(ii) Man</th>
</tr>
</thead>
<tbody>
<tr>
<td>Psalm 81:4 (5)</td>
<td>Nil</td>
</tr>
<tr>
<td>Psalm 119:160</td>
<td></td>
</tr>
</tbody>
</table>

(b) "justice"

<table>
<thead>
<tr>
<th>(i) God</th>
<th>(ii) Man</th>
</tr>
</thead>
<tbody>
<tr>
<td>Psalm 9:16 (17)</td>
<td>Psalm 9:4 (5)</td>
</tr>
<tr>
<td>Psalm 3:5</td>
<td>Psalm 17:2</td>
</tr>
<tr>
<td>Psalm 37:28</td>
<td>Psalm 25:9</td>
</tr>
<tr>
<td>Psalm 72:2</td>
<td>Psalm 35:23</td>
</tr>
<tr>
<td>Psalm 89:14 (15)</td>
<td>Psalm 37:6,30</td>
</tr>
<tr>
<td>Psalm 97:2</td>
<td>Psalm 101:1</td>
</tr>
<tr>
<td>Psalm 99:4a,4b</td>
<td>Psalm 106:3</td>
</tr>
<tr>
<td>Psalm 111:7</td>
<td>Psalm 112:5</td>
</tr>
<tr>
<td>Psalm 119:8a,8b</td>
<td>Psalm 119:121</td>
</tr>
<tr>
<td>Psalm 140:12 (13)</td>
<td>Psalm 122:5</td>
</tr>
<tr>
<td>Psalm 146:7</td>
<td></td>
</tr>
</tbody>
</table>

(c) "decision", "discrimination"

<table>
<thead>
<tr>
<th>(i) God</th>
<th>(ii) Man</th>
</tr>
</thead>
<tbody>
<tr>
<td>Psalm 1:5</td>
<td>Psalm 94:15</td>
</tr>
<tr>
<td>Psalm 7:6 (7)</td>
<td></td>
</tr>
<tr>
<td>Psalm 9:7 (8)</td>
<td></td>
</tr>
<tr>
<td>Psalm 76:9 (10)</td>
<td></td>
</tr>
<tr>
<td>Psalm 143:2</td>
<td></td>
</tr>
<tr>
<td>Psalm 149:9</td>
<td></td>
</tr>
</tbody>
</table>

(d) "manner", "custom"

<table>
<thead>
<tr>
<th>(i) God</th>
<th>(ii) Man</th>
</tr>
</thead>
<tbody>
<tr>
<td>Psalm 119:132</td>
<td>Nil</td>
</tr>
</tbody>
</table>

II. The plural מִשְׁפָּתִים, meaning "ordinances"

1. Although the MT has the singular form of the noun in this verse, it is best to follow the evidence of several Hebrew manuscripts, the LXX, Syriac and Targum, all of which have the plural.
### (i) God

<table>
<thead>
<tr>
<th>Psalm</th>
<th></th>
<th>(ii) Man</th>
</tr>
</thead>
<tbody>
<tr>
<td>Psalm 10:5</td>
<td></td>
<td>Psalm 111</td>
</tr>
<tr>
<td>Psalm 18:22(23)</td>
<td></td>
<td>Psalm 111</td>
</tr>
<tr>
<td>Psalm 19:9(10)</td>
<td></td>
<td>Psalm 111</td>
</tr>
<tr>
<td>Psalm 36:6(7)</td>
<td></td>
<td>Psalm 111</td>
</tr>
<tr>
<td>Psalm 48:11(12)</td>
<td></td>
<td>Psalm 111</td>
</tr>
<tr>
<td>Psalm 72:1</td>
<td>72:1</td>
<td>Psalm 111</td>
</tr>
<tr>
<td>Psalm 89:30(31)</td>
<td></td>
<td>Psalm 111</td>
</tr>
<tr>
<td>Psalm 97:8</td>
<td></td>
<td>Psalm 111</td>
</tr>
<tr>
<td>Psalm 103:6</td>
<td></td>
<td>Psalm 111</td>
</tr>
<tr>
<td>Psalm 105:5,7</td>
<td></td>
<td>Psalm 111</td>
</tr>
<tr>
<td>Psalm 147:19,20</td>
<td></td>
<td>Psalm 111</td>
</tr>
</tbody>
</table>

### III. šapat and all verbal derivatives excluding the Qal Active Participle

(a) "decide", "discriminate"

<table>
<thead>
<tr>
<th>(i) God</th>
<th></th>
<th>(ii) Man</th>
</tr>
</thead>
<tbody>
<tr>
<td>Psalm 7:8(9)</td>
<td></td>
<td>Psalm 9:19(20)</td>
</tr>
<tr>
<td>Psalm 26:1</td>
<td></td>
<td>Psalm 37:33</td>
</tr>
<tr>
<td>Psalm 35:24</td>
<td></td>
<td>Psalm 109:7</td>
</tr>
<tr>
<td>Psalm 43:1</td>
<td></td>
<td>Psalm 109:7</td>
</tr>
<tr>
<td>Psalm 51:1(6)</td>
<td></td>
<td>Psalm 109:7</td>
</tr>
<tr>
<td>Psalm 82:1,2</td>
<td></td>
<td>Psalm 109:7</td>
</tr>
</tbody>
</table>

(b) "judge", including the sense of "rule".

<table>
<thead>
<tr>
<th>(i) God</th>
<th></th>
<th>(ii) Man</th>
</tr>
</thead>
<tbody>
<tr>
<td>Psalm 9:8(9)</td>
<td></td>
<td>Psalm 58:1(2)</td>
</tr>
<tr>
<td>Psalm 10:182</td>
<td></td>
<td>Psalm 58:1(2)</td>
</tr>
</tbody>
</table>

1. Note that, as indicated in the previous footnote, v. 160 is not listed here because the MT has the singular noun mispāṭ.

2. The context in this verse and in Psalms 72:4 and 82:3 indicates that the root may have the meaning "save" or "deliver".
IV. ἀπότελος, ἀποτίμου, the Qal Active Participle

(a) "decide", "discriminate"

(i) God
Psalm 75:7(8)

(ii) Man
Psalm 109:31
Psalm 141:6

(b) "judge", including the sense of "rule"

(i) God
Psalm 7:11(12)
Psalm 9:4(5)
Psalm 50:6
Psalm 53:11(12)
Psalm 94:2

(ii) Man
Psalm 2:10
Psalm 148:11

A. Wisdom and Didactic Psalms

"Wisdom" literature was a phenomenon which Israel shared with the whole of the ancient Near East. It was to be expected that some of this 'wisdom', which was concerned with teaching people how to live their everyday lives, should find its way into the Psalter, in the form of proverbs and longer poems. Such psalms, in which the root ἀπότελος occurs are 1, 37 and 112.

Psalm 1

1:5 Therefore the wicked will not stand in the judgment nor sinners in the congregation of the righteous.

Psalm 1 is used as the heading to the entire Psalter. It
can be considered essentially as a didactic poem but it also contains some cultic overtones. As Weiser\(^1\) comments, Psalm 1 reveals how wisdom literature and the traditions of the cult influenced each other; not only is this psalm a didactic poem, but the idea of judgment associated with the cult is also mentioned.

It is significant that the Psalm which introduces the whole Psalter contains the root `špṭ along with references to tōrāh and șadīqīm and rešā'îm, for all these words express ideas that are emphasized or enlarged upon again and again in the Psalter and have to do with practices in the cult. Psalm 1 introduces us at once to a theme that is prevalent in the whole Old Testament and is vital to an understanding of the meaning of mīšpāt, that is, the response of faith expressed in obedience on the part of those who fear Yahweh. The mighty acts of Yahweh would remain in a vacuum were it not for the response of Yahweh's people.\(^2\) The righteous man delights in the law of Yahweh and therefore stands in the judgment and is obedient. The image of

\(^1\) Weiser, \textit{The Psalms}, p. 89.

\(^2\) I am indebted to Professor N. W. Porteous for this insight which he shared with me in my discussions with him on this dissertation. He referred to the response of Israel as \textit{Glaubensgeschichte} in contrast (or perhaps better, complementary) to \textit{Heilsgeschichte}, an observation which will be enlarged upon later. (see pp. 115ff.) Professor Porteous has drawn attention to this emphasis in some of his articles collected in the volume entitled \textit{Living the Mystery}, 1967.
the fruitful tree is used to stress such obedience which can result only because Yahweh cares for such a man; the image of the tree planted by streams of water supports this latter point. In sharp contrast, the image of the chaff which is blown away by the wind points to the empty and meaningless life of the person who has no regard for Yahweh's tōrāh.¹

The phrase lō' yakumū bammīšpāṭ must be seen in the light of the cultic community and its worship; the parallelism of bammīšpāṭ with ba'cădat šadīḳām must also be kept in mind. The cultic idea of the blessing and curse is the act of judgment which purges the cult community from the ungodly elements.² In the cultic ritual the "godly" partake of the covenantal salvation, whereas the "wicked" are expelled from the covenant community. In this psalm we have expressed for us the twofold aspect of judgment: it can mean either salvation or disaster according to whether the worshiper is faithful or faithless to the covenant.³

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1. This imagery is used elsewhere in the Old Testament, with reference to the disobedient: Hosea 13:3; Zephaniah 2:2; Isaiah 29:5; Psalm 35:5. Cf. also, in the New Testament, Matthew 3:12.

2. Cf. Leviticus 17:10; 20:3,6. Weiser lists a number of instances in the Psalms where the association of judgment with Yahweh's cultic theophany is distinctly recognized, namely Psalms 12:3; 28:3ff.; 34:15ff.; 40:14ff.; 52:5ff.; 53:5,7; 90:1ff. (The Psalms, p. 78).

3. Dahood shows how this twofold aspect of judgment was exemplified in the teaching of Jesus. Cf. Jesus' words regarding the two ways, the two gates or the parable of the wise and foolish builder or the righteous and the unrighteous in the day of judgment. (The Psalms, Vol. I, p. 4).
already suggested, the "godly" are those who are faithful to the
God of the Covenant and are obedient to His commandments, whereas
the "wicked" are those who are unfaithful and disobedient and
thereby themselves destroy the covenantal relationship with
Yahweh. Kraus refers his readers to Psalms 15:1 and 24:3 in his
exposition of the phrase yakumâ bammîśpî. The râšâqîm are shut
out from the holy place because they have not obeyed Yahweh's
tôrâh; they are drifters and therefore are shut out from the
service of Yahweh. Mowinckel agrees with this interpretation
of the sadkîm and râšâqîm in Psalm 1 as the tôrâh-abiding
Israelite on the one hand and the worldly-minded apostate on the
other hand.

1. Weiser, The Psalms, p. 79, claims that the terms sadkîm
and râšâqîm have received their specific Old Testament
meaning from the conception of judgment in the cult and
exclusion of the wicked from the covenantal salvation. This
is a much preferable view to that of Mowinckel who held that
the "enemies" were sorcerers who cast spells on the faithful
Israelite, a view which Mowinckel subsequently modified
Ringgren is helpful on this point when he comments that the
"enmity between righteous and wicked does not seem to exist
between religious parties within the people itself, but
between Israel as God's holy people or congregation and
those who stand outside the covenant...national enemies,
or worshipers of foreign gods or performers of magical
practices forbidden by the Israelite religion." (H. Ringgren,
The Faith of the Psalmists, pp. 43f.).


Note, however, that he considers that as a rule these two
terms point to national antagonisms, or, in other words,
refer to a contrast between Israel and her Gentile oppressors;
Another very important matter to consider when interpreting Psalm 1 is whether the judgment refers to the present or to the future. Does the judgment mentioned refer only to the pronouncement within the cult and therefore primarily to the "present"? Or is the reference to some future verdict which Yahweh will give in the final judgment? It is necessary to investigate the two possibilities.

Several scholars hold to the interpretation of a final judgment. Briggs, for example, agrees with Duhm and Kittel, stating that the reference in verse 5 is to "the time when God will pronounce His final judgment at His advent". Weiser also holds the view that the reference is eschatological; the reference is to the future when God will sit in judgment and pronounce the verdict upon man in terms of his obedience of faith or lack of it. For Weiser, it is a "vision of the future" when the whole of life is viewed and judged from the standpoint of God. Dahood also sees only a reference to a final judgment.

There are many scholars who hold the view that the judgment refers to the present in a cultic situation. Among these


2. A. Weiser, *The Psalms*, pp. 107f. It is important, however, to notice that Weiser also makes reference to this future verdict being traced back to the cultic idea of blessing and curse as the act of judgment which purges the cult community of the ungodly elements. Thus his view is not restricted to eschatology.

are Gunkel, Köhler and Kirkpatrick. The latter considers the emphasis to be on "every act of judgment by which Jehovah separates between the righteous and the wicked, and vindicates His righteous government," and he refers to Isaiah 1:24ff.; 2:12ff.; and Malachi 3:5.¹ Gunkel, Köhler and Kirkpatrick tend to place the judgment in a legal context only. Kraus, who also considers that the judgment refers to the present, relates it not only to a legal context but to the sphere of Yahweh's tērāh and the cultic community.²

The reference to judgment in Psalm 1 is not sufficiently clear to enable one to restrict its meaning either to an eschatological context on the one hand or to a cultic and historical context on the other. If only one is chosen something of the full meaning is surely lost. Can the reference not be both to the present (cultic) and to the future (eschatological)? To see no reference to a final judgment would be to restrict the scope of God's sovereignty; it would not allow for the possibility that the evildoer or faithless one will be brought back into the community of Yahweh by means of Yahweh's own "judgments" in history, or, in other words, His deliverance.

In summary: Psalm 1 is a didactic poem with a cultic element also present; judgment is pronounced on those not faith-

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¹ A. F. Kirkpatrick, The Psalms, p. 4.
ful to the той for who are then separated from the faithful ones; the primary reference, however, does not overrule the presence of an eschatological element as well.

_Psalm 37_

37:6 He will bring forth your righteousness as the light and your justice as the noonday.

37:28 For Yahweh loves justice, and He will not forsake His faithful ones;

37:30 The mouth of the righteous man will declare wisdom, and his tongue will speak justice.

37:33 Yahweh will not forsake him in his power, nor condemn him when he is brought to trial.

_Psalm 37_ may be classed as a Wisdom Psalm; its acrostic arrangement suggests a collection of proverbs, and the word _hokmāh_ appears in verse 30 in association with the root _špê_.

The three occurrences of _mispât_ are best translated "justice"; the faithful follower of Yahweh is exhorted to practise his religion in everyday life. _Psalm 37_ clearly relates the justice which the faithful man exercises to the justice which Yahweh loves. Yahweh does not request from His faithful servants that which is contrary to His own nature. Because Yahweh Himself loves _mispât_, He brings forth the _mispât_ of the

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1. The sense may be "not allow him to be condemned", but the emphasis, which is in the Hebrew, on Yahweh as First Cause is retained in the translation above.
faithful.

The word מָסָד"1 appears in Psalm 37. It is used in the Old Testament to refer to the loyalty of those within the covenant.2 In the Psalter מָסָד" "stands for the man who seeks to do his pious, humble duty towards God."3 Since it is used in association with מִשְׁפָּת here and elsewhere,4 further support is given to the view that מִשְׁפָּת is that manner of living or way of life which Yahweh expects of His people. The covenant love of Yahweh (חָסֶד) evokes the response of obedient faith in His faithful one מָסָד".

The root מָסָד in verse 33 is used with regard to the administration of justice. When the righteous man is put on trial Yahweh will not allow him to be condemned just as He will not forsake5 him when the wicked man tries to hold him in his power; Yahweh will be on his side and therefore his just cause will

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1. See Snaith’s discussion of this term, in DIOT, pp. 123ff. Cf. the view of Kirkpatrick, however; he considers the predominant usage to be "one who is the object of Jehovah's lovingkindness." But he also acknowledges the meaning which Snaith sees in the word: "it came, not unnaturally, to be connected with the idea of chesed as 'lovingkindness' between man and man, and to be used of the character which reflected that love of which it was itself the object...." (A. F. Kirkpatrick, The Book of Psalms, pp. 835f.).

2. It is only used twice with reference to God: Jeremiah 3:12 and Psalm 115:17.


4. Cf., e.g., Proverbs 2:8, Deuteronomy 33:8.

5. Note the use of "forsake" in both v. 28 and v. 33.
triumph.

Psalm 112

112:5 Good is the man who shows favour and lends; he will accomplish his affairs with justice.

Psalm 112 may also be considered in the category of wisdom literature. There is a resemblance to Psalm 1 but 112 gives more prominence to the praise of godliness and less to the contrast between the godly and the wicked.

As in Psalm 37, this psalm states that the righteous man reveals his relationship to Yahweh because he acts justly in his everyday activities. The translation "affairs" has wider scope than simply his conduct in a lawsuit, although the use of דבורים may indicate the latter. The wider implication is suggested by the first half of the verse where the kindly action of the righteous man is praised (cf. Psalm 37:21 and 26).

Psalm 112 is also related to the preceding Psalm 111.1 The main difference between them is that Psalm 111 refers to Yahweh while Psalm 112 refers to those who are obedient to Yahweh. Yahweh's actions are faithfulness and justice; in turn, the obedient servant of Yahweh conducts his affairs with justice. This reveals the close relationship that מִשְׁפָּט has with Yahweh's nature and action. Israel's מִשְׁפָּט cannot be considered apart from her dependence on Yahweh; the character of Yahweh is

1. This psalm is considered when the "Hymns" are dealt with; see p. 131.
reflected in the actions of those who follow Him.

B. The Enthronement Psalms

Just as scholars have Gunkel to thank for his investigation into different literary types which can be found in the Psalter, so they owe a debt of gratitude to Mowinckel for his insights into the forms and ideas of the New Year Festival which was observed in Israel and, in particular, his insights into a portion of that festival when the installation of Yahweh as King was re-enacted in the cult and the Enthronement Psalms were used in worship. Such Enthronement Psalms are 47; 48; 93; 96-99; and the first part of Psalm 95.¹

Not all scholars have accepted this emphasis on an annual New Year Festival. Buttenwieser, for example, disagrees that these psalms belong to the cult in celebration of Yahweh's enthronement; rather they have a hymnal purpose, emphasizing simply that the Deity is King.² Weiser also departs from Mowinckel at this point and puts his emphasis on a Covenant Festival in Israel with the cult of this festival being the Sitz im Leben for the vast majority of the psalms.³

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1. It is important, however, as Mowinckel shows, that we do not limit the enthronement psalms to these few since portions of other psalms certainly fit into the enthronement pattern as well. See PIW, Vol. I, pp. 106f., 141f.


3. Weiser, The Psalms, p. 35. Instead of belonging to a separate enthronement festival, Weiser considers that the psalms
of the Old Testament Covenant Festival is the continually renewed encounter of God with his people which has as its final aim the renewal of the Sinai Covenant and of the salvation it promised. It seems to me, however, that the main difference in the views of Mowinckel and Weiser is one of terminology. Weiser calls it the Covenant Festival because of the strong emphasis laid by Israel on renewing her allegiance to Yahweh's covenant with its historical foundations; Mowinckel calls the festival an Enthronement Festival because it was patterned on celebrations already practised in the Near East, before Israel adopted it as her own and baptized it into Israelite concepts with the emphasis on Yahweh as King over all and active in history, particularly in the history of Israel. There are so many similarities in the views of these two men which should be emphasized rather than the differences.

In this introduction of the enthronement psalms, prior to our discussion of those portions of them in which the root spt occurs, attention will be drawn to the general background of the cultic use of these psalms and reference will be made to some of which celebrate the enthronement of Yahweh are a portion of the liturgy used in the covenant-renewal festival (ibid., p. 62).

1. ibid., pp. 28f.
3. See, for example, Mowinckel's reference to the renewal of the Covenant, PTW, Vol. I, p. 155.
the main ideas associated with the celebration. The main ideas which have direct bearing on our understanding of the root ūpš in these psalms will be referred to again in the exegetical comments on the individual psalms concerned.

A root which is very closely associated to ūpš in its references to the king, and particularly to Yahweh as King, is mlk. In fact a phrase which is very characteristic in the enthronement psalms is yhwh mālāk (Psalms 93:1; 96:10; 97:1; 99:1). This has been translated two ways mainly: either "Yahweh is become king" or "Yahweh is king." Each of the views will be considered separately.

Mowinckel provides a very convincing argument to support the translation "Yahweh is become king." The fact that the Massoretes pointed the word, not as a noun but, as a verb in the perfect tense (which therefore suggests activity and certainly is in keeping with the Old Testament emphasis on the acts of Yahweh)

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supports this illustration. In other words, Yahweh is king because he has become king for Israel when He chose her. The Akkadian shout of homage at the enthronement of Marduk ("Marduk- 
ma sārru") supports this view as well. The translation, "Yahweh is become king", emphasizes the activity of Yahweh on behalf of Israel and also fits into the ideological patterns of other Near Eastern festivals. Here is an example of Israel baptizing what she borrowed: now the theme is Yahweh's activity on behalf of Israel and added to it are the emphases on Yahweh's supremacy over all other divine beings, 1 His supreme rule over all nations 2 and the necessity of Israel's obedience as response to Yahweh's activity. 3

Other scholars prefer the translation "Yahweh is king." Johnson, for example, feels that Yahweh's kingship from the beginning to the end of time dominates the enthronement psalms; the emphasis is on the thought that it is Yahweh (and not some other divine being) who is king. 4 Kraus also draws attention to the fact that it is the eternal sovereignty of Yahweh and not His recent accession that is being celebrated. 5 Gelston thinks

2. Psalms 47:8; 96:3,10; 99:2.
3. Psalm 97:3,12.
that, apart from Psalm 47 (which may be a celebration of Yahweh's sovereignty, newly recognized as being universal in scope), the enthronement psalms lay less emphasis on the establishment of Yahweh's sovereignty than on the consequences which flow from it.¹

B. W. Anderson considers the translation 'Yahweh is become king' as exegetically dubious, saying that "Yahweh's kingship is not subject to the seasonal cycle of summer barrenness and fertility, of death and resurrection. Undoubtedly the exclamation should be rendered 'Yahweh is king!"² He does not provide a convincing argument, especially when later³ he says that the ritual drama may have re-enacted Yahweh's divine victory over primaeval chaos!⁴ Surely this view lends itself to the translation "Yahweh is become king" in terms of a symbolical representation of Yahweh's supremacy, using the Near Eastern cultic pattern as the medium of communicating the uniqueness of Israel's faith.

Mowinckel clarifies what seems to be a contradiction between

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3. ibid., p. 103.
4. Rather than refute the translation "Yahweh is become king" it seems to me his view that for Israel creation had an historical emphasis rather than an emphasis on nature supports such a translation; ibid., pp. 105f.
the two views; he comments that there is no contradiction to the Israelite between the thought that Yahweh has become king and that he is king for ever; "such a contradiction is modern and rationalistic. This particularly applies to the cult, as it re-experiences as a new reality the fundamental fact of salvation...and in the cultic experience the whole attention is concentrated on that which is again witnessed as something actual; it is there conceived as something happening at that moment. The Lord, Yahweh, becomes king, he shows himself as king, and performs kingly deeds, and in the graphic conception and presentation of the cult this is all gathered up in the definite picture of his royal entry and arrival, invisibly mounted on the cherub-borne throne."²

This brings us to a discussion of the relation between the past and the present in the cult. A prominent feature of the enthronement psalms is their actualization in the present of what has happened in the past.² In the same way that the earthly king lays hold of his kingship, so the congregation witnesses in a real sense that Yahweh now takes over His reign. I think it is helpful here to refer to the contemporaneity in the Sacrament of Holy Communion within the Christian Church:


2. This view also pertains to the actualization of the future as though it were present. With this we shall deal presently; see also comments on Psalm 1.
although Jesus Christ dies 'once and for all' in the past, His vicarious death has meaning for the worshiper now. One is also reminded of the announcement 'Christ is risen!' in the Orthodox rite for Easter. The Old Testament word "remember" has this connotation also: the event of the past becomes an active reality in the life of the believer. E. Jacob refers to this when he remarks that the dramatic representations in the cult of the great events in the past introduced the worshiper into "the presence of God who not only acted there and then, but who still acts hic et nunc." The reality re-experienced by means of the cult is the Heilsgeschichte.

The event alluded to by the phrase 'Yahweh is become king' has a double connotation: it refers to the Creation of the world and to the Creation of Israel by means of the Exodus from Egypt. In the festival, the people celebrated Yahweh as creator, and king of the whole earth, who as Israel's king repeats the acts of deliverance from Egypt. So, then, although

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1. In the rite of The Presbyterian Church in Canada the words "do here celebrate" are indicative of this re-enactment or re-presentation of what God in Christ has already done.

2. See B. S. Childs, Memory and Tradition in Israel, especially pp. 75ff. Also P. A. H. de Boer, Gedenken und Gedächtnis in der Welt des Alten Testaments and W. Schottroff, Die Wurzel zkr im Alten Testament.


the event is re-enacted in the cultic situation, it has a very
definite historical base. It is Yahweh's great acts in Creation
and in Salvation that are re-presented in the experience of the
worshiper. "What Yahweh has done for Israel in the actual
history forms the basis of his kingship, and is recalled when in
the new year festival he takes his seat on his throne as the
victorious king."¹

Just as important is the fact that the future is sometimes
so forceful in the festival celebration that it too has the
reality of the "Now". The experienced present has eternal
importance.² This is related to our previous discussion of es-
chatology in relation to Psalm 1; there is the eschatological
element also in the cult, for the whole theme of promise and
fulfilment in the Old Testament points in this direction. It is
likely that the eschatological element grew out of the autum-
nal festival. Mowinckel deals with this issue in the second
part of his Psalmenstudien II.³ The enthronement festival looked
to both the past and the future. It celebrated the harvest and
blessings of the year that was past and it was the foundation
festival for the year immediately ahead. The enthronement of

² The participants in the cult experience both reality and ex-
pection; cf. H. Ringgren, The Messiah in the Old Testa-
ment, pp. 23f.
³ See "Der Ursprung der israelitischen Eschatologie", Psalmen-
studien II, pp. 211-321. Cf. also PIW, Vol. I, pp. 185-
Yahweh as king symbolized the certainty of the re-creation and blessing which Yahweh would bring at His coming. Yahweh's coming was clearly related to ethical and social situations; and thus the prophets, at a later time, expanded into a future hope what surely was present in seed-form in the cult of an earlier day. Although the cultic situation may be the primary setting, the eschatological element is also in the picture. The cultic ritual act in the here and now brought under its purview the eschatological connotation; in the present the manifestation of the final and unlimited power of God was experienced.

Johnson clearly stresses the eschatological reference in the psalms of the autumnal festival: not only was the orientation of the festival in terms of the coming year but in terms of a new era, a new age of universal righteousness and peace. The ritual of the festival included a forward-looking demonstration of Yahweh's ultimate purpose for Israel: the worshipers are given "(a) an assurance of final victory over 'Death', i.e. all that obstructs the fullness of life for mankind which was Yahweh's design in the creation of the habitable world; (b) a summons to a renewal of their faith in Yahweh and His plans for them and for the world; and (c) a challenge to a renewed endeavour to be faithful to Him and His demands, so that the day may indeed dawn when this vision of a universal realm of righteous-

1. See Johnson's footnote on p. 54 of SKAI.
ness and peace will be realized, and His kingdom will be seen in
all its power and glory.\textsuperscript{1}

It is within the cultic festival that the past, present and
future are combined into one.\textsuperscript{2} It is in worship that Yahweh's
past acts are actualized in the present and seen to have eternal
importance. This unity, as it were, in experiencing past and
future in the "now" of the cultic situation certainly has a bearing on the proper understanding of Yahweh as Judge.

\textbf{Psalm 99}

99:4 A mighty one is become King who loves justice.
Thou hast established equity;
Justice and righteousness Thou hast done in Jacob.

The Hebrew is somewhat difficult in v. 4a. The MT has "and
the power of the king loves justice"; presumably the meaning is
that, even though the universal King is powerful, He chooses to
rule according to justice.\textsuperscript{3} One suggestion which Buhl offers in
BH is to transfer the first word of verse 4 to the end of verse
3 which would then give the meaning "Holy is it (i.e. šîm'kā,
'thy name') and mighty"; and then verse 4 would become simply
"the king loves justice."

\begin{itemize}
\item 1. \textit{ibid.}, p. 92.
\item 2. Cf. once again the Sacrament of Holy Communion where in a
real sense past and future mingle with the present experi-
ence of the worshiper.
\item 3. This is how Anderson interprets the MT, in \textit{PCB}, p. 435.
\end{itemize}
Our translation has adopted another of Buhl's suggestions and that is to point the text as weaz mālāk: it does not alter the consonantal text and it does provide a parallel thought to verse 1. The thought of the enthronement of Yahweh is repeated but added to it is an emphasis on His ethical rule. Yahweh, who is mighty, reveals such might in his ruling according to justice and righteousness. The text brings out clearly the past and the present. The One who has revealed Himself in the just and righteous acts on behalf of His people in the past is the One who still rules with equity and justice.

The phrase "Yahweh is become king" shows the acclamation rite which is a familiar one in the enthronement ceremony, but verse 4 places it in a very definite historical context. B'ya'kōb introduces the historical emphasis. Yahweh's just rule is not only generalized; it is also particularized in the history of Israel. The following verses go on to speak of specific persons and events in Israel's past history which are woven into the cultic framework for worship.² For God's holiness is displayed not only in His power which causes the people and the earth to

1. Dahood makes an interesting suggestion for this phrase, which one would expect from him because of his interest in the similarities to Ugaritic literature. He considers the phrase to be a superlative expression -- "the strongest king" -- in apposition to mīṣāpāt ʾāhēb and refers, among other texts, to Psalm 138:3. See The Psalms, Vol. II, p. 367 and Vol. I, p. 289.

2. G. W. Anderson, PCE, p. 134. Certainly these names suggest that in the New Year festival there is an emphasis on the renewal of the covenant.
tremble but also in His righteous acts in history which also should evoke response in worship and in life. Through Yahweh justice was done in the land by means of His faithful servants who kept His testimonies and statutes. The contemporaneity of Yahweh's righteous acts is brought out in the tense of the Hebrew words, for Yahweh still has His Moses and His Aaron,¹ and perhaps there is the presence of an eschatological element as well.²

Psalm 99, which stresses Yahweh's holiness, displays very clearly the double-sided nature of Yahweh's mispāt. Yahweh is a judging God but His judgment has salvation and forgiveness as a living part of it (see verse 8).³ This is fundamental to the mispāt of Yahweh, as Weiser in his commentary shows: "Even in his grace God remains a holy God. And that holiness manifests itself in the fact that the utter seriousness of the righteousness by which he punishes the sins of men invariably continues to hold its own side by side with the seriousness of the love by which he forgives sins. It is this co-existence of God's judgment and grace, so incomprehensible to the human mind, this insight into the real nature of a God who takes sin just as

2. This against Weiser who allows nothing of the kind (The Psalms, p. 643 footnote).
3. That Yahweh's epiphany in the enthronement festival included forgiveness is supported by Mowinckel, PIW, Vol. I, p. 128.
seriously as the forgiveness of sins, which is the innermost core of God's holiness before which the congregation falls down and worships. The peculiarity and strength of the biblical belief in God lies in this twofold perception of the divine nature and of the consequences resulting therefrom. The thought of the God who forgives imbues the faithful, whose faith is shaken by sin, with fresh courage and a new impetus; the thought of the severity of God's judgments, on the other hand, guards the man who relies on God's grace against the danger of unscrupulously evading his responsibility.\textsuperscript{1}

Psalm 97

97:2 Clouds and darkness are round about him;
Righteousness and justice are the foundation of his throne.\textsuperscript{2}

97:8 Zion heard and was glad,\textsuperscript{3}
And the daughters of Judah rejoiced\textsuperscript{4}
Because of thy just actions, O Yahweh!

\textsuperscript{1} Weiser, \textit{The Psalms}, p. 644.

\textsuperscript{2} Cf. Psalm 89:15.

\textsuperscript{3} Cf. Psalm 67:4(5) where the same note of joy in the judgment of Yahweh is sounded, except that in that instance the nations are called upon to sing for joy because Yahweh is just in His dealings with them even as with Israel.

\textsuperscript{4} Cf. Psalm 48:12 where the verb does not have the \textit{waw} consecutive and therefore is to be translated future or jussive. Note also that \textit{ywhh} is missing in the MT of Psalm 48:12 although it appears in one manuscript of the LXX and the Syriac.
Mowinckel considers the mispāṯîm to be happenings in the remote past which are meaningful in the present.¹ This view keeps the sense of watāḡēlnāh and yet also relates it to the present experience of the worshiper.²

The reference to clouds and darkness in verse 2a followed by the thought in verse 2b is rather interesting. It may be, as Weiser points out,³ an intended contrast: one might expect Yahweh's appearing to be threatening but instead He comes with justice in His rule. This certainly ties in with the note of joy that is expressed in the Psalm. Yahweh's advent is veiled; yet He reveals Himself fully as the God who rules in righteousness and justice. His throne has a moral foundation⁴ and is not demonstrative of His power only.⁵ Yahweh comes not to demonstrate His power so much as to reveal His will to save, a will that is boundless.⁶

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2. RSV is too free here in using the Present tense, although the translators are fairly consistent in doing so throughout these verses. Weiser, on the other hand, (The Psalms, p. 631), is inconsistent in treating verse 8a as Perfect and then suddenly switching to the Present tense, without manuscript evidence, although he follows the tenses of the MT in the other verses!


4. See comments on Psalm 89.

5. See comments on Psalm 99:4 in this connection where might and justice are referred to in the same verse.

6. See comments on Psalm 36.
Psalm 48

48:11(12) Let Mount Zion be glad!
Let the daughters\(^1\) of Judah rejoice
because of Thy just actions, O Yahweh.\(^2\)

Psalm 48 also refers us to the thought that what may be terrifying to Israel's enemies, namely the judgments of Yahweh when He appears, can be a symbol of His care to the members of the covenant community.\(^3\) Just like the justice of the earthly king, Yahweh's activity is for the purpose of maintaining the harmony and peace of society and to ensure for all the faithful what is their right within the covenant. When Yahweh "judges" Israel it is to restore her happiness and peace. But when He judges the nations, usually the idea of crushing them is involved: because they have not responded positively to Him, they have brought their own destruction upon themselves.\(^4\)

Psalms 96 and 98

96:12b,13 Then all the trees of the wood\(^5\)

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1. NEB and JB interpret this word to be the towns near Jerusalem.

2. In the LXX and Syriac and one Hebrew manuscript, \(ywh\) is added at the end of the verse which would make it almost the same as Psalm 97:8.


4. See expansion of this thought in comments on Psalm 7.

5. I have followed the rendering of I Chronicles 16:33 where the article appears (\(hayy\)^{5}\text{ar}). "Trees of wood", as in the
will sing for joy before the Lord,
for He comes\(^1\) to judge the earth,
He will judge the world with righteousness
and the peoples with His truth.\(^2\)

In Psalm 98:9 the MT is identical to Ps. 96:13 except that \(kî \ bâ'\) is not repeated and \(mēšārim\) is substituted for \(mûnātû\).

The phrase \(kî \ bâ'\) is important in the exegesis of these psalms because of its relation to the concept of kingship of Yahweh and to what His coming results in. Kraus very definitely says that \(bâ'\) has an eschatological reference because of the emphasis on Yahweh's universal rule and he cites Isaiah 40:10; 59:19f.; 60:1; 62:11 for support.\(^3\) But it equally could be that Deutero-Isaiah took the ideas of the enthronement psalms

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MT of Psalm 96:12, would be redundant. Note that in I Chronicles 16 this psalm is associated with David's removal of the Ark to Jerusalem.

1. \(kî \ bâ'\) is repeated in the MT but not in several manuscripts of the Syriac or in I Chronicles 16:33. Cf. Psalm 98:9 where the same phrase occurs only once in the MT but twice in some manuscripts of the LXX. To repeat the phrase, or not, does not really change the meaning in any way.

2. Briggs, (The Book of Psalms, Vol. II, p. 305), claims that a glossator has appended this last sentence from Psalm 98. But one must not be dogmatic, especially when there are other similarities to Psalm 98. It is better to retain the thought here as complementary to verse 10, where the root \(dîn\) is used with \(mēšārim\), and as a commentary on Yahweh's rule as king.

which, as we have already remarked, possessed an eschatological element, and developed the eschatology. Nor does Kraus' argument -- that Psalm 94:2; Genesis 18:25; and Psalm 7:9 emphasize Yahweh's universality as Judge¹ -- really deny a cultic interpretation of Psalms 96 and 98, for was this not true of Israel's unique transformation of Near Eastern patterns, that she introduced new elements, one of which was Yahweh's supremacy over all?

Briggs also interprets 98:9 as a future advent.² Kirkpatrick leans in this direction when he sees significance in the use of the word "הָז" in Psalm 96:12.³

Weiser and Mowinckel both view Psalm 96 as a cultic liturgy, with Yahweh's coming as a festal epiphany in which He appears in order to reveal His nature.⁴ Mowinckel makes use of the Perfect "he hath come" (and we might add, "is now here"!) in Psalm 98:9.⁵ Once again, as was concluded in our discussion of Psalm 1, the cultic is the primary emphasis but there are eschatological elements.

1. Kraus, ibid., p. 668.
5. ibid., p. 109.
The note of joy is sounded in both of these Psalms and it is closely associated with the concept of Yahweh as Judge. This is significant: today we tend to think of judgment in negative terms and hardly as something to rejoice in. The note of joy illuminates for us an important element in the Biblical meaning of the root `sp`: there is a positive element that is stressed when speaking of Yahweh's coming in judgment. In Psalms 96 and 98, Yahweh's advent is welcomed with jubilation because when He comes, it is to establish righteousness and truth. In Psalm 96, Nature is called upon to share in the joy and celebration of Yahweh's epiphany; Psalm 98 goes beyond that to call upon all the ends of the earth, including the peoples of the world, to rejoice in Yahweh's coming as Judge. The message of Yahweh's judgment is clearly a message of glad tidings. Yahweh comes to reveal His greatness in "creation" and in the righteousness of His "judgment"; these Weiser refers to as "the two foundation-pillars of the realization of his salvation."²

This brings us to a discussion of an important part of the concept of Yahweh as Judge, namely, that of salvation or deliverance.³ This thought is expressed in Psalms 96 and 98 where Yahweh's purpose in coming is to establish righteousness. The

1. Cf. Psalms 18:12; 65:8; 13; 97:8; 146; Isaiah 55:12.
3. Immediately one thinks of a relationship to the charismatic deliverers (judges) of the Book of Judges.
emphasis is that the manifestation of Yahweh as Judge and King is profoundly moral. He does not merely demonstrate His power such as He exercised over chaos, or even, His power which He continues to exercise over Israel's enemies. He comes to rule with mispāt and it is clear that such a reign will be beneficent because it is greeted with joy.

What is involved in the root špt when it refers to Yahweh is His re-establishment of right order in His world, pertaining to both Nature and History. Psalms 96:2 and 13 make clear that God's activity in judging is aimed at the whole world of nations. Particularly Yahweh revealed His justice to Israel even though she was faithless, but His justice is not for Israel only. The nations also will see His salvation and righteousness revealed. His judgment is a demonstration of His will to save or the means of His bringing Israel and the nations to repentance. Even Nature, personified, is called upon to sing for joy at such glad tidings.

C. The Royal Psalms

One of the "types" which Gunkel outlined for the Psalter is the "Royal Psalms." 1 A brief introduction to the psalms in this category, prior to dealing with them in regard to the root špt, is essential; for that purpose we quote Johnson. "Gunkel

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1. Gunkel classified the following as Royal Psalms: 2,18,20, 21,45,72,101,110 and 132. Johnson and Weiser include Psalm 114:1-11 and Weiser also Psalm 89.
emphasized as their distinguishing feature the fact that they deal with a king who must be regarded as a native Israelite monarch of the pre-exilic period. As he pointed out, there is evidence enough elsewhere in the Old Testament to show that in ancient Israel the reigning monarch was regarded as standing in a peculiarly intimate relationship to Yahweh, and, accordingly, playing a leading part in Israelite worship; and, this being the case, it is but reasonable that outstanding events in the life of such a reigning monarch, whether actually attested or only conceivable, should be borne in mind as a possible setting for psalms which are clearly concerned with a royal figure.¹

Thus Gunkel turned away from interpreting the royal psalms as messianic or referring to the Hasmonean kings and saw them as referring to the pre-exilic kings and believed that they were sung to celebrate special events in their life. Examples of such events are their accession (e.g. Psalms 2, 101, 110), an anniversary (e.g. Psalm 72) or the victorious return from a campaign (e.g. Psalm 18).

As over against the enthronement psalms the Royal Psalms refer to an earthly king and we shall now deal with what it means for the king to "do justice", with special reference to the Psalter.

Psalm 2

¹ Johnson, OTMS, pp. 167f.
And now, 0 kings, be wise;
Be warned, 0 rulers of the earth.¹

The use of śōpētê in Psalm 2 indicates its meaning as "ruler", a person who exercises authority over others. This meaning is obvious because śōpētê is parallel to mēlākîm. It is important to notice that the reference is to man and in particular to rulers of nations other than Israel. They are advised and warned to submit to the Israelite king not because he has real political aspirations but because he is the representative of the Divine Ruler, Yahweh, who is Lord of the world. The kings and rulers of the other nations are in rebellion against Israel's king, but the psalmist advises them to pay homage to Yahweh, lest His wrath destroy them.

What is the setting in life (Sitz im Leben) for this psalm? It is doubtful that the psalmist is thinking of an actual historical situation. It is more likely, as Mowinckel and Weiser point out,² that the psalm was composed to be recited within the framework of the cultic ceremony used at the enthronement of the king. But what about the world setting in which the psalmist places the Israelite kingship? This is based on Near Eastern royal traditions. The occasion of a change of king in a nation which had brought surrounding nations into bondage would stimulate their eagerness to become free once again. Thus the new king,

upon his accession to the throne, had the task of suppressing
the rebellion of the surrounding nations in order to establish
his rule afresh. The psalmist, who recognizes Yahweh as the Lord
of universal history, sees in the enthronement of an Israelite
king the will of Yahweh who is also present at the cultic
ceremony. In the enthronement of an Israelite king, the impor-
tance of his office rather than of his person is stressed: he is
an instrument of the will of the Divine Ruler who transcends
and encompasses all history. It was because Israel's king was
the anointed of Yahweh, His earthly representative, that the
psalmist pictures him as having sovereignty over the nations.

This psalm draws attention to the Heilsgeschichte. "At
the centre of history is no longer the struggle of the great
world powers for existence, but God, whose relationship with the
earthly powers will determine their destiny. Viewed in this way
any revolt of the world powers appears to the poet from the out-
set as a rebellion of man against God, the outcome of which can
never be in doubt for the very reason that it is directed against
God. Because the raging and plotting of the nations is rebellion
against God, it is for that very reason a futile undertaking...."¹

As one of the Royal Psalms, Psalm 2 is in the cultic setting

I, pp. 152f.), refers to the way Israel introduced the his-
torical emphasis. The ancient near eastern concept about
the powers of chaos she transformed into the concept of the
fight against the nations. Cf., also, A. Bentzen, King and
Messiah, p. 16f.
which stresses Yahweh's rule over the nations here and now. There is, however, an eschatological element present as well. What Yahweh would do in the future in judging Israel's enemies was considered as a present reality through the cultic experience. Because Yahweh has risen to judgment in the past, the truth that He will do so again is made contemporaneous in the cultic experience. Yahweh makes the internal, historical events "the blueprint of and the signal for that divine judgment which in terms of space is universal and in terms of time is final (eschatological). Here the emphasis is on the will of God: the eternal will is at work in the historical events, and it is only by the intervention of that will that these events receive their ultimate meaning and setting. Hence after all it makes a difference whether words which bear a likeness to each other express the human lust for power, as they do in the oracles of the ancient East, or whether they bear witness to the vision of faith, as they do in the Old Testament, where man's eyes are lifted up to the power of the divine Judge of the earth who subjects men to his will and in the midst of history reveals ultimate visions of his coming kingdom."¹

With the presence of the eschatological element, it is not surprising that the New Testament interprets this psalm as referring to Jesus, the Christ: Acts 13:33; Hebrews 1:5; 5:5. To

¹ Weiser, The Psalms, p. 114.
Him all nations are given (Acts 4:25-28) and His kingdom will finally triumph.

Psalm 72

72:1 Give the king Thy justice, O God,
And Thy righteousness to the royal son!

72:2 May he rule Thy people with righteousness
and Thy poor with justice.

72:4 May he judge the poor of the people,
bring salvation to the children of the needy,
and crush the oppressor.¹

Psalm 72 depicts in a very lucid way the emphasis that in Israel the king is the one who is responsible for the maintenance of justice among his people. There is a strong ethical element in an Israelite king's rule, part of which is that the king must guard Yahweh's "poor", i.e. the lowly and the helpless.² The king will not allow the weak to become the prey of the mighty. It is important to be aware of the source of the king's justice; the source is Yahweh himself, who guarantees justice for all and so the relationship of the king to Yahweh is most important.

¹ Buhl in BH suggests deletion of this last phrase, but surely it only expands the thought: to assist the needy means to eliminate those who are oppressing them, who are reducing them to poverty by injustice and unrighteousness.

² See Mowinckel, PIW, Vol. II, p. 91 for a brief summary on the meaning of the words "poor", "wretched", "lowly" in the Psalter. Rather than referring to a class within Israel, they probably refer to Israel or the congregation as a whole who are suffering under the power of pagan oppressors.
In verse 1 it is preferable to follow the LXX and the Syriac, and to read misrāṭēkā in parallelism to sidkāṭēkā rather than the plural.¹ Cf. also verse 2 where both šēḏek and mišpāṭ appear in the singular; Psalms 89:15 and 97:2 also lend support for this change.

It appears that eschatology has a role to play in Psalm 72. Kirkpatrick makes an important observation when he says: "if the primary reference of the Psalm is to some actual king of Judah, it is plain that it reaches far beyond him. It is a 'Messianic' Psalm. It presents a picture of the kingdom of God upon earth in its ideal character of perfection and universality. It is thus in its nature not only a prayer and a hope but a prophecy. As each successive king of David's line failed to realise the ideal, it became clearer that its words pointed forward to One who was to come, to the true 'Prince of Peace'. Hence the Targum interprets it of the Messiah."² One must not, however, over-emphasize the eschatological so that the psalm becomes only

¹ Kirkpatrick, The Psalms, p. 418, and Weiser, The Psalms, p. 503, keep the rendering of the MT; support for retaining the plural form can be found in I Samuel 10:25 where possibly a cultic custom is alluded to.

² Kirkpatrick, The Psalms, p. 417. Cf. also G. W. Anderson, PCB, p. 427: "Since the ps. expresses an ideal of kingship which was embodied in the later messianic expectation it has an important place in the development of that hope." Mowinckel is against such an interpretation and considers the Psalm in a cultic setting as a prayer of intercession for the ruling king of Israel (PIW, Vol. I, p. 49); yet he also allows that it is difficult not to see that it possibly is a word of prophecy! (Cf. PIW, Vol. II, p. 63).
a portrayal of some future figure; it is also a prayer for Yahweh's blessing on the king who rules at present so that in turn blessing will come upon the people.

Psalm 101

101:1 Of faithfulness and justice I will sing;
to Thee, O Yahweh, I will sing.

In Psalm 101 we are given the resolutions of the king upon his accession to the throne, which were a part of the enthronement liturgy of the New Year festival. The Psalm has a hymnic introduction in which the king expresses that faithfulness and justice come from Yahweh (cf. Psalm 72:1). The king, who must depend on Yahweh, promises that he is going to rule the kingdom according to mispāṭ.

Some scholars prefer to differ with the MT in Psalm 101:1 but there is no necessity to alter it. The verbs in the MT suggest the cultic setting of the Psalm as part of the sung liturgy upon the king's accession to the throne: "I will sing" and "I will make melody" are surely phrases of public worship. If the king sings of faithfulness and justice, surely the implication is that he is going to exercise them in his rule and will


2. For example, Weiser follows Buhl's suggestion in BH and reads ṣeṭašāh instead of ẓahrāh in verse 1a; then in verse 1b he changes lēkā yhwh ẓammerah to lēyhwḥ ṣešmā cā. The meaning becomes, "I will exercise love and justice; I will listen to Yahweh" (The Psalms, pp. 64f.).
be obedient to Yahweh's demands.

The king's relationship to Yahweh is reflected in the love and justice that he shows to his subjects. In other words, Yahweh's hesed and mispāt are to be reflected in the true human ruler, for moral and religious conduct are inseparable.

Psalm 18

18:22(23) For all His judgments are before me,
And His statutes I have not put away from me.

Psalm 18 emphasizes the point that was observed in Psalm 101, that moral and religious conduct are inseparable. This is illustrated by the use of mispāṭīm in verse 23 and the mention of the obedience which the faithful Israelite (the king supposedly the best example) gives to Yahweh's ordinances.

The king who is the vice-gerent of Yahweh on earth is also the representative of faithful Israel and so the strongly ethical character of the Israelite ideal of kingship is illustrative of what is expected of every person within the covenant. The conduct of the king is related to the ethical obligations which are imposed in the worship of Yahweh. Adherence to the mispāṭīm was to be a part of everyday life for the Israelite.

At this point we shall devote some space to a discussion of

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1. Note that this psalm, with some variations, is also found in II Samuel 22.

2. Weiser observes that there is a close relationship between mispāṭ and the Covenant, The Psalms, p. 192.
Glaubensgeschichte which was mentioned in the commentary on Psalm 1,\(^1\) for it is relevant to an understanding of what is involved in the word *mišpāt*, especially as it relates to Israel.

By "Glaubensgeschichte" I refer to that response of faith, which is expressed in obedient acts, on the part of those who trust Yahweh, who are in covenantal relationship with Him. A passage in Jeremiah (22:15-16) makes this evident, where it clearly states that "the knowledge of God" must be actualized in daily life: to be within the covenant community of Yahweh involves obedience of faith expressed in ethical living. (Cf. Hosea 2:19-20). The mighty acts of Yahweh's salvation would hardly be effective if those for whom He acts did not respond in faith and obedience. The worship of Israel, the whole cultic experience, was for the purpose of inspiring the worshipers to live out in life what was celebrated in the cult. "If the great acts of God on behalf of his people had ever and again to be actualized in the cult, so that the past might become a dynamic present reality, or at least be actualized in memory, such actualization could not be complete without an activity of obedience on the part of men, inasmuch as the Covenant by its very nature demands a response in gratitude to the prevenient grace of God. The Covenant with the claim it made upon the whole of man's life could not be adequately actualized in any merely cultic fashion, since it aimed

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\(^1\) See p. 80.
at an activity of obedience on man's part in the ordinary secular affairs of life no less than in the strictly religious sphere.  

From the message of the prophets we learn of the temptation to divorce worship and daily life, a temptation to which many an Israelite, and at times Israel as a whole, yielded. But surely the strongly ethical emphasis in much of Israel's worship was to emphasize the relationship that should exist between the praise and worship of Yahweh and the daily actions of life.  

This is brought out in the psalms which mention the Israelite king as the representative Israelite. For example, either the king himself resolves to rule and live by highly ethical standards, as in Psalm 101; or else prayer is offered on the king's behalf that his reign might be according to justice and righteousness, as in Psalm 72. As is the case with the king, so all Israel may experience the faithfulness of Yahweh in His covenant even as they are obedient to Yahweh's mishpat. Note how in Psalm 18 darwen yhwh (verse 22) is parallel to kol mishpatayy (verse 23). The Israelites were Yahweh's children, brought up by him. Their psychic content took its special colouring from the source whence it flowed, and all their mishpat was derived from Yahweh. This applied not only to the holy acts which Yahweh demanded, but also to the feelings of the heart.

1. Porteous, Living the Mystery, pp. 139f.
and all the work of daily life, for all Israelite action was an expression of Israelite mishpat. When the farmer cultivated his soil, sowing the different kinds of corn in the proper way, this too, was the mishpat which his God had taught him (Is. 28:26).\footnote{1}

Support for this emphasis on the ethical response of Israel to Yahweh is seen in the fact that the conditions of admission to the cult are not requirements of a ritual nature but are moral requirements. Adherence to Yahweh's \textit{torah} is the condition of admission, and failure to abide by it means separation from the covenant community.\footnote{2} Weiser is very helpful in his commentary with regard to this issue of the criterion of membership: "To be faithful to the God of the Covenant and to be obedient to his commandments was regarded as the essential criterion of membership of the Yahweh community and of participation in the salvation that went with it; on the other hand, 'defection' (pesa\textsuperscript{c} faithlessness, a concept unknown outside the religion of Yahweh) and disobedience were regarded as the specific sin which destroys the covenantal relationship with God."\footnote{3}

The acts of Yahweh (Heilsgeschichte) lay upon His people the obligation of faithfulness and obedience (Glaubensgeschichte). That this is so is supported by the statements that Yahweh also judges His own people. "Yahweh's claim to the complete surrender

\begin{itemize}
\item Psalms 1; 15; 24:3-6.
\item Weiser, \textit{The Psalms}, p. 48.
\end{itemize}
of the people to him as their one and only God, and the inherent ethical approach of the Yahweh religion, resulted in picturing the just judgment of his coming as a judgment not only of their demonic and historical enemies and of the sinners within Israel, but as judgment of his own people as well. ¹ This is mentioned, for example, in Psalm 50 and in 81:8, 11f. Psalm 95 lays stress on Israel's obligations to Yahweh; other enthronement psalms also contain a strongly ethical emphasis: e.g. Psalms 96:13; 97:10; 99:7.

To sum up, then, part of the meaning of mispāṭ as it applies to Israel is her response in obedient faith to Yahweh's saving acts. Yahweh's action and Israel's response belong together. Israel must reflect back the qualities which Yahweh has shown in His dealings with her.

**Psalm 89**

89:14(15) Righteousness and justice are the foundation of your throne,² Faithfulness and truth go before you.

89:30(31) If his children forsake my law and do not walk according to my judgments.³

Psalm 89 also belongs to the Royal Psalms, where reference

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² Cf. Psalm 97:2
³ Cf. Psalm 119 and the synonymous terms used there.
is made once again to the fact that Israel's king is Yahweh's representative and that therefore his throne is founded on righteousness and justice. Much time could be spent on the interesting question as to whether the situation referred to is historical or cultic but such a discussion does not have direct bearing on the use of the root špît in this particular psalm.

The note of rejoicing is present in Psalm 89; rejoicing not only because of Yahweh's faithfulness but also because of Yahweh's judgment. Mišpāt is, therefore, not something to be feared by those who trust Yahweh. For with Yahweh, judgment and righteousness belong together; they are two sides of the nature of Yahweh who is one. Yahweh has brought order and peace out of chaos and continually gives His blessings through the king to the people. Even when those to whom such promises are given are faithless and therefore experience the dark or shadowed side of Yahweh's mišpāt, still He cannot take away His love for them or be faithless to His own covenant (vv. 33f.). The judgment which they experience can prove to be guidance on the way back to

1. The most common suggestion is that the reference is to the disasters experienced in Israel from the death of Josiah to the destruction of Jerusalem in 587 B.C. This interpretation would mean that the psalm belongs to the exilic or post-exilic period.

2. See Weiser, The Psalms, pp. 591f. Johnson, SKAI, pp. 103f. considers the psalm to be part of a ritual drama in which the king plays an important role. Cf. Mowinckel, who allows for variety of themes in some psalms, (PIW, Vol. I, p. 106), and hints at an historical background for the cultic use of Psalm 89 but in general, not specific, terms (ibid., p. 225).
fellowship in the company of the faithful. Weiser treats this fulfillment in a Christocentric sense which stresses the purposive aspect of Yahweh's *mišpāt*, namely His will "to save". ¹

As in Psalm 2, so in Psalm 89 the past, present and future are inter-related and not completely distinguishable.

D. Hymns

In actual fact, Enthronement Psalms and Royal Psalms are part of the category of psalms known as Hymns but because of their importance in the liturgy of the autumnal festival they are usually classified as special types of Hymns. For this reason and also because the root *špt* occurs in them so often, we have dealt with these two types separately.

The Hymn is essentially a summons to praise Yahweh for His greatness and goodness and exemplifies the joyful character of worship in Israel. We turn now to those psalms in this category in which the root *špt* occurs.

Psalm 19

19:9(10) The fear² of Yahweh is pure, enduring for ever;

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2. Note that Dahood (op. cit., Vol. I, pp. 123f.) provides an interesting variant reading, with support from Ugaritic. He takes the *mem* at the conclusion of verse 8(9) and prefixes it to the first word of verse 9(10) to form the word *mirāt*, "edict"; this of course involves the translation "my eyes" in the preceding verse. Dahood's suggestion is very plausible but the MT does not present a difficulty here for, as Weiser suggests, the Law "also comprises the attitude which man adopts in response to the revelation of God (the 'fear
the ordinances of Yahweh are truth, they are righteous altogether.

In Psalm 19 \textit{mispāṭīm} is used along with other words in a hymn of praise to the Law; the Law is celebrated as the most prominent work of Yahweh's creation which enlightens men.\footnote{Mowinckel, PIW, Vol. II, pp. 113f. Also see the previous discussion of \textit{tôrāh} earlier in this dissertation, pp. 34f.} As was observed in Psalm 18, \textit{mispāṭīm} are the outward expression of Yahweh's \textit{tôrāh}, and the worshiper is exhorted to keep them and rejoice in them. The Law is not a burden but a means of entering into the will of Yahweh.\footnote{G. W. Anderson, PCB, p. 417.} The covenant-God, Yahweh, stands behind His \textit{mispāṭīm}. The emphasis on the personal, as Anderson points out,\footnote{ibid.} is made by the repetition of the name Yahweh to convey the idea of a personal link with Him.

The Law is something to rejoice in; it is like the life-giving sun. To illustrate this point the psalmist has adapted an old Canaanite hymn to the sun.\footnote{Dahood, \textit{op. cit.}, Vol. I, p. 121.} "The thought is clear: in the same way as the sun is the most glorious gift of the Creator to his creatures, as regards their physical and material life -- no life without sun -- thus is the law, with regard to their
spiritual life, the 'wisdom' without which a man can neither lead a worthy life nor enjoy it...For the law of the Lord is not merely statutes, arbitrary regulations, commandments which might have been otherwise: it is a revelation, full of grace, of that fundamental law of all existence which lies in the plan of creation...."1

Psalm 119

In Psalm 119 there are many occurrences of the plural noun מִשְׁפָּטִים, all of them with reference to Yahweh;2 in each case the translation is "ordinances".3 In most instances the psalmist is either declaring that Yahweh's מִשְׁפָּטִים are 'righteous', etc., or else stressing that the faithful are to be obedient to them. The Law of Yahweh is a means of communion with Him and to follow it is to know fulness of life.4 The note of joy which appears in Psalm 119 is also present in Psalm 119.

There are four other occurrences of the root שְׁפַט in Psalm 119 and it is the singular noun מְשִׁפָּת that appears. In three of them

1. Mowinckel, PIW, Vol. I, pp. 90f. He also provides an additional note on Psalm 19 in which he outlines his view that the author of 19b used an earlier, incomplete poem as an introduction to his own hymn about Yahweh's law (PIW, Vol. II, p. 267).

2. The list of occurrences is given on p. 78.

3. Note that the only occurrence of מְשִׁפָּת meaning "ordinance" (i.e. in the singular) is in Psalm 81:9(5) which is classed as a prophetic liturgy. It is clearly associated with one of the great festivals (some commentators say Passover, others say Tabernacles) and its celebration is referred to as an ordinance of God.

(vv. 84, 121, 119) the meaning is "justice"; in the fourth (v. 132) it is "manner" or "custom".

Psalm 36

36:6(7) Thy righteousness is like the high mountains, 1
Thine ordinances 2 are a great deep;
man and beast Thou wilt save, 0 Yahweh!

This psalm declares that in the midst of all the injustice that is going on in the world, Yahweh's mispātim can be depended upon. His mispātim are perpetually in force and are as sure as the waters of the ocean. In contrast to the sin of wicked men, the psalmist praises the righteousness and faithfulness and ordinances of Yahweh.

In the light of Psalm 105:5 where mispātim seems to mean Yahweh's saving acts in history rather than His law, a case can be made for considering that to be the meaning in Psalm 36 as well, especially because the root yāsa 3 also appears in v. 6(7). Because of the similarity in ideas, Psalm 105 will now be

1. This interpretation for v. 119 adopts Buhl's suggestion in BH that the word should be pointed as b̂emispātekā, since there is no yōd in the MT.

2. Although Psalm 36 is not generally classed as a Hymn, it is considered at this point because of its similarity to Psalms 19 and 119.

3. Literally, "the mountains of God". Cf. Psalms 68:15(16) and 80:10(11).

4. Note that many manuscripts include the yōd in mispātim and therefore the plural noun is preferable. The MT points the word as the plural.
discussed.

Psalm 105

105:5 Remember His marvellous works which He has done, His wonders and the ordinances of His mouth.

105:7 He is Yahweh our God; over all the earth are His ordinances.

Israel is called upon to "remember" the mighty acts of Yahweh (cf. Deuteronomy 7:15 and 8:2). The words with which the word 민سطين is associated in Psalm 105:5 indicate that here the 민سطين of Yahweh are regarded as part of the Heilsgeschichte of Israel. The concluding verse of the psalm makes it clear why Israel is to remember them: all of Yahweh's marvellous works and wonders and ordinances (saving acts), as depicted in vv. 12-41, are for the purpose of bringing Israel to a response of obedient faith. The psalm clearly reveals how Yahweh takes the

1. Note that vv. 1-15, along with Psalms 96 and 106:47ff., are quoted in I Chronicles 16:8-22 in relation to the installation of the ark in Jerusalem. Weiser comments that the opening verses show that "the psalm is not to be regarded as a didactic poem but as a cultic hymn of the covenant community." (The Psalms, p. 673). Cf. G. W. Anderson who comments that the psalm is "not simply a factual record of historical events but a selective and interpretive retrospect addressed to the covenant congregation." (PBO, p. 436).

2. Kirkpatrick rightly sees that in this verse 민سطين does not refer only to the ordinances or precepts of the law; but surely he narrows its meaning even more by considering 민سطين to be "the sentence pronounced and executed upon Pharaoh and the Egyptians" (op. cit., p. 616).
initiative: He acts before He expects action in return. He is the Giver before He makes demands for obedience. The Decalogue stresses this same point since its introduction is a statement of what Yahweh did for His people. On the basis of His mighty acts which He did on Israel's behalf, He calls forth obedience to His will. One can see, then, the relationship between the meaning "ordinances" and the meaning "saving acts" in the noun mīṣpāṭīm.

Verse 7 recalls Genesis 18:25 to mind. Yahweh has a special relationship to Israel through the covenant but Yahweh has universal rule. The phrase "over all the earth" points to this fact. This appears to be in contradiction to Psalm 117:19f., and so that psalm will be discussed at this point.

Psalm 117

117:19 He declares His words to Jacob,
His statutes and His ordinances to Israel;
117:20 He has not done thus for every nation,
and His ordinances He has not taught them.

2. Following the k’re, which has support from the Targum.
3. Following the LXX and Syriac; the MT has no suffix.
4. The variant reading of the LXX, Syriac and Targum is adopted here. It places the verb yāda in the Hiphil with the third masculine singular preformative which makes Yahweh the subject of the verb. This is in keeping with the rest of the psalm where Yahweh is always the subject of verbs expressing His action.
Praise Yahweh!

The apparent contradiction between Psalm 105:7 and 147:20 disappears when a closer look is taken at the vocabulary and the context. Yahweh's ordinances are over all the earth and such a statement emphasizes His universal rule; but He has not taught them to ("caused to know") all nations as He has done to Israel.¹ Other nations have not received Yahweh's revelation of His will directly, as Israel has done; Israel is to be a light to the other nations by manifesting the manner of life which Yahweh requires of her and therefore she has a greater accountability to Him.² The God who governs all nations has called out one particular nation to be His covenant people and to them He has given His words, His statutes and His ordinances.

Psalm 33

33:5 He loves righteousness and justice;

the covenant-love³ of Yahweh fills the earth.

Like Psalm 37, this psalm declares that Yahweh loves mīšpāt which He also requires in the life of His people; and yet behind it there is His covenant-love. Here again because mīšpāt is associated with ḥesed, there is the emphasis that the "justice"

¹. Cf. Deuteronomy 4:7f.
³. This phrase is that used by Snaith and gives the best interpretation of ḥesed (DIOT, pp. 94-130).
Yahweh Himself observes and also requires of Israel is directly related to His loving concern and care for His people.¹

Psalm 50

50:6 The heavens declare² His righteousness,
that He is a God of justice.³

This psalm portrays God summoning His own people (v. 4),⁴ even those who are bound to Him by covenant obligations,⁵ for judgment. He calls heaven and earth to appear as His witnesses⁶ that they may testify to the righteousness and justice (cf. Psalm 97:6).

In order to be true to His own nature Yahweh upholds righteousness and justice, even if that means that He must testify against His own people.⁷ He judges them because of their responsibility as covenant-partners which involves response to Yahweh

1. See the comments on Psalm 37, pp. 85f.
2. The LXX considers that the waw is conjunctive rather than consecutive as in the MT.
3. This follows Buhl's suggestion in BH which Kraus (Psalmen, Vol. I, p. 371) also adopts; it does not alter the consonantal text.
6. Weiser rightly observes that the cosmic setting provides a universal and eschatological setting (The Psalms, p. 395). Note also the use of boš in v. 3; cf. Psalms 97 and 98. See also the comments on eschatology in relation to Psalm 1 in this dissertation, pp. 83f.
7. G. W. Anderson points out that Yahweh's reproof in vv. 7ff.
demonstrated in their daily conduct. There is, however, a very positive note sounded even in the midst of warning in vv. 15 and 23: Yahweh's judgment of His people may well lead to their salvation.

Psalm 67^2

67:4(5) Let the nations be glad and sing for joy,
For Thou wilt judge the peoples with uprightness,
and the nations upon earth, Thou wilt lead them.

The comments on Psalm 105 with regard to Yahweh's rule over the nations should be consulted here. Psalm 67 also provides evidence that špî includes the sense of "rule" because in v. 4(5) tišpōt is parallel to tanhêm; the root nhî means "to lead" or "to guide". Psalm 67:4(5) declares that Yahweh's rule is universal in its scope; the nations are called upon to rejoice in His just rule which results in the fruitfulness of the earth.

"resembles some of the great anti-cultic passages in the prophets (Is. 1:10ff.; Jer. 7:21ff.; Am. 5:21ff.; Mic 6:6ff.)." PCB, p. 42h. The implications of the covenant are indicated in the oracles which are uttered by a prophet attached to the sanctuary, during the ceremony of the renewal of the covenant (ibid.).

1. Note that Kirkpatrick relates Psalm 50 to the two main divisions of the Decalogue (The Psalms, p. 276).

2. This psalm was likely used as a hymn at the autumn festival (cf. v. 6) when thanksgiving for harvest as well as the theme of Yahweh's universal rule would be appropriate.

3. See p. 12h.
Psalm 75

75:2(3) When I seize the appointed time,
I will judge uprightly.

75:7(8) For God is Judge;
He puts down one and lifts up another.

This psalm declares that Yahweh's judgment has a two-fold purpose: it spells deliverance for the righteous (v. 10) but disaster for the wicked (vv. 8 and 10). The image of the cup in v. 8 illustrates what the wicked will experience (cf. Psalm 60:3; Isaiah 51:17ff.; Jeremiah 25:15ff.; Ezekiel 23:31ff.).

There is definitely an eschatological tone to verse 7 but not to the degree that Dahood claims, namely that "the oracle speaks of the final judgment when all men will be summoned before the divine tribunal." Surely it is better to regard it, as Anderson does, in a cultic setting in which an eschatological element may be present. In either case, the psalm stresses (as Kraus points out) that the unmistakable reality is that Yahweh is Judge.

Psalm 76

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1. See the discussion of this theme in Psalm 1, pp. 81f.
3. Dahood, op. cit., Vol. II, p. 211. In v. 2 he translates mo'ed as "assembly" by which he supports his claim.
When God arises for judgment,
to deliver all oppressed men of the earth.

The root קֻם, "arise", is significant in its association with יָשָׁר, both of which appear here (cf. also Psalms 7:7; 9:20 and 82:8). Psalm 132:8 clearly shows that the verb קֻם is used with reference to a cultic repetition or liturgical re-enactment of the bringing of the Ark to Jerusalem by David (in this connection, see Numbers 10:35f. and Psalm 68:1). In Psalm 76 the verb קֻם is associated closely with the idea of Yahweh's deliverance or salvation; indeed in v. 9 בֶּקָם לָםְּשָׁפָת is almost equated with לְהוֹשָׁא. Yahweh intervenes as Judge in order to save all those who are oppressed. Once again the idea is expressed that Yahweh's judgment has a very positive purpose, namely, salvation.

Psalms 103 and 116

103:6 Yahweh does righteous acts

1. Cf. Psalm 91:2 where the same thought is expressed but the verb used is nâšā which is used as a synonym for קֻם in Psalm 7:7.


3. On the meaning of the words "needy", "oppressed", etc. see the footnote on p. 111 where Psalm 72 is discussed.

4. Cf. Psalm 7:6,8; because of his own faithfulness the Psalmist is confident that God is on his side and so he takes refuge in God's protection; for him God's judgment is deliverance. Here, again, Yahweh's action as Judge can be interpreted to mean deliverance.
and ordinances\(^1\) for all who are wronged.

\(146:7\) Who does justice for those who are wronged,  
Who gives bread to the hungry;  
Yahweh sets the prisoners free.

Both of these passages express a similar thought, namely, that Yahweh is active (note the use of the verb כָּסָּה) in vindicating and ensuring justice to those who are wronged. Psalm 146 spells out His just action in very practical ways. The use of צָדַּקְתָּּּו and מִסְפָּּת together is indicative of such vindication.\(^2\)

Both of these psalms stress that מִסְפָּּת is a characteristic of Yahweh's action on behalf of His people.

**Psalm 111**

111:7 The works of His hands are truth and justice;  
trustworthy are all His precepts.

This verse is similar to those just considered in that מִסְפָּּת is described as part of Yahweh's action (cf. Deuteronomy

\(1.\) Although there is no manuscript evidence for support, RSV, JB, NEB, and even KJV all prefer to read מִסְפָּּת instead of מִסְפָּּתים, probably because of the similarity to Psalm 146:7. The plural of the MT may be retained, however; the meaning is similar to that of Psalm 105:5 where Yahweh's saving acts are referred to.

\(2.\) J. Gray holds the view that sidָּדָּקְתָּּו יְהוֹה are divine acts of vindication of His people Israel and refers to Judges 5:11; I Samuel 12:7; Micah 6:5; and Daniel 9:16. They are "'right' acts which are 'proper' to and vindicate the nature and purpose of Yahweh revealed to and through his chosen people. They are acts which vindicate his chosen people, but always with reference to the divine purpose for which they are chosen." J. Gray, I. and II Kings, p. 210.
32:4); He can be counted on to be true to His own nature.

Psalm 122

122:5 For there the thrones\(^1\) remain for justice,

the thrones of the house of David.\(^1\)

This verse associates David\(^2\) with the supreme judicial function centred at Jerusalem (cf. Isaiah 16:5). Anderson believes that the reference may be "not only to the judicial functions of the monarchy but to the dispensing of judgment at sanctuaries (cf. Isa. 2:2-4)."\(^3\) Kraus also supports this view and shows how this verse indicates that amphictyonic traditions were preserved on Mount Zion and that the official sanctuary attained the status and dignity of an amphictyonic cultic centre.\(^4\)

Weiser also agrees with this relationship between the judicial authority and the cult in Jerusalem "where the rule of God, the heavenly King, and of his earthly representative is continually

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1. Buhl in BH suggests the deletion of kis\(^3\)\(\sqrt{\text{ot}}\) in the first half of the verse and kis\(^3\)\(\sqrt{\text{ot}}\) i\(\sqrt{\text{bêt daw\(\sqrt{i}\)}}\) in the second half, although there is no manuscript evidence to support the deletion. One can understand his suggestion, however, since it has already been observed that the verb y\(\sqrt{\text{asab}}\) is used in a technical sense for holding court. But such an extensive deletion would make the verse very short and the MT should be retained.

2. Kirkpatrick, (The Psalms, p. 740), feels that the phrase "the thrones of the house of David" indicates that the king appears to have been assisted in his judicial functions by members of the royal family; he cites Jeremiah 21:11f.


4. Kraus, WI, pp. 188f.
established anew on the basis of the order of law and is realized within the framework of the festival cult by means of the divine judgment and salvation.

Psalm 148

148:11 Kings of earth, and all peoples, princes, and all rulers of earth.

Because of the other words associated with the root ūpt in this verse, it is preferable to translate ūptē ḫāres as "rulers of earth". Just as this call to praise Yahweh is given to the heaven and the earth and also to God's covenant people, so it is extended in vv. 11-13 to all mankind, including the rulers of the world of nations. Such a use of ūptēm reveals once again that the idea of "ruling" is contained in the root ūpt.

Psalm 149

149:9 To execute upon them the decision which is written, this is the honour for all His faithful ones.

Praise Yahweh!

It appears that the best setting for this psalm is the symbolic cultic representation of the overthrow of the enemies of Yahweh and of Israel, along with some eschatological elements. It evokes praise to Yahweh whose favour rests upon the members of the cult community and whose judgment will be executed upon the other nations according to the decrees pronounced by Yahweh

1. Weiser, The Psalms, p. 751
and recorded in His book (cf. Isaiah 65:6 and Job 13:26).  

E. Communal Laments

The setting for this category of psalms was some occurrence which threatened the well-being of the nation as a whole, such as famine or the peril of invasion. The people would assemble and plead with Yahweh to deliver the nation from the affliction.

**Psalms 58 and 82**

58:1(2) Do you truly decree what is right, O leaders?
   With equity do you judge the sons of men?

58:11(12) And men will say: "Surely there is fruit for the righteous;
   surely there is a God who judges on earth."

82:1 God has taken his stand in the divine council;
   in the midst of the gods He judges:

82:2 "How long will you judge unjustly
   and respect the persons of the wicked?"

82:3 Judge the weak and the fatherless,
   Maintain the right of the afflicted and needy."

1. The reference to the written decree may also mean the testimony of the law and the prophets concerning the ultimate judgment of the nations. Kirkpatrick allows this possibility and refers to passages such as Deuteronomy 32:41ff.; Isaiah 41:15f.; Micah 4:13. This also is the interpretation adopted by JB.

82:8 Arise, O God, judge the earth, for Thou shalt take possession of all the nations.

Psalms 58 and 82 will be dealt with together for they have similarities in theme and vocabulary. There is considerable difference of opinion as to the identity of the persons addressed in Psalm 58 (i.e. whether earthly rulers or divine beings) and since the main point in the psalm is that the persons addressed have not properly fulfilled their office as judges, it is necessary to discuss this issue.

The word pointed יִלַּם in the MT of Psalm 58:2 poses a difficulty for translation and interpretation. The pointing in the MT suggests the word to be "silence"; but it is difficult to adopt this meaning from the context unless the note of sarcasm is present to indicate that the judges are silent in decreeing righteousness, i.e. they are neglecting their office. The LXX and Syriac treat יִלַּם as the adverb "but", apparently to strengthen יָמְנָה, "indeed", which is the first adverb in the line. That permits a rather abrupt opening to the Psalm. Buhl, in his own footnote in BH (and there are several exegetes who treat the word in the same way), considers the word to be יֵלַם, which can be either the plural of יֶלַם meaning "leaders" or a defective

1. See comments on Psalm 76 p. 130.

2. Our translation indicates this interpretation has been adopted. Buhl does not indicate which meaning he favours for יֵלַם.
meaning "gods" as in Psalm 82:1.¹

It does appear that Psalm 82 depicts a heavenly court scene in which Yahweh is rebuking the "gods" who are subordinate to Him; the gods have not been judging men justly but have been showing partiality to the wicked. In Psalm 82 the author has borrowed from near eastern mythology with its polytheistic outlook.² Yet the Old Testament emphasis on monotheism³ clearly

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1. Some scholars use Psalm 82 to support their view that the reference in Psalm 58:2 is to "divine" judges. E.g. Mowinckel, PIW, Vol. I, pp. 148f.; Anderson, PCE, p. 425; Johnson, SKAT, pp. 89f.

2. Cf. H. Ringgren, The Faith of the Psalmists, p. 115. In this connection, it is wise to observe, as Rowley does, that although Israel borrowed from her neighbours she baptized what she borrowed: "It is undeniable that Israel borrowed much from her neighbours. Yet it is unnecessary to make her a mere sponge that soaked up what ever came from her neighbours. Israel could never have exercised that enduring influence on the world which she has exercised if that had been so. There was that in her own heritage from the time of Moses which she did not derive from others, and it enabled her to borrow and to convert into the vehicle of her own faith that which she borrowed. To see Israel as wholly unique and to be set over against her neighbours is wrong; but it is equally wrong to read into the life and faith of Israel what we find only in her neighbours and what is without clear trace in the Old Testament." (Rowley, WAI, p. 184.) Cf. also Kraus, WI, pp. 21f.

3. For an excellent, though brief, discussion of monotheism versus polytheism in the Old Testament, see G. E. Wright, The Old Testament Against Its Environment, pp. 31-40. He accepts the interpretation that Psalm 82 refers to a divine council of subordinate gods but he points out that the psalmist is stressing Yahweh's supreme power which devalues all other powers. Cf. other references in the Old Testament to a heavenly gathering over which the Lord presides (Psalms 29:1; 103:20-21; 148:2; I Kings 22:19-22; Job 1:6-12; 2:1-6; Daniel 7:9-10; 10:13, 20f.) and those references where His supremacy over all gods is stressed.
shines through in both of these psalms. Both Psalm 82, with its emphasis on the one God who rebukes the subordinate gods, and Psalm 58, with its prayer to the one God who expects and will exercise justice on the earth, show how the Old Testament concept of the one God takes supremacy. Weiser sees the cult as the locus where this development took place.¹

We must now return to our discussion of the interpretation of יַוָּ֛ך in Psalm 58:2. It is interesting to note that RSV, while using the translation "gods", provides a footnote to indicate that the word can also mean "mighty lords"; this reveals that some of the scholars working on the text of RSV considered the translation of this word to be the same as ours. NEB also translates the word as "rulers", giving the alternative translation, "gods", in a footnote.

In BDB², the observation is made that יַוָּך, in Psalm 58 could possibly be a defective writing of יַוָּך, meaning "leaders" in a

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¹ A Weiser, The Psalms, p. 430.
metaphorical sense, since it derives from the root "ayil, "ram", i.e. as a leader of the flock. Supporting texts elsewhere in the Old Testament where this word is used to mean "leaders" of the people are Exodus 15:15; Ezekiel 17:13; 32:21; and II Kings 24:15 (in the kere). Buttenwieser is helpful here; to these texts (excluding II Kings 24:15) he adds Ezekiel 31:11 and Job 41:17, commenting that in three of them "el is spelled without yod.\(^1\) Dahood also adopts this view and lends support for it from Ugaritic literature.\(^2\) Kirkpatrick also interprets the persons addressed in Psalm 58 to be earthly rulers who have acted unjustly in their capacity as representatives of God, the supreme Judge.\(^3\) The translators of the JB, also support "earthly rulers" as the translation, although they consider "lm to be the word "lôm, "gods", used as a term for earthly judges.\(^4\)

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4. On this interpretation cf. Kirkpatrick, *The Psalms*, p. 495 who claims that "lôm is used to indicate human judges elsewhere; e.g. Exodus 21:6; 22:8-9; I Samuel 2:25; human judges bear this lofty title because of their delegated power from Yahweh. BDB lends support to this translation for these texts: "rulers, judges, either as divine representa¬
tives at sacred places or as reflecting divine majesty and
There is sufficient evidence, then, to support the view that Psalm 58 is referring to human leaders who have not fulfilled their responsibility of judging with righteousness. The reference to leaders is likely more encompassing than to include only Israel, since Yahweh is the Judge of the earth and all nations (Psalms 58:12 and 82:9). To point up the contrast, Psalm 58:12 places the spotlight on Yahweh the righteous Judge, who unlike the unjust judges will judge the earth with equity and see that the righteous receive their due reward.

Some exegetes consider that Psalm 82, like Psalm 58, refers

power." (p. 143) Cf. also Briggs, The Book of Psalms, Vol. II, p. 215. The New Testament in John 10:34 appears to interpret הָוהי as human rulers or judges. Some exegetes are against this interpretation for Exodus 21:6 etc. and consider that הָוהי in such passages means "God"; e.g. Buttenwieser, The Psalms, p. 769 and W. S. McCullough, Interpreter's Bible, Vol. IV, p. 444. Actually there is considerable literature on the interpretation of הוהי in Exodus 21:6. Among those favouring the meaning "God" (as well as Buttenwieser and McCullough) are de Vaux (AI, p. 157) and F. C. Fensham (New light on Exodus 21:6 and 22:7 from the Laws of Eshnumna", JBL, LXXVIII (1959), pp. 160f.). KJV interprets the meaning to be human judges (cf. Kirkpatrick, already referred to). Gordon ("A Second Law in its reputed meaning of 'Rulers', 'Judges'”, JBL, LIV (1935), pp. 139-141) and Pedersen (Israel, Vol. III-IV, p. 500) prefer to consider הוהי to be a reference to household gods, but few scholars agree with this interpretation. Whether the reference is to God or human judges, there is not much doubt that the judicial process is envisaged and is closely linked with God (see Morris, op. cit., pp. 33f.).

1. Scholars cannot be dogmatic on behalf of either position. Although I agree with G. S. Gunn's interpretation, I do not share his dogmatic claims that Psalm 58 'clearly' indicates the meaning of human rulers. (G. S. Gunn, God in the Psalms, p. 97).
only to earthly rulers. Most, however, view it, as we have already seen, in the light of near eastern mythology and interpret it to mean that Yahweh is rebuking the gods for their injustice on earth. "The judicial function of the lower deities in heaven has its origin in the root-idea of the celestial archetype or counterpart of the things that happen on earth, an idea that is widespread in the history of religions, and it seems to have penetrated the Old Testament theology of the cultus in order to provide an answer to the question of how the injustice prevailing on earth can be reconciled with belief in the reality of the righteous God." The Old Testament emphasis on the one God, whose power devalues all other powers and whose concern for justice in the earth is stressed in Israel's worship, shines out from both of these Psalms 58 and 82.

Psalm 106

106:3 Happy are they who keep justice, who do righteousness at all times!


2. Note that Dahood is among the scholars who treat Psalm 82 as referring to pagan gods and Psalm 58 as referring to human rulers (The Psalms, Vol. II, p. 268). It is this view to which I subscribe.


5. The plural participle here; see Buhl's footnote in BH.
Psalm 106 alludes to the response which Yahweh expects to His mighty deeds on behalf of Israel. Yahweh’s action in history (Heilageschichte) is referred to in V. 2 and then follows, in v. 3, what is really an exhortation to respond to His saving action by “keeping mispăṭ and doing seḏākāh” (Glaubensgeschichte).1

The comments about Israel in vv. 6ff. do not depict an inspiring scene, however, for they refer to the fact that Israel was continually ungrateful to Yahweh and was repeatedly turning her back on Him. Yet, just as repeatedly, Yahweh delivered Israel and did not retreat from His covenant with her.2

The point in the opening portion of the psalm is, however, that Yahweh expects Israel to respond to His saving action by living according to His standards of justice and righteousness; and those who do so live are blessed.

Psalms 9 and 103

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2. Anderson draws attention to the fact that the interpretation of Israel’s history in this psalm resembles that of the Book of Judges and it is quite possible that the psalmist is referring to that period in Israel’s history (PCB, pp. 436f.).

3. It is best to consider these two psalms as one; they are combined in four Hebrew manuscripts, the LXX and the Vulgate. For a discussion of the reasons why this is so, see G. W. Anderson, PCB, p. 411f; also Weiser, The Psalms, pp. 410f. They are included in the category of communal laments in which elements of thanksgiving appear; the people, through the mouth of a leader, pray for deliverance from foreign enemies (See Anderson, PCB, p. 415).
9:4(5) For Thou hast maintained my justice and my cause,
Thou hast sat on the throne judging righteously.

9:7(8) But Yahweh will sit enthroned for ever,
establishing His throne for justice.

9:8(9) And it is He who will judge the world with righteousness,
He will judge the peoples with uprightness.

9:16(17) The Lord has made Himself known;
He has done justice;
By the work of his own hand the wicked man is snared.

9:19(20) Arise,¹ Yahweh, let not man prevail;
let the nations stand trial in Thy presence.

10:5 His ways prosper² at all times;
Thine ordinances are far from his notice;
he blows upon all his enemies.

10:18 To judge the fatherless and the oppressed,
so that earthly man may not cause terror again.

The themes which are associated with the root āṣṭ in Psalms 9 and 10 occur often in the Psalter; some of them have been considered previously, and others will be discussed as more passages are taken into account. The themes are these: a) Yahweh's personal concern for the just man is emphasized; b) Yahweh is the

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2. Most translations follow Buhl's suggestion in BH which is adopted here; the MT is difficult.
Ruler and Judge who acts righteously and His just rule will abide for ever; c) the scope of Yahweh's judgment is universal, bringing all nations and peoples within it; d) Yahweh's nature is revealed in the fact that He is a God who "does" justice; e) the just sentence upon the wicked is the result of his own deeds wherein he does not live by the ordinances or revealed will of Yahweh; f) the psalmist calls upon Yahweh to take action, especially upon those who show no loyalty to Him and yet whose ways appear to prosper; g) Yahweh is called upon to defend the cause of the oppressed in order that the terror of earthly men may be removed.

Psalm 94

94:2 Rise up, O Judge of the earth; render recompense upon those who are proud.

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1. Kraus (Psalmen, Vol. I, p. 80) stresses the cultic elements which appear in Psalm 9 and which speak of Yahweh's enthronement as King over the whole earth. Weiser (The Psalms, p. 153) also refers to the cultic context: the worshiper knows from experience in worship that Yahweh is the protector of the oppressed and therefore the power of the wicked will be broken when God takes action to do justice.


3. Psalm 94 may be classed as a communal lament, although there are elements of the individual lament present as well. Anderson treats the psalm as comprising both a national and an individual lament but, because the situation of the afflicted individual resembles that of the afflicted community, the psalm may be considered as a unity (PCB, p. 433).
94:15 For unto righteousness judgment will return, and after it all the upright in heart.

Little attention need be given to this psalm since the theme of v. 2 has already been discussed. V. 15 should not be restricted to an eschatological setting as Dahood maintains, although an eschatological element may be present. Rather a cultic setting seems preferable: because the psalmist has experienced the epiphany of Yahweh in the sanctuary he is confident that Yahweh will act (vv. 14, 18, 22) to see that the administration of justice will again be conducted upon principles of equity so that wicked rulers will no longer condemn the innocent falsely (v. 21).

F. Individual Laments

The individual lament is that type of psalm, so common in the Psalter, in which the worshiper pleads with Yahweh to save him from some affliction, be it illness or the attack of some enemy or enemies. The psalm may include a confession of sin or a profession of innocence and often passes over to the theme of thanksgiving for the help that is received.

1. Symmachus and the Syriac version support the adjective ֶסֶדֶק ("righteous"), but the MT is retained in the translation above.


3. There is the difficult question as to who exactly are the enemies referred to. See Johnson, OTMS, pp. 172, 197ff.; also Anderson, PCB, pp. 41ff. Probably it is best to see a variety of interpretations, depending on which psalm is being considered.
Psalm 7

7:6(7) Arise, Yahweh, in Thine anger;
Lift up Thyself at the fury of my adversaries,
and awake, my God!
Thou hast commanded justice.

7:8(9) Yahweh judges the peoples.
Judge me, Yahweh, according to my righteousness
and according to my integrity that is in me.

7:11(12) God is a righteous Judge
And a God who has indignation every day.

Difficulties are encountered when one attempts to translate Psalm 7:12. The MT implies that one way in which Yahweh reveals Himself as a righteous Judge is by showing indignation. The LXX includes the negative particle and thereby gives the opposite interpretation, i.e., that God does not express His anger every day. The LXX, however, adds the adjective μακρόθυμος, "patient", and translates בֶּל by the adjective ἰσχυρός, "strong", thus making the verse to read: "God is a righteous Judge, strong and patient, who does not show anger every day." Weiser follows neither the MT nor the LXX and suggests an emendation so that the phrase reads, "a God who is angry with the wicked."^2

1. Because of their importance, the textual difficulties in the three verses which are translated from this psalm are discussed in the body of the dissertation instead of in footnotes.

2. Weiser, The Psalms, pp. 134f. Weiser emends the text by substituting בּקָסִילֵים for בְּקָוֹל יָוֶם. Note that the KJV adds the words "with the wicked" but retains the phrase "every day".
It can be argued, however, that the verses which follow verse 12 support the MT since Yahweh's treatment of those who are unrepentant indicates that indeed He does show His indignation every day. Kraus follows this interpretation and translates the MT as "a God of daily punishment".\(^1\) In other words, the psalmist is declaring that because Yahweh is a righteous Judge He must express indignation in such terms; the phrase "in Thine anger" in v. 7 certainly supports the MT of v. 12.

This passage has been considered in detail because the interpretation which we have adopted supports the view that Yahweh's judgment means help for those who are loyal to the covenant but disaster for those who are not. The latter part of the psalm, vv. 13-17, indicates that disloyalty or sin passes judgment on itself: "man's oppressive power, violence (see the image of the warrior in vv. 12f.) and cunning (see the image of hunting with a wooden trap in v. 15) recoil upon the head of those who think that they can use these forces to their own advantage and according to their own discretion and choice."\(^2\) Other passages in the Psalter declare the same thought: Psalms 9:15f.; 35:8; 37:14ff.

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1. Kraus, Psalmen, Vol. I, p. 53. Cf. also Kirkpatrick, The Psalms, p. 34. Buttenwieser also follows the MT and considers zo'\(\text{em}\) to be a 'potential participle' (Buttenwieser, The Psalms, p. 418). "This function may be briefly defined as the use of the participle to denote not the occurrence of the action as such but the disposition of, or the tendency of the subject toward, or its qualification for, the action" (ibid., p. 401).

There is another textual difficulty in Psalm 7:12: is šadık an adjective modifying ṣōpēt or is it a substantive in the accusative following the participle? Kraus chooses the latter\(^1\); but in v. 10 šadık is an adjective modifying ṣēlōhîm, so it is preferable to retain that rendering for v. 12 as well. The emphasis is that Yahweh judges with righteousness and His indignation is revealed on those who themselves have chosen to disregard His ways; the judgment which they bring upon themselves no longer is deliverance like it is for those who are loyal to Yahweh's covenant. Yahweh has "commanded justice" (v. 7) and when the psalmist knows that Yahweh's commands are ignored in that he is being treated unjustly then he does not hesitate to call upon Yahweh to act. The verbs "arise"\(^2\), "lift up" and "awake" certainly suggest that the request is for action. The psalmist knows that such a request will be granted, for Yahweh is a "righteous Judge" who has "commanded justice".

In Psalm 7 the particular is indicative of the universal dimension of this truth. The psalmist calls upon the Lord of the whole world who is the one who passes judgment on the nations (vv. 7f.). He feels that the struggle for his own right in this particular instance is at the same time related to the struggle for right in a universal and ultimate sense. He has proved that

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2. See the discussion of this verb on p. 130.
God is his advocate, the protector of righteousness in his own case; this is but an example of how Yahweh judges the world.

Because the root sdk appears twice in Psalm 7 in close association with the root špt, consideration to their relationship will be given here.¹ That they do appear together often supports the view already discussed that the meaning of judgment in the Psalter (indeed in the whole Old Testament) very definitely contains a positive and ethical element.

The psalmist's request for Yahweh to vindicate him is often supported by the declaration of the psalmist's own integrity or righteousness. This is the case in Psalm 7:9 (cf. Psalms 17:1,2 and 119:121); on the basis of his faithfulness within the covenant the psalmist is asking that he might receive Yahweh's mispāt so that he might be delivered from the false accusations of the ungodly.

More frequently, however, the root sdk is associated with the root špt when the reference is to Yahweh. Yahweh is the Judge (šōpēt) who is righteous or whose ordinances (mispātām) are righteous: Psalms 33:5; 89:15; 99:4; 119:7,62,106,160. Or the psalmist declares that Yahweh judges with righteousness: Psalms 9:9; 72:2; 96:13. These many references make it abundantly clear that Yahweh's judgment is highly ethical in its

¹. See the discussion of the root sdk as a word with related meanings on pp. 31ff.
intention and execution.\(^1\)

**Psalms 17, 26, 35 and 43**

The passages\(^2\) where the root ṣḥt occurs in these psalms are not translated since they are so similar in content to the passages in Psalm 7 already discussed.

Psalm 26:1 is the expression of an individual requesting Yahweh to show that he is in the right as over against wicked men.\(^3\) Psalms 17:2; 35:24; and 43:1 also contain a prayer in the customary fashion that God will take up the psalmist's just cause and will vindicate him by delivering him from the hand of the ungodly and deceitful evildoers. Once again it can be observed that the root ṣḥt includes the meaning of vindication, in the sense of deliverance (cf. Isaiah 33:22).

**Psalms 25**

25:9 He will lead those who are humble in justice;

and He will teach those who are humble, His way.

There are two emphases made here which have been noted before. There is the personal guidance of Yahweh shown to those who are humble; and the guidance which He gives will be in terms

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1. Some other passages where the two roots are associated are Psalms 36:7; 37:6; 48:11f.; 72:1; 103:6; 106:3.

2. The passages are: Psalms 17:2; 26:1; 35:23f.; and 43:1.

3. Cf. Briggs, The Book of Psalms, Vol. I, p. 231: "The context shows that the Psalmist was assured of his integrity, and all that was needed was divine recognition and acceptance in worship."
of that style of life (mispāṭ) which He desires that they should follow.

**Psalm 51**

51:4(6) Against Thee, Thee only, I have sinned, and what is evil in Thine eyes I have done; and so Thou wilt be righteous in Thy words, Thou wilt be innocent in Thy judgment.

This individual lament indicates the depth of penitence for sin on the part of the psalmist; he appeals directly to God for forgiveness and for restoration of communion with Him. The psalmist is aware of the seriousness of sin and so the judgment of Yahweh is justified. The remainder of the Psalm, especially vv. 10-14, indicate that the psalmist takes confidence in the fact that Yahweh's judgment will lead to his deliverance, for Yahweh's purpose in judgment is to restore the sinner to fellowship.

**Psalm 109**

109:7 When he is tried, he will come forth guilty, and his prayer will become sin.

109:31 For He will stand at the right of the needy,

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1. Dahood (op. cit., Vol. II, p. 4) comments that here ًلماًمان expresses consequence rather than purpose. Cf. Amos 2:7 and Proverbs 2:20. Buttenwieser also adopts this interpretation and refers to Hosea 8:11 (The Psalms, p. 193). Kirkpatrick (The Psalms, pp. 280f.) considers that it is a purpose clause and the meaning is that man's sin brings into a clearer light the justice and holiness of God.
to save him from those who would condemn him to death.

It seems best to follow Weiser and Anderson and interpret the imprecations in vv. 6-19 as utterances of the wicked against the psalmist. V. 7 then is a "word of hate" spoken by the wicked man whose desire is that the psalmist should be proved guilty when tried. V. 31 then becomes the psalmist's declaration that Yahweh is on his side and will deliver him from the wicked men who would decide against him to bring his life to an end.

Psalm 110

110:12(13) I know that Yahweh maintains the cause of the oppressed,

the justice of those who are needy.

There are indications in Psalm 110 to suggest that the psalmist has in mind the elimination of the wicked from the cult community and the confirmation of the righteous as part of it (cf. Psalm 1). On the one hand, the divine judgment spells disaster for the wicked: "he will not be established in the land" (v. 11). On the other hand, the righteous share in the worship of the cult community and dwell in Yahweh's presence.


3. The context in which ḫophō occurs indicates that the decision made by the psalmist's adversaries is obviously not in his favour. Thus the word "condemn" seems to be the best translation in this instance.
(v. 13). And so, in v. 12, the psalmist declares his confidence in Yahweh and knows that He will maintain his cause and see that justice is done for the needy ones of His people.

Psalm 114

114:6 Their judges were cast down into the hands of the rock; and they will hear my words, that they are pleasant.

The Hebrew text for v. 6 is not difficult to translate but difficult to interpret within its context. There are no variant readings; e.g. the LXX is the same as the MT at this point. The NEB follows the Hebrew but paraphrases it thus: "They shall founder on the rock of justice and shall learn how acceptable my words are." The JB also retains the Hebrew text and translates: "When their judges are flung on the jagged rock, they will learn how mild my words have been"; in a footnote the suggestion is made that the word sela may indicate God the Rock who crushes the wicked. The RSV substitutes something altogether different but offers no explanation of why it is adopted. Weiser does not even include vv. 6f. in his commentary, except by way of a footnote where he gives the literal translation of the Hebrew.¹

Kirkpatrick acknowledges that the passage is difficult to interpret within its context but offers a commentary that enables one to accept the Hebrew text as it is. The pronoun 'their' (in sop tohem) must refer to the 'workers of iniquity' mentioned

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¹ Weiser, The Psalms, p. 811.
in v. 4; when their judges have met with the fate that they deserve, their followers will welcome the psalmist's advice. The reference is likely to the corrupt judges by whose help the rich and powerful procured the condemnation of the poor.¹

Psalm 143

143:2 Do not enter into a trial with thy servant, for no one living will be righteous before Thee.

The psalmist first expresses his desire that Yahweh should not decide his case for he knows that no man alive can live up to the righteous demand of Yahweh. And yet it is the very righteousness of Yahweh in which he places his hope for help (v. 1); for within Yahweh's righteousness there is mercy. In this case he does not even make a profession of innocence but places his whole confidence in Yahweh's covenant-love (v. 8).

Summary:

The passages where the root špt occurs in the Psalter have been considered in detail so that the biblical text might speak for itself. This has shown that the meaning within the root špt is centered around the theme of Yahweh as Judge who rules and loves His covenant people, calling forth from them a response of obedience, and whose rule also extends to the whole world. A summary of what this study has revealed concerning the meaning of the root špt in the Psalter will be given in the concluding chapter.

VI

DIVINE JUSTICE IN RELATION TO THE COVENANT
AND THE PRAYERS OF THE FALSELY ACCUSED

Throughout the preceding chapters it has been noted several times that the dispensing of Yahweh's justice is very closely related to His epiphany in the Temple, especially on the occasion of the Autumn Festival when His coming as king in the midst of Israel was celebrated and when the giving of the covenant at Sinai was re-enacted with the emphasis on obedience to Yahweh's commandments. Now that the psalms in which the root ἁπτ appears have been discussed in detail, it will be helpful to examine more closely the theme of divine justice within the covenant.

It has been observed already that Yahweh's justice was closely associated with His presence in Israel, celebrated particularly in the cultic festivals; His presence was especially revealed at the renewal of the covenant also re-enacted in worship. It follows, then, that divine justice had a close association with the covenant which involved obedience on the part of the Israelite worshiper. Such obedience was to be demonstrated not only through the observance of the cultic festivals but also in his social relationships in his everyday living.

In our discussion so far it has become apparent that Yahweh's justice has a relevance to the Israelite's daily life. Judgment of the nations is certainly evident and yet the theme of vindication of an individual who seeks to be faithful to Yahweh is
also present in the Psalms. The latter theme is especially evident in those psalms which may be referred to as the prayers of the falsely accused. Consideration will be given to them in this chapter as well; this will assist in showing that the psalmists' appeal to divine justice had a practical relevance and also fairly clear content.

A. Divine Justice Within the Covenant

In an earlier chapter it was noted that the views of Mowinckel and Weiser about the Autumn Festival are not really so far apart; the main difference is one of terminology or where each lays the emphasis. Mowinckel does, after all, refer to the renewal of the covenant as an essential part of the Autumn Festival; and Weiser certainly does not eliminate the theme of Yahweh's appearing as King and Judge from the Autumn Festival.²

The covenant concept was of great importance in Israel's life. By means of the Covenant, Israel had become the people of

1. See p. 89.

2. Weiser's criticism of Mowinckel is not that the theme of the enthronement of Yahweh appears in the psalms (one cannot dispute that!) but that he assigns the psalms with such content to a separate cultic festival (op. cit., p. 62). Mowinckel, however, in PIW (see, for example, Vol. I, pp. 155ff.) makes clear that the renewing of the covenant and the theme of Yahweh's enthronement are part of the same festival of enthronement. This reveals that the main difference between these two scholars is one of terminology and emphasis. Mowinckel prefers to call the Autumn Festival an 'Enthronement Festival' (in which the idea of a renewal of the covenant would be a leading thought); Weiser uses the name 'Covenant Festival' (of which the enthronement of Yahweh is most certainly a portion).
Yahweh and her cultic celebrations, especially the Autumn Festival, helped her towards a right understanding of Yahweh's relationship to her.¹ It was a relationship in which the element of obligation was very definitely present. If Israel is to experience Yahweh's divine justice, then she must be faithful in obedience to the commandments. Such obedience involves a manner of life which exhibits justice in everyday dealings in personal and social situations.

D. R. Hillers², in his review of covenant studies, has clearly shown the importance which this idea had in the worship and life of the Israelites. The foundations of their history as a people of Yahweh were laid by Yahweh's sheer grace, in His delivering them out of Egypt and in establishing His covenant with them. It is not surprising then that when they re-enacted His epiphany it was with an emphasis on the renewal of the Sinai covenant; when they appealed to His divine justice, it was a justice related directly to the covenant between Israel and Yahweh.

Since it is Weiser who lays the emphasis on the renewal of the Sinai Covenant as the main content of the festival when the theme of divine justice was so much in the picture, we shall review his discussion of the subject which is most helpful in

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showing the relation of divine justice to the covenant. His commentary on Psalm 50 as well as his introductory remarks will be evident in the discussion which follows.

It has already been observed that Psalm 50 refers to the judgment which Yahweh will exercise on His own people because of their responsibility as covenant-partners. This shows how His divine justice is closely associated with the covenant which Yahweh made with His people at Sinai, which covenant was renewed in the Autumn Festival. Yahweh summons His own people, who are bound to Him by covenant obligations, for judgment (v. 6), which may very well lead to their salvation (v. 23).

The emphasis in the cult was not ritualism; the ritual was observed in order to stress the inwardness of man's response to Yahweh and the obedience to Yahweh's commandments that He

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2. Ibid., pp. 35-52.
3. See pp. 127f. The root יַֽנְּפִּית occurs in Psalms 50 and in several of the other psalms which will be discussed in this section.
4. Clements has a significant comment on this subject. "The sanctuaries and festivals were not only means whereby men found access to God, but they were also the organs for communicating a right knowledge of God to men. The personal piety of each Israelite was very much molded by the attitudes and traditions fostered by the corporate worship of the sanctuaries. In fact it is misleading to make a sharp contrast in early Israel between corporate and personal piety, since the public worship guided and stimulated individual devotion, and certainly it would be wrong to suppose that the cult was only interested in performing certain ceremonies without regarding the individual's response to them." (Prophecy and Covenant, p. 87).
expected from His people. Because Yahweh has acted for His people, He now comes to sit in judgment on His own people, to judge them in relation to their response to the covenant which required obedience to His commandments. Because they are under a special obligation to Him as a result of the covenant, He can call His people to account.

Yahweh's coming to Israel in judgment, in His epiphany at the Autumn Festival, is a representation of the Sinai theophany. That theophany became a central act of the covenant, since the presence of Yahweh and His appearing among His people at Sinai was closely associated with His making a covenant with them. This theophany continued to be repeated in Israel's cultic life, for the God of Mount Sinai was also the Holy One in the midst of Israel.¹ "The covenant festival, in which Israel confessed anew its faith in Yahweh who had brought them out of Egypt, was an occasion when Yahweh's very presence was revealed in their midst. This did not preclude the belief in Yahweh's presence at other times, and in less dramatic ways, but it pointed unequivocally to a particular situation in which their God appeared to them. The basis of Israel was not to be found merely in a record of past history, but in a continued experience of the divine presence to which that history bore testimony. The God of Israel was not far off on a distant pilgrimage site, but

present in the united worship of his people.\(^1\)

Yahweh's coming as Judge to dispense divine justice in the midst of Israel was an important feature of the Covenant Festival because His coming was considered a re-enactment of His coming to His people on Mount Sinai where the covenant was made. Clements discusses this theme of Yahweh's presence in worship in considerable detail\(^2\) and argues forcefully that Yahweh was truly present when His people repledged their loyalty to Him because of His faithfulness in the covenant which He made with them at Sinai.

Psalm 50 illustrates the fact that in Israel's worship there was occasion for the Decalogue to be proclaimed or at least reference made to the Ten Commandments given at Sinai. The words in V. 7, 'I am the Lord, your God', indicate that the decalogue had an important part in the re-enactment of the theophany at Sinai.\(^3\)

In Psalms, Yahweh is often called upon to intervene on the psalmist's behalf on the basis of Yahweh's saving action in redeeming Israel out of Egypt; this calls to mind the prologue or preamble to the Decalogue in Exodus 20:2.

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3. Cf. Exodus 20:5; also Psalm 17:14 where punishment on the next generation is referred to.
Yahweh expects, from Israel, obedience to the commandments, not just her recital of the commandments and a mere ritualism in re-enacting the covenant. Psalm 50:16-21 makes clear that the statement 'I am the Lord, your God' implies that Yahweh is making a special claim on man's moral life. If man expects divine justice from Yahweh, then he must be faithful in keeping the commandments relating to the Sinai Covenant. If the people do not honour Yahweh in their everyday deeds, then the promise of salvation, which only those who serve Yahweh may hope for, will not apply to them and there will be none to deliver. Instead, Yahweh's coming in judgment will mean destruction of the evil powers among His people.¹

Mowinckel examines Psalms 81, 95, and 99 in relationship to Psalm 50 because they also make reference to the commandments and laws given by Yahweh at Sinai. Psalm 81:10 makes use of the 'formula of epiphany' which refers to the traditions of the Exodus and of Sinai: 'For I am the Lord, your God, who brought you up out of the land of Egypt'. The recital of the decalogue reveals how the covenant obligations entered into the festival of the renewal of the covenant. "The announcement of Yahweh's epiphany in order to renew the covenant would lead to an emphasis on, and enforcement of, the fundamental commandments on which the covenant rested. In Pss. 95 and 81 we find just this pre-

sentation and enforcement. 'Today', Yahweh again admonishes his people, warning them to hear his voice (95.7) - 'today', on the day when the covenant is renewed and the commandments announced, as they were at Sinai. 1

It should also be noted that traces of the Decalogue appear in Psalm 15. 2 Man's behaviour towards his neighbour is strongly emphasized, as is the case in the Decalogue. Indeed, in Psalm 15 Yahweh's ethical requirements are given prominence. In a song designed for the cultus, obedience to the covenant is lifted up and no mention is made of cultic rites such as sacrifices. There is an inwardness to faith that is reflected in the outwardness of ethical conduct. The worship of Yahweh must be accompanied by moral conduct in everyday life.

There is a similarity between Psalm 15 and 24:3-6. Here, again, there is a strong emphasis on moral conduct in the life of an Israelite who is faithful to Yahweh's covenant; attention is also drawn to the upright character of the person and to the motive which should inspire him to right actions. In other words, acceptable worship hinges a great deal on ethical living. Like Psalm 15, the passage 24:3-6 is a liturgy designed to be used at the entry of those who visit the Temple. These verses

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2. Mowinckel, ibid., p. 158 refers to Psalm 15, where the number of the commandments which make up the "conditions of admission" to the Temple are precisely ten.
answer the question of who can gain admission to the celebration of the cult in the Temple. They strongly suggest the great responsibility that is laid upon the faithful worshiper to be obedient to Yahweh's ethical requirements and to be a particular kind of person. If the worshiper is to experience the blessing of Yahweh and receive divine justice, there is laid on him the necessity of faithful obedience to Yahweh's covenant.

The Israelite was confident that Yahweh's blessing, salvation and help were what real life was all about. Yahweh's insistence on covenantal obedience was not considered a burden but a manner of life, the following of which would bring joy and peace. It is not surprising, then, to find that in Israel's worship there was occasion for the Decalogue to be proclaimed or at least for allusion to be made to it. ¹

If Clements' view, that the law-tablets of the covenant were kept in the 'ark' in the early period, is correct,² this would support the view that the decalogue played an important role in the renewal of the covenant. When the ark was carried in procession at cultic festivals the enthronement songs would

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1. Psalms 15 and 24 are examples of this, in which the worshiper is reminded of the qualities of character and conduct required of those who would enter the Temple. See Rowley WAI, p. 180, also p. 53; and cf. Mowinckel, PIW, Vol. I, pp. 178ff.

2. See his discussion of the ark and its significance in God and Temple, pp. 28-35. Not all scholars would agree with Clements on this point; the view that is generally held is that the earliest reference to the ark as a container for the tables of the Law is in Deuteronomy.
be sung, drawing attention to the fact that Yahweh is the God who remembers His covenant and will deliver His people by means of divine justice. The presence of the ark helped to draw together both cult and covenant; it symbolized their affinity at a spiritual level.  

It is readily seen, from these observations, that the Covenant Festival had what might be called a twofold purpose: one, to evoke praise to Yahweh from the worshiper; and two, to remind the worshiper of the covenantal obedience to Yahweh's commandments in daily life, which was his special obligation as a member of the covenant community. The Festival included reference to what Yahweh had done in history; now He came to renew the covenant He had once made at Sinai. This coming, this 'epiphany', was united with the idea of mishpat or covenant justice by which Yahweh was saviour and protector of those keeping the covenant and by which He purged the cult community of the ungodly elements. Covenant justice meant either salvation or disaster according to whether the worshiper was faithful or faithless to the covenant. The unfaithful and disobedient themselves destroy their covenantal relationship with Yahweh. Yahweh desires to give His blessings to the people, to give His divine justice, but His blessings are not bestowed when His people break the covenant (Psalms 95:8; 81:8,11). Nor does keeping the covenant mean

only loyalty to cultic ritual in the Temple. The cult is not a substitute for obedience, as the recital of the decalogue in worship makes specifically clear; "...ritual cannot replace fidelity to the covenant and its Lord, so the people cannot point to their observance of cultic forms as a substitute for obedience."

In the preceding paragraph reference was made to the double-sided character of covenant justice; it meant protection for those keeping the covenant and it spelled disaster for those who were disloyal and disobedient. We turn, now, for a closer look at the latter aspect, to observe the fact that those who were disloyal did not experience the blessing of Yahweh and indeed were summoned by Him to hear charges about their disobedience.

The so-called "rib-pattern," in which Yahweh accuses His people of disloyalty and disobedience, is especially evident in prophetic literature in passages such as Isaiah 1:2-3, 10-20; Jeremiah 2:4-12; Micah 6:1-3. It appears also in Deuteronomy 32,

1. Ibid., p. 130.

and the best instance in the Psalter is Psalm 50:7ff. In
simple outline the rib-pattern is as follows: there is the summons
to the witnesses to give attention; the divine Judge gives an
introductory statement of the case at issue; this is followed
by a recital of the mighty, benevolent acts of God; then there
is the indictment, which in turn is followed by the sentence or
penalty.

Studies of the rib-pattern have led to its being called the
covenant lawsuit; this is because in it Yahweh takes Israel to
task for violating the basic condition of her relationship to Him,
that of obedience to the covenant. Psalm 50 includes several
characteristics of the covenant lawsuit: there is the descrip-
tion of the scene of judgment (vv. 1-3), followed by the appeal
to heaven and earth to be witnesses (v. 4); the accused is sum-
moned (v. 5) and the charges against the accused stated (vv. 7-13);
then there is the declaration of the sentence (vv. 14ff.) which

1. See pp. 127f.
3. See especially B. Huffmon, op. cit., p. 289, and G. E.
Wright, in Israel's Prophetic Heritage, pp. 52f.
4. In the covenant lawsuit, the heaven and earth are called
upon to be witnesses. Both Wright (ibid., pp. 46ff.) and
Huffmon (op. cit., pp. 290ff.) follow the interpretation
that heaven and earth are summoned because they were witnesses
to the original treaty which the vassal, Israel, has broken.
They disagree with Gunkel's earlier view that heaven and
earth are to be the judges between Yahweh and His people;
rather, Yahweh retains the supreme authority and is Himself
the Judge, and heaven and earth are the witnesses.
requires Israel to deal with Yahweh in accordance with the covenant stipulations.

The covenant lawsuit is thus a controversy, not between Israel and the nations, but a controversy in which Yahweh summons Israel, in which He accuses and sentences His own chosen people. This theme "gives expression to the conviction of Israel's spiritual leaders that there is something basically wrong in the religious and ethical relation and conduct of their nation."¹ Here is further support for our contention, referred to at many points, that ḫšpāt is the "manner of life" or covenant faithfulness which Yahweh expected of Israel in her day-by-day living; the concept has a decidedly ethical connotation, for justice is one of the dominant notes that are sounded in Israel's worship and life.²

The foregoing section on 'divine justice within the covenant' has provided a clearer view of the meaning of ḫšpāt in its relationship to the Covenant which Yahweh made with Israel at Sinai. One of the emphases has been that the celebration of the renewing of the Sinai covenant as well as the celebration of the appearing of Yahweh as King and Judge in the midst of His people was a powerful reminder to the people that their God was a present source of strength and life to them. Because of the indivi-

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1. B. Gemser, op. cit., p. 133.
2. ibid., p. 136.
dual's participation in the corporate worship of Yahweh when these truths were revealed, he was certain that Yahweh would actually grant him divine help. The psalmist readily appealed to Yahweh to grant him divine justice because he had confidence in the God of the Covenant who had revealed Himself as Deliverer and Protector, by His acts of sheer grace in history. The psalmist believed that Yahweh would readily offer His divine justice to those who fulfilled the obligations of the covenant by their obedience to Yahweh's commandments in daily life and work. The psalmist will experience Yahweh's divine justice for himself individually because Yahweh has already demonstrated His justice towards the whole covenant community.

B. The Prayers of the Falsely Accused

There are a number of Psalms in the Psalter which illustrate that divine justice within the context of the Covenant Festival had direct relevance to the everyday life of the Israelite community. These psalms, usually classified as individual laments, contain material which strongly suggests that they were spoken by persons who had been wrongly accused of offences. H. Schmidt proposed this and examined the psalms which support

1. This will become evident in the next section of this chapter, when the prayers of the falsely accused are examined.

his hypothesis. More recently W. Beyerlin has developed this proposal with some very persuasive documentation; and he believes that the evidence illustrates that these psalms had a close association with the cult. This viewpoint is of sufficient scope that it needs to be taken into consideration when the theme of divine justice both for the individual Israelite and for the community of Israel is examined.

The psalms which support the Schmidt-Beyerlin hypothesis certainly reveal how practical and relevant for everyday life the belief in divine justice was. Many of these psalms also reveal a double-sided character to Yahweh's justice; Beyerlin mentions this several times and the previous chapter has dealt with this important element as well.

The root Špt does not appear in many of the psalms which may be classed as "prayers of the falsely accused." The theme

1. The following are the Psalms which Schmidt examines in detail: 4, 5, 7, 11, 17, 26, 27, 31, 35, 38, 57, 69, 109, 142.


3. Note that this emphasis on the relevance of Yahweh's judgment for daily life has already been discussed in this dissertation: see pp. 65, 87f., 115ff., 13f.


6. This is the phrase adopted by E. A. Leslie, The Psalms, pp. 315ff., but other scholars use similar terminology.
of divine justice, however, definitely appears in them; the use of the root špt in some of them\(^1\) requires an examination of the relevance of these particular psalms to our study. It should be kept in mind, however, that the work of Schmidt and Beyerlin goes beyond the scope of this dissertation because their studies deal with all the psalms in this category whereas the present study is primarily concerned with those psalms in which the root špt occurs.

Beyerlin supports the view that these psalms reveal that the guilt or innocence of the accused psalmist is to be determined through divine justice by means of legal proceedings in the Temple.\(^2\) He supports Schmidt who holds that what is involved appears to be an official charge which necessitates legal proceedings.\(^3\) In other words, the psalmist is seeking divine justice. Beyerlin adopts this position as over against that of Delekat\(^4\) who holds that the central point in these psalms is that the psalmist is seeking asylum in the Temple.\(^5\)

\(^1\) See, for example, Beyerlin, op. cit., p. 22; Anderson, PCB, p. 444; Weiser, op. cit., p. 124.

\(^2\) Namely, Psalms 7, 9-10, 17, 26, 35, 94, 109, 140, 143.

\(^3\) Beyerlin, op. cit., p. 15.

\(^4\) Schmidt, op. cit., p. 16.

\(^5\) The work of L. Delekat, (Asylie und Schutzorakel), has not been examined or assessed. Reference here is by way of Beyerlin's study.

\(^6\) Beyerlin, op. cit., pp. 444-53. It should be noted that Beyerlin does allow, however, for the view that there is
The Israelite had faith in a personal God who appears in such legal proceedings and will reveal divine justice by means of them.¹

There have been differing opinions as to the identity of the "workers of evil" in these psalms. In his Psalmenstudien I, Mowinckel suggested that the "evil" referred to spells placed on the humble who then have to seek divine aid to counteract them. He modifies this too one-sided view a good deal in his later work.² Weiser comments that the picture of the wicked given in the individual laments "shows too many shades to admit of its being pressed into such a narrow conception" as Mowinckel and others try to do.³ The view that seems to fit these psalms best is summarized by Anderson when he says that "...the enemies are men who have sought to bring about the Psalmist's undoing safety in the Temple although it is not the central issue in the psalms under discussion. The fact that the Temple is considered a place of safety cannot be ignored. Beyerin (p. 137) sees a relationship between safety and resting in the "shadow of thy wings", for example. That the psalmist believes he can know safety in the Temple also supports Beyerin's view that divine justice was based in the cult (p. 88). Psalm 5:5ff. expresses how the psalmist seeks safety in the Temple where the evildoer cannot stand in Yahweh's sight, because of his deeds.

1. ibid., pp. 60f.
2. See his additional note XXVIII in PIW, Vol. II. Cf. Schmidt, op. cit., pp. 30ff. on this point in relation to "illness".
3. Weiser, op. cit., p. 79.
Psalm 7 will help to bring into focus the prayers of the falsely accused for the purposes of this study. It is an example of such prayers in the Psalter and reveals the cultic-institutional setting of the prayers. It also shows how the psalmist was confident that Yahweh, who is the righteous Judge par excellence, would intervene, in a very practical situation, by means of His divine justice. Such a creed of confidence in Yahweh is illustrated best by the words of thanksgiving which so often appear in these prayers (e.g., Psalm 7:17). Such expressions of confidence and thanks must not be overlooked, even though the protestation of innocence and the appeal to Yahweh for deliverance are also important elements in these prayers.

Psalm 7 is illustrative of several features which appear in the prayers of the falsely accused who has turned to Yahweh for support and deliverance. First there is the request for Yahweh's intervention itself (vv. 1-2). Then there is the protestation of innocence, which in this instance is spoken as a curse upon the accused himself should he be guilty of the accusation (vv. 3-5). The suppliant then appeals to Yahweh as Judge to intervene on his behalf, because Yahweh's judgment of men and

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1. Anderson, *PCE*, p. 142. See also my footnote on p. 144. This is the view of many, such as Schmidt, Beyerlin, and Leslie.

2. Not all features appear in every psalm of course.
gods will be demonstrated in His justice in the particular situation.\textsuperscript{1} There is the description of the fate of the wicked whose evil inevitably falls back upon his own head.\textsuperscript{2} Finally there is a note of confidence or thanksgiving which may illustrate one of two things: either that a reassuring oracle of deliverance has been communicated to the worshiper in the Temple or it is simply expressive of the psalmist's utter dependence on Yahweh's divine justice which he is certain will be forthcoming because he believes that Yahweh is ready to hear and able to deliver.

The psalmist's request for Yahweh's intervention is doubtless spoken in the Temple, in a cultic context. Clements is helpful at this point\textsuperscript{3} for he draws together so well the reality of Yahweh's presence, thought of as coming to His people in an epiphany, and the symbols in the Temple that were associated with Yahweh's presence in the midst of Israel. The psalmist believed that Yahweh continued to act for His people just as He had done historically in rescuing them out of Egypt. The Autumnal Festival\textsuperscript{4} celebrated the coming and presence of Yahweh, the heavenly King, in the sanctuary at Jerusalem and was the

\textsuperscript{1} See pp. 147f. in this dissertation.
\textsuperscript{2} See pp. 102, 146.
\textsuperscript{4} See pp. 75, 88f., 94f. in this dissertation.
occasion for Israel to renew her allegiance to Yahweh's covenant with its historical foundations. "He came from his heavenly realm to appear in glory in the temple on Mount Zion from where he passed judgment on the unrighteous."\(^1\) His presence is also a "guarantee of deliverance for his people"\(^2\) in practical ways\(^3\) because, as we have seen, worship and everyday life were closely related; thus the psalmist was confident that the God whom he worshiped in the sanctuary was a God concerned enough to meet the psalmist's need in his secular life.\(^4\) So it was that the psalmist could expect divine justice from Yahweh, and boldly sought it; for he depended on God in everything.\(^5\)

The prayers of the falsely accused almost always contain a protestation of innocence; e.g. Psalms 7:3ff.; 17:3ff.; 26:1ff. This supports the cultic framework of these psalms and the view that divine justice was dispensed by a legal proceeding in the temple. In the profession of innocence the psalmist is giving evidence, as it were, so that Yahweh will intervene on his behalf and through divine justice will vindicate the psalmist.

\(^{1}\) Clements, *God and Temple*, p. 70.

\(^{2}\) Ibid., p. 71.

\(^{3}\) Cf. Beyerlin, *op. cit.*, p. 107, where he stresses that the psalmist expected vindication as an accompaniment of Yahweh's presence in the temple.

\(^{4}\) Cf. Clements, *God and Temple*, pp. 73, 75.

\(^{5}\) See Weiser, *op. cit.*, p. 397 where he comments on Psalm 50:15, "Call upon me in the day of trouble and I will deliver you and you shall glorify me".
Now that we have examined the work of Schmidt and Beyerlin in some detail, it should be noted at this point that it is possible to hold the view that justice was dispensed at the sanctuary without necessarily following Schmidt's view (and, more recently, that of Beyerlin as well) that in these psalms the psalmists were individual persons wrongly accused. Birkenland, for example, considered that it was against the king as representative of the people that the enemies directed their attacks.¹ This differs from Schmidt who considers the psalmists to be individuals wrongly accused and who seek vindication in the sanctuary.

One's interpretation as to who the enemies are who make the attack or accusation is bound up with the problem of identifying the "I" in these psalms. Is the "I" an individual, or the community, or the king as representative of the people? Schmidt and Beyerlin adopt the view that the "I" is a private individual and therefore identify the "enemies" as his false accusers. Because of the false accusation the individual is seeking divine justice at the sanctuary; he is seeking a clear verdict on the matter direct from Yahweh Himself. This is the view adopted in this thesis as well, although it must be admitted that it is only one possible explanation of these psalms and the problem

as to who are meant by the "enemies" has other possible solutions.

The portions of these psalms which contain the psalmist's appeal to Yahweh as Judge\(^1\) also supports the view that there is a definite relationship to the cult, for the theme of Yahweh as Judge is one of the great themes of the autumn festival. The appeal is set in a universal context\(^2\) (e.g. Psalm 7:7f.) even though it is an individual that is involved. In the setting of an assembly of justice, Yahweh will establish the innocence of the accused.

Beyerlin's study gives considerable space to support the view that these psalms of the falsely accused can be regarded as psalms of confident thanksgiving\(^3\) rather than as laments.\(^4\) Psalm 7, for example, concludes on the note of confident trust (v. 17). Perhaps he received his answer in the Temple prior to his uttering this word; or perhaps it is simply an expression of his absolute trust that Yahweh will answer and vindicate him. In either case, the psalmist offers thanksgiving to Yahweh in whom he has utter confidence.

There are other passages in the Old Testament which support

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1. See Beyerlin, op. cit., pp. 119f.
2. Ibid., p. 132.
4. Weiser prefers to see that the lament is mixed with other types of psalms; op. cit., pp. 66, 80.
the claim that divine justice was dispensed in the framework of legal proceedings within the Temple. I Kings 8:31f., one of the best illustrations of this, shows how the terminology and concepts in the psalms under discussion reflect a cultic framework. In this passage, spoken on the occasion of the dedication of the Temple during Solomon's reign, the Temple is specifically mentioned as the location where an individual is dealt with in regard to any breaking of the law and where the falsely accused can expect to be vindicated and the guilty punished:

"If a man sins against his neighbour and is made to take an oath, and comes and swears his oath before thine altar in this house, then hear thou in heaven, and act, and judge thy servants, condemning the guilty by bringing his conduct upon his own head, and vindicating the righteous by rewarding him according to his righteousness."

Beyerlin speaks of the cultic relationship to the dispensing of divine justice particularly in discussing Psalm 17, although it is an emphasis which runs through his whole study. He also draws on other passages in the Old Testament for support of this view.

Our discussion so far has shown that there is considerable evidence to show that the giving of divine justice had close association with the cult, even legal proceedings in the Temple.

2. Ibid., pp. 54-61.
Beyerlin's study provides even more of such evidence, to which other scholars also allude.\(^1\) Psalm 26 emphasizes that the sanctuary where Yahweh dwells is the locale where divine justice is dispensed: vv. 6, 8, 12.\(^2\) The Psalmist goes to the beloved sanctuary of God and appeals to him for justice, along with other persons who are paying their thankofferings to Yahweh either because they have already experienced His deliverance or because they are confident that He will deliver them.\(^3\) Truly the psalmist loves the Temple where Yahweh comes and makes His presence known by offering help in practical ways.

The mention of the Temple in so many of the psalms of the falsely accused shows how practical for everyday life the worship in the Temple was. The appeal for justice in his everyday relationships with those "enemies" who would accuse him falsely is related closely to the psalmist's worship in the Temple.

Note the many times that the Temple is referred to; e.g. Psalms 3:4, 5:7, 11:4, 23:6, 26:8, 27:4, 63:2. Clements refers to the

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1. Beyerlin's study is given considerable space in our examination of these psalms, but note also Weiser, _op. cit._, pp. 135, 155 and Leslie, _op. cit._, pp. 316f. as examples. Mowinckel, of course, holds this view as well but reminds us that some scholars reject any cultic aspects; see _PIW_, Vol. II, pp. 18f.

2. Cf., also, Schmidt, _op. cit._, pp. 2f., 6ff., 40.

3. Leslie, _op. cit._, p. 323 stresses this point in relation to the "level ground" referred to in Ps. 26:12. The picture suggests that the psalmist has been helped, his mountain of trouble has been scaled. He refers to Schmidt's observation that the temple architecture also corresponds to the picture-language.
importance of corporate worship in the life and faith of the individual Israelite; it was in the temple worship that Yahweh was especially to be known and through which he blessed his people.¹

Not only is the temple mentioned by name or at least alluded to but in these psalms reference is sometimes made as well to items of cultic symbolism in the Temple. An example of this is the reference to "wings"; e.g. in Psalms 17:8, 57:1, 63:7. It is likely that this phrase refers to the cherubim, which were associated with the presence of Yahweh, and His theophany in the cultic experience.² Here is further support that the psalmist expected to experience divine justice in the framework of a cultic-sacral institution.³

Certain phrases used in these psalms also support this view. The references to the "face" of Yahweh (Psalms 11:7, 17:15, 27:8f.) and the "eyes" of Yahweh (Psalms 5:5, 11:4) are surely related to the epiphany of God experienced in the Temple worship.⁴ It is in this context that the psalmist expects

¹ Clements, God and Temple, p. 76.
² Ibid., p. 35.
³ See Beyerlin, op. cit., pp. 109, 131, 137.
⁴ Ibid., pp. 102f., 107f., 126. Cf. also Weiser, op. cit., pp. 72ff, who relates these phrases to the psalmist's encounter with Yahweh, an encounter "mediated by Yahweh's theophany in the cult."
Yahweh to vindicate him.\(^1\)

Moreover, there is the suggestion in several of the psalms of the falsely accused of the practice of incubation.\(^2\) The references to sleeping and waking (e.g. Psalms 3:5, 4:8, 5:3, 17:15) suggest the practice of sleeping or at least passing the night in the sanctuary where the epiphany of Yahweh is to be experienced. Sacrifices would be offered and cultic rites performed (e.g. an appeal to Yahweh's divine justice and a protestation of innocence) and then the suppliant would remain in the sanctuary that night to await the divine answer, confidently expecting it to be in his favour.\(^3\) Psalm 57:8f. indicates such confidence, so that at dawn the suppliant will shout praises to Yahweh, in accompaniment with the musical instruments of the Temple. He knows that he will awake with the awareness that God sustains him and restores his honour.

It should be noted, however, that not all scholars agree with the concept of a "special" sleep in the Temple. Weiser, for example, in his comments on Psalm 3, considers these

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2. This term is used by Leslie: "...incubation, the practice of sleeping or at least passing the night in the place most likely to be in contact with the Deity." (\textit{op. cit.}, p. 346). Note also that Mowinckel, \textit{PIW}, Vol. II, p. 252 allows that this could refer to "a special sleep, namely in the Temple, in order to receive an oracle of incubation."

references to be to sleep in general. Mowinckel allows this interpretation also, though he admits the possibility of an oracle being given after the sleep in the Temple. It seems likely, however, that these references to sleeping and waking have cultic overtones even if they are not direct allusions to cultic experiences in the Temple itself.

Although our examination of the psalms of the falsely accused has clearly revealed that the dispensing of divine justice had a close connection with the cult, it must also be emphasized that not all the individual laments in which the psalmist testifies that he has been wrongly accused have such a definite institutional orientation. Beyerlin is careful to stress this element in his study as well and gives considerable space to those psalms which he considers may not be based in the cultic-sacral institution, in regard to their statements about deliverance.

Although many psalms of this type may have originally been fostered in a cultic framework, they have transcended this so that they

1. op. cit., p. 118. He allows, however, in Psalm 5:3 that following sleep the psalmist goes to the temple and utters this word in connection with the offering of the morning sacrifice; (p. 125).


3. Schmidt, op. cit., relates the references of sleeping and waking to lying down in the midst of lions, symbolic of the difficulties in which the psalmist finds himself; but at dawn he will be free! See pp. 21f., 25f., 28.

4. He places in this category such psalms as 9-10, 12, 25, 54, 55, 56, 62, 64, 86, 94, 110, 142, 143. See chapter II of his work, op. cit., pp. 18-37.
now reflect the piety of an individual. For example, Psalm 12 has doubtless a cultic *Sitz im Leben* but now it is used to speak of experiences that have become true in life outside the cult as well.¹ In Psalm 54, it is not clear whether the help of God will be experienced through the mediation of a cultic-sacral institution or otherwise;² Yahweh's intervention could be known in the psalmist's daily life, even though knowledge of it has grown out of his experience in worship.³ The confidence in Yahweh's deliverance was surely fostered in a cultic *Sitz im Leben* but the verdict against the enemy may well be experienced outside the cultic legal proceedings. Psalm 94, for example, is doubtless in a cultic setting but it has been personalized and the psalmist now knows for himself that Yahweh has become his stronghold; it is now a personal testimony.⁴ Terminology may be borrowed from the cult but there is an inwardness to faith that is not always bound to external forms.⁵

In summary, the preceding examination of the prayers of the falsely accused has revealed that many of them lend support to the view that the guilt or innocence of the accused psalmist is to be determined through divine justice by means of legal

1. *ibid.*, p. 22.
2. *ibid.*, pp. 23f.
4. *ibid.*, pp. 31f.
5. Weiser, *op. cit.*, p. 125. See also his comment on p. 397.
proceedings in the Temple. He was confident that Yahweh would intervene and deliver him which supports the assertion made earlier that the root šālā, when referring to Yahweh, can mean "salvation", "deliverance" or the way Yahweh acts as "deliverer". The psalmist believed that Yahweh expected obedience to the covenant in everyday living and so he professes his innocence of the charges that he has been unfaithful in his "manner of life" and appeals to Yahweh for vindication. Such justice will accompany Yahweh's epiphany in the Temple, for the theme of Yahweh's coming as Judge was closely associated with the cultic autumnal festival when Israel renewed her allegiance to Yahweh's covenant.

Our investigation also allows for the possibility that some psalms in this classification may no longer be bound to cultic connections but may reflect the inwardness of faith apart from the ritual of corporate worship.

The study of these psalms spoken by persons falsely accused of offences has shown that the Psalmists' appeal to divine justice had a practical relevance and fairly clear content.
The root špt in the Old Testament is used with reference both to God and to Man. In the early literature the idea of Yahweh's "rule" over His people Israel within the covenant is present; and the idea expands to include the whole world in that rule. Yahweh's rule includes His guidance for the right ordering of Israel's day-by-day life; Yahweh's mišpāt is aimed at maintaining šalām within the community.

Mišpāt includes the judicial process which has its foundation in Yahweh's concern for His people and which is for the sake of maintaining harmony or restoring broken relationships. It is clear from the practice of Moses and of the "heroes" mentioned in the Book of Judges that it is one's position of leadership which includes the authority to decide cases which affect the community and individuals within it. Eventually the king becomes Yahweh's responsible representative to see that harmony is maintained in the community, either by overthrowing Israel's enemies or by overseeing the judicial process in the nation.

So it is, then, that the ideas of "rule" and "decide" are very closely related within the root špt. This is also the case when the root has reference to Yahweh. Because Yahweh rules His people in righteousness and truth and is concerned about the rights of the needy and the oppressed, His people (whether as a covenant community or as individual members of the covenant
community) are confident in calling upon Him to vindicate their cause or to decide their case with justice.

Throughout the Old Testament it is emphasized that Yahweh is just and gracious in His actions and therefore He can expect the same from His covenant people. In many, many occurrences of the noun **mispāt**, "justice" is the best translation. This fact reveals the highly ethical content which is contained in the root **špt**. Particularly the latter prophets emphasize the ethical element, either in a positive way when they exhort Israel to do justice or in a negative way when they give warning as to the consequences that will befall those who neglect to do justice or who pervert it. The root **špt** is used to lay emphasis on the uprightness, in an individual's everyday actions or in the life of the nation as a whole, which Yahweh expects from His people. Thus **mispāt** comes to mean the response of obedience which Yahweh expects in return for the saving acts which He has accomplished for the sake of Israel. **Mispāt** is the style of life which the covenant people are called upon to display to the world. The use of the verb **'assāh** in association with **mispāt** lends support to this view. Israel, in her response to Yahweh, is to reflect back the qualities which He has shown in His dealings with her.

These aspects of the meaning of the root **špt** are enlarged upon in the Psalter. There the idea of Yahweh as righteous Judge of His people and of the whole world is one of the main themes of the cultic ritual which comprises what has been referred to as the
"Enthronement Festival". (Some scholars prefer "New Year Festival"; others, "Autumnal Festival", etc.). Our study has shown that this theme is primarily a cultic one in which the saving acts of Yahweh become contemporaneous in worship, so that in a real sense the worshiper experiences them in the present. But there are eschatological elements in many of the psalms as well, for Israel was confident that Yahweh's just rule would one day be fully established and that righteousness and justice would dwell on the earth.

The idea that Yahweh is Judge and Ruler is a very positive one in the Psalter. That this is so is exemplified in the fact that the psalms speak of a person delighting in the ordinances of Yahweh and many call upon Israel to rejoice and be glad at the coming of Yahweh as Judge. It is also exemplified in the fact that Yahweh's coming as Judge was celebrated in the Enthronement Festival which was a joyous occasion. Any idea of punishment as part of Yahweh's judgment is often regarded as that which the wicked call down upon themselves because of their own unjust and rebellious actions.

The study of the root špt has also revealed that "judging" often may include the meaning of "saving" or "delivering". This is so when the root refers to Man; such as when Moses or the heroes in the Book of Judges or the Israelite king acted as Yahweh's agents in bringing deliverance at a time of crisis for the community. It is especially so, however, when the root
refers to Yahweh; His judgment is often for the sake of restoring His people to a harmonious relationship with Himself whenever they have departed from that manner of life which He expects His covenant people to follow.

The study of the root špt with special reference to the Psalter has revealed that Israel saw clearly the relationship between worship and ethical living. In the cult the worshiper was reminded of the Heilsgeschichte; the saving acts of Yahweh became reality for him in the present. The worshiper's experience of Yahweh's presence and support in the midst of His people was then to flow out into his everyday relationships. The covenant bond with Yahweh was to be revealed in how the worshiper executed justice in his everyday life in society and in how he walked faithfully in the way of Yahweh who had revealed Himself as a God of righteousness, justice and love.
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