Deuteronomy's "Anti-King"

Historicized Etiology or Political Program?

Dominik Markl – Pontifical Biblical Institute, Rome

While ancient Near Eastern kings boasted of their military power, harems, wealth, and social rank, Moses instructs Israel to choose a king who ought to be modest in all these regards (Deut 17:14–20)[1]—an "anti-king" rather than what would have been considered a real king according to common cultural standards.[2] Should this idea be understood as an aspect of Deuteronomy's strategy for explaining—in the context of the Deuteronomistic History[3]—the actual downfall of the Israelite and Judahite monarchy through Assyrian and Babylonian aggression? Or did the authors (and redactors) behind this text envision any real political project regarding their (potential) king? In the following, I shall first consider Deuteronomy's special characteristics as historicized law, then explore the potential of interpreting the "law of the king" as historical etiology and as a real political endeavor, before reflecting on how the two relate to each other and even work together in Deuteronomy's communicative strategy. This will lead me to a final perspective on Deuteronomy's cyclic historical schemes and its pragmatic impulse to disrupt the vicious circles of history.

Deuteronomy's Double Nature as Historicized Law

The collections of legal texts in the Pentateuch are embedded in a larger narrative of Israel's origins, which provides a historiographic and hermeneutic framework for the laws.[4] This is one of the unique features of the Pentateuch in the legal history of the ancient Near East.[5] While in Exodus, Leviticus, and Numbers, the law is presented as a series of divine revelations at Sinai and during the subsequent journey, Deuteronomy presents its torah as Moses's teaching, addressed to the second generation, of the divine laws that were revealed at Horeb.[6] The presentation of these law collections and their writing at different stages of Moses's life mirrors the complex literary process whereby the laws were collected, redacted, and integrated into the narratives, which finally resulted in the Pentateuch.

---

[1] This passage is part of a larger section on offices and institutions in Deut 16:18–18:22 that has been called a "draft constitution." See, e.g., Lohfink 1990; Levinson 2008; cf. Lohfink 1993; Carrière 2001; Schäfer-Lichtenberger 1995, 52–106.

[2] I owe the expression "anti-king" to Israel Knohl, who used it in a discussion we had about the text at stake. I thank him for kindly allowing me to employ it in this article. Conceptions of kingship in the ancient Near East and Israel generally converged, which makes Deuteronomy's model of kingship all the more distinctive. See Levinson 2001. On kingship in the ancient Near East see, e.g., Frankfort 1948; Seux 1983; Lanfranchi and Rollinger 2010. Some Greek conceptions of kingship may be closer to Deuteronomy than ancient Near Eastern common practice. See Hagedorn 2004, 146–156.

[3] I use the expression "Deuteronomistic History" to refer to the historiographical complex from Deuteronomy to 2 Kings without implying acceptance of M. Noth's theory of its origin (Noth 1957). For an overview of the issues involved, see Römer 2007.

The historiographical contextualization of Deuteronomy's laws, as it has come down to us in the canonical narrative context of Genesis to Kings, is especially complex.[7] On the one hand, Deuteronomy's laws are strongly related to the preceding storyline and laws of the Pentateuch. Deuteronomy's self-presentation presupposes God's revelation of laws at Horeb (esp. Deut 4), from which Moses quotes the Decalogue (Deut 5:6–21)[8] and which he claims to expound in Deut 6–26 (more concretely in Deut 12–26).[9] Moreover, Moses introduces his exposition of the law with an account that explains the "historical" background and reasons for his teaching of torah in Deuteronomy (Deut 1–3): first, the failed initial attempt to conquer the land, which resulted in the death of the Horeb generation (Deut 1:35; 2:16); and, second, God's determination not to allow Moses to enter the land—Moses is therefore supposed to appoint Joshua as his successor (1:37–38; 3:23–28; cf. 31:1–8).[10] Not least, many of Deuteronomy's laws are clearly rewritten versions of more ancient laws from the Book of the Covenant (Exod 20:22–23:33; see Levinson 1997), and several passages within Deuteronomy refer back to preceding narratives within the Pentateuch (e.g., Skweres 1979).

On the other hand, Moses's exposition of Torah relates closely, if ambivalently, to Israel's future as it will unfold in the "Deuteronomistic History." While Israel is supposed to take possession of the promised land (9:1–3; 31:1–8) and to keep the "statutes and ordinances" in the land (12:1; Lohfink 1991) in order to live there for a long time (Markl 2014b, esp. 74–78), enjoying an abundance of divine blessings (esp. 11:27; 28:1–14), the possibility of Israel's disobedience casts a threatening shadow over Moses's prophetic exposition of torah, as it would finally lead to the loss of the land in accordance with the curses pronounced after the laws (esp. 28:15–68).[11] Deuteronomy's blessings and curses unfold in the course of history as it is presented in the successive books of the Deuteronomistic History. Under Joshua, Israel takes possession of the land, as commanded by Moses, but the dynamics of the disobedience that starts already in the period of the judges and gains momentum during the monarchy inevitably leads to the downfall of Israel and then Judah (2 Kgs 17; 24–25). Not only do the curses match the historiographically unfolding disaster,[12] but transgressions against certain laws of Deuteronomy provoke it. Prominent cases in point are the prohibition of "other gods"[13] and of child sacrifice.[14] At the unhappy end of the Deuteronomistic History, little hope seems to remain.

---

[4] See, e.g., Otto 2012, esp. 263–274; Nasuti 1986; Markl and Ezechukwu 2015, esp. 216–217.

[5] On the development of the idea of divine law in the Pentateuch, see Schmid 2016.

[6] The transition between Moses's account of the Horeb revelation, in which he served as mediator (Deut 5:31), and the introduction to his actual fulfillment of this task (Deut 6:1) is decisive for this conception. See Markl 2013, 20–21.

[7] On the following see, e.g., the contributions in Otto and Achenbach 2004, esp. Schmid 2004.

[8] Cf. Braulik 2008; Markl 2013, 21–22.

[9] See n. 6 above.

[10] See the consideration of the narrative scope of Deut 1–3 in Lohfink 2005, esp. 108; on the transition to Deut 4, see Braulik 2006; on the death of Moses, see Sonnet 2012, esp. 214–220, and the introduction in Markl forthcoming (2018).

In the context of the Deuteronomistic History, Deuteronomy's torah could thus be viewed as entirely historicized and as serving to provide the etiology of the disasters that befell Israel and Judah. Why, then, does Deuteronomy employ complex literary and rhetorical strategies that aim to convince readers that keeping this torah is a matter of life and death?[15] Although the question of Deuteronomy's purpose and potential claim to legal validity is highly disputed, it seems unlikely that it was meant to be a purely academic exercise with no intention whatsoever of influencing the lives of its addressees (Markl 2012, 291–303).

The book of Deuteronomy thus displays a double nature, which appears self-contradictory or at least in tension with itself. Moses's prophecy, which is shown to be fulfilled in Deuteronomistic historiography, serves the purpose of explaining the disasters, which suggests that the torah was a failed experiment. At the same time, the latest stages of Deuteronomy address the early Jewish community beyond exile (Deut 30:1–10). The historical catastrophe proves the validity of Moses's prophecies and curses, which highlights the urgency of actually choosing life in faithfulness to God and his torah on the brink of the return to the land (Deut 30:15–20). The fully developed book of Deuteronomy presents the Moab covenant (Deut 29–30) with its Mosaic torah as a real constitution for the postexilic community.[16] The ambivalent nature of Deuteronomy in general is exemplified in the particularly interesting case of Moses's precepts on the king.

---

[11] Beyond the curses of Deut 28, this dynamic is expressed or alluded to many times in passages such as Deut 4:25–28; 6:15; 7:4.26; 8:19–20; 11:17.26–28; 29:23–27; 30:18; 31:16–21. Two key verbs used to express the threat of catastrophe are שמד and אבד; a prominent related theological motif is the wrath of YHWH (e.g., Deut 6:15; 7:4; 11:17; 29:23.26–27; 31:17). On how these themes play out in the Deuteronomistic History, especially in the books of Kings, see Lohfink 2000a.

[12] On the relationship between the scenarios of siege, destruction, and exile in Deut 28 and 2 Kgs 25, see Sonnet 2016; on connections between 2 Kgs 22–23 and Deuteronomy, see Markl 2014a, esp. 716–721.

[13] The distribution of the expression אלהים אחרים is remarkable. Before Deuteronomy, it occurs only twice in Exodus (in the Decalogue, Exod 20:3, and in the final part of the divine speech that reveals the Book of the Covenant, 23:13, which contains several Deuteronomistic expressions). In Deuteronomy, the expression is a prominent motif (eighteen occurrences) and reappears in key Deuteronomistic passages in Joshua, Judges, and Samuel (Josh 23:16; 24:2.16; Judg 2:12.17.19; 10:13; 1 Sam 8:8; 26:19), with a final climax in Kings (eleven occurrences in 1 Kgs 9:6.9; 11:4.10; 14:9; 2 Kgs 5:17; 17:7.35.37.38; 22:17).

[14] See the expressions "to make pass through" (עבר *hiphil*) or "to burn" (שרף) children (בן/בת) in fire (אש) in Deut 12:29; 18:10; 2 Kgs 16:3; 17:17; 21:6; 23:2. Moses's prohibition against making children pass through fire in connection with the prohibition of mantic practices in Deut 18:10 is especially strongly connected with 2 Kgs 17:17; 21:6. See Markl forthcoming b.

[15] For an initial systematic treatment of such devices, see Markl 2012, 47–87; on the significance of "today," see ibid., 70–81; Braulik 2017; Sonnet forthcoming.

Deuteronomy's Ideal King and His Counterparts in Historiography: Exploring Etiology

The introduction to Moses's instructions concerning the king does not leave any doubt about its historicized setting and its relation to the Deuteronomistic presentation of the origin of Israel's monarchy (1 Sam 8–12).

> Deut 17:14:
> When you have come into the land that Yhwh your God is giving you, and have taken possession of it and settled in it, and you say, "I will *appoint a king* over me, *like all the nations* that are around me," . . .
>
> 1 Sam 8:5:
> *Appoint* for us, then, *a king* to judge us, *like all the nations*.
>
> 1 Sam 8:19–20:
> No! but we will have a *king* over us, so that we also may be *like all the nations*, and that our king may judge us and go out before us and fight our battles.

In both instances, the origin of the monarchy is portrayed as resulting from the people's initiative. While the account of Saul's election makes it clear from the outset that this move is problematic and directed against God's kingship (1 Sam 8:6–7; cf. 12:12),[17] Deuteronomy's formulation may seem neutral at first glance. "Like all the nations that are around me," however, clearly alludes to the motif of the danger of imitating other nations, against which Moses warns Israel at several points,[18] so Israelite kingship is shadowed by criticism from the moment it is first discussed in Deuteronomy.[19] While 1 Sam 8 connects kingship—according to common ancient Near Eastern practice[20]—with judicial responsibility (שפט), Deuteronomy avoids this motif, since it envisions a judicial system independent from the king (16:18; 17:9.12; 19:17).[21]

---

[16] See Markl 2012, esp. 88–125, on the Moab covenant, and 291–295, on its role for an early postexilic audience.

[17] Within the Pentateuch, the motif of God's kingship is found in Exod 15:18 and Deut 33:5; see also Exod 19:6. Knohl (2003, 92), points out that the idea of the king as the son of God, common in the ancient Near East and reflected in some biblical texts (such as Ps 2:7), does not occur in the Pentateuch, but is democratized: "You are children of Yhwh your God" (Deut 14:1).

[18] Israel must not venerate the gods of the peoples "around you" (6:14; 13:8). Israel must not ask how "these nations" venerate their gods and say "I also want to do the same" (12:30; cf. 29:15–17) nor learn their cultic practices (18:9.14). Deut 12:30 and 17:14 are closely related, as they are two of the few speeches that Moses suggests might be uttered

Despite the problematic aspects of Israel's desire, their king is to be chosen by divine election (בחר; Deut 17:15).[22] Samuel warns Israel that the king whom they themselves choose will be the cause of suffering for the people (1 Sam 8:18). On one occasion, Samuel seems to claim that Saul is elected by God (10:24), but he attributes this choice to the people as well (12:13). Only David is clearly chosen by God (1 Sam 16:8–12; 1 Kgs 8:16; 11:34).[23] The requirement that the king be "from among your brothers" (Deut 17:15)[24] applies to Saul, David, and the Davidic dynasty.[25] The term "brother"—a key word in Deuteronomy's law—becomes prominent again toward the end of this passage (see below).

These initial observations have shown that there is, on the one hand, a certain overlap between the ideological reservations about the monarchy in Deuteronomy and in the Deuteronomistic History; on the other hand, the two visions of the king's role are far from identical (Knoppers 1996, 329–346; Levinson 2001, 529–530). The historiographical portrayal of kingship in the books of Samuel and Kings is more at home within its ancient Near Eastern context, while Deuteronomy significantly downplays the king's role by neglecting his juridical and military responsibilities.

---

by Israel in the future; they are both worded in the first-person singular and both refer to imitating the nations.

[19] Previously in Deuteronomy, kings had generally been referred to in negative contexts: "Pharaoh, the king of Egypt" ruled a "house of slavery" (7:8; cf. 11:3). The kings Sihon and Og had to be defeated because of their aggressive posture against Israel (Deut 1–3); the same will happen to the king(dom)s of the promised land (3:21; 7:24).

[20] Cancik-Kirschbaum 1999. The Assyrian king, for example, was considered "als *šar mīšari(m)* nominell Herr des gesamten Rechtswesens eines Staates" (Otto 2016, 1484).

[21] Cf. Levinson 1997, 138. Israel's intention to have a king "like all the nations" is thus paradoxically answered by the conception of a quite different king, deliberately juxtaposed with the preceding laws on the judiciary (Otto 2016, 1484). Similarly, the king's role as supreme military leader (1 Sam 8:20) is not mentioned in Deut 17:14–20, because Deuteronomy thinks of a popular army with officials unrelated to the king (20:1–9).

[22] Deuteronomy's law thus legitimizes Samuel in his historical role; see Achenbach 2009, 220, 223.

[23] On David's literary characterization, see McKenzie 2000; Dietrich 2006, esp. 98–200; Markl forthcoming a.

[24] Wazana (2016, 178–179) relates this condition to the story of Abimelech in Judg 9 (cf. esp. v. 3: "he is our brother"); although Abimelech is a "brother," he was not chosen by God and is unfit for the task of ruling. Braulik (1992, 129) highlights the contrast with the Deuteronomistic account of the institution of the monarchy. Instead of distancing the king from the people (1 Sam 8:11–18), the torah integrates him as a "brother" into the community.

[25] Attempts to "identify a non-Israelite king of Israel" have been "forced" (Fraade 2011, 289 with n11).

A similar pattern of limited overlap and clear distinction between Deuteronomy and the Deuteronomistic History can be traced with respect to royal wealth. Deuteronomy places three restrictions on the royal accumulation of military power (horses), wives, and wealth in silver and gold (Deut 17:16–17). The Deuteronomistic History, however, boasts of Solomon's 1,400 chariots and 12,000 horses from Egypt (1 Kgs 10:26–29), his 700 wives (11:1), and his 666 annual talents of gold (10:14 within 10:10–23). Within its narrative context, Solomon's wealth is clearly seen as a fulfilment of divine blessing (1 Kgs 3:13; Knoppers 1996, 337). Yet the formulations and motifs in 1 Kings display similarities with the corresponding prohibitions in Deuteronomy.[26] Although Deuteronomy does not refer explicitely to "foreign" wives, the phrase "lest his heart turn away (סור)" recalls the idea that by marrying women from Canaanite nations (Deut 7:3), Israelite men would risk being led away from Yhwh to serve other gods (cf. סור in 7:4). Indeed, Solomon's wives were "from the nations concerning which Yhwh had said to the Israelites, 'You shall not enter into marriage with them, neither shall they with you; for they will surely incline (נטה *hiphil*) your heart to follow their gods'" (1 Kgs 11:2; cf. 11:4).[27] Solomon's subsequent veneration of foreign gods (11:4.5.7–8) marks a turning point in the monarchy's relationship with God, in contrast with David's perfection (11:4.6).[28]

Moses requires the king to write a copy of "this torah" for himself,[29] which he is to study every day (Deut 17:18–19). Although this idea has no direct counterpart in the Deuteronomistic History, David's instructions to Solomon may evoke it: "Keep the charge of Yhwh your God, walking in his ways and keeping his statutes, his commandments, his ordinances, and his testimonies, as it is written in the torah of Moses" (1 Kgs 2:3). Conversely, the Deuteronomistic History knows of kings who have no regard for the torah, such as Jehu (2 Kgs 10:31) or Manasseh (21:8–9).[30] Indeed, all the prophets had admonished Israel and Judah to live according to the torah (2 Kgs 17:13; cf. vv. 34.37). Josiah is portrayed as the exceptional convert to the "entire torah of Moses" (23:24–25).[31]

---

[26] Within the Hebrew Bible, the motif of acquiring horses from Egypt is limited to Deut 17:16; 1 Kgs 10:28–29 // 2 Chr 1:16–17 (plus 9:28, with the addition "and from all lands"); and Isa 31:1; Ezek 17:15. "He must not acquire many (רבה *hiphil*) wives (נשים)" (Deut 17:17) resounds in "King Solomon loved many (רבות) foreign wives (נשים)" (1 Kgs 11:1). Similarly, "he must not acquire very much (לא ירבה לו מאד) silver and gold (זהב)" calls to mind the "very much gold (זהב רב מאד)" brought to Solomon by the queen of Sheba (1 Kgs 10:2), while silver "was not considered as anything in the days of Solomon" (10:21). While one need not necessarily see a "direct, 'genetic' link between the two texts" (Wazana 2016, 182), the similiarities certainly invite *reading* these texts together.

[27] While Deut 7:3 (cf. Exod 34:16) clearly prohibits intermarriage with the Canaanites (but not any other foreign nation; see Deut 21:10–14), 1 Kgs 11:2 seems to apply this prohibition to Solomon's "Moabite, Ammonite, Edomite, Sidonian, and Hittite women" (11:1). Only the ambivalent term "Hittite" could be considered to refer to one of the Canaanite nations. Cf. Knauf 2016, 328. The prominence of the issue is seen in its reception in Neh 13:26.

[28] Solomon's role in Deuteronomistic historiography is especially elevated, for he is identified as the builder of Jerusalem's temple (1 Kgs 6–8; on the textual history, see Dubovský 2015). While the motif of Solomon's idolatry re-emerges in the account of Josiah's reform (2 Kgs 23:13), his rich contributions to the temple are evoked once more in the context of its ultimate plundering and destruction (24:13; 25:16), thus creating an inclusio for the history of the "Solomonic" temple.

[29] On kings who write in the ancient Near East and the statement in Deut 17:18 that the king is *commanded* to write, see Sonnet 1997, 72–73, and on the implications of writing a copy of "this torah," ibid., 74–78.

The king's pious study of torah would lead, according to Moses, to humility, "so that his heart not be exalted above his brothers" (Deut 17:20). Indeed, envisioning a people of "brothers" is one of the characteristic traits of Deuteronomy's torah (Perlitt 1994, esp. 53–64; Braulik 1986, 16–17); studying it may well help a king to advance in the ethics of brotherhood. This idealism, again, starkly contrasts with the reality of the monarchy as it is portrayed in the Deuteronomistic History. Samuel's programmatic announcement of the "statute (משפט) concerning the king" (1 Sam 8:11–18) leads to the conclusion that "you shall be his slaves/servants (עבדים)" (v. 17)—by no means his "brothers"![32] A case in point is Rehoboam's despotic program (1 Kgs 12:14), which leads to the parting of the northern and the southern kingdoms (v. 19); only a word from God can prevent Rehoboam from fighting a war against his "brothers" (v. 24).

The last requirement, "that he turn not aside from the commandment to the right or to the left" (Deut 17:20), is said to have been fulfilled by David, who "did what was right in the sight of YHWH, and did not turn aside from anything that he commanded him all the days of his life, except in the matter of Uriah the Hittite" (1 Kgs 15:5); by Hezekiah, most explicitly, who "held fast to YHWH; he did not turn aside from following him but kept the commandments that YHWH commanded Moses" (2 Kgs 18:6); and by Josiah, who "walked in all the way of his father David; he did not turn aside to the right or to the left" (2 Kgs 22:2 // 2 Chr 34:2).[33]

---

[30] When Amaziah spares the children of his father's murderers, the historian notes that he acted "according to what is written in the book of the torah of Moses, where YHWH commanded, 'The fathers shall not be put to death for the sons, or the sons be put to death for the fathers, but everyone shall be put to death for their own sins'" (2 Kgs 14:6), a clear quotation from Deut 24:16—a unique case of the explicit citation of Deuteronomy in the Deuteronomistic History itself. Cf. Cogan and Tadmor 1988, 155.

[31] The finding of the "book of the torah" in the temple (2 Kgs 22:8) makes King Josiah tear his clothes when he hears its words (v. 11), since he understands that "our fathers" had been disobedient to the "words of this book" (v. 13).

[32] To be sure, עבדים is the expected designation of the king's subjects; a king would not usually refer to them as "brothers." When David, exceptionally, addresses the elders of Judah as his "brothers" (2 Sam 19:13), it shows the weakness of his position and a special attempt to gain their loyalty (v. 15). Being the king's "brother" usually refers to royal rank; it may mean, literally, membership in the royal family (1 Kgs 1:9), or a king may refer to another king as his "brother," acknowledging their equality in rank, as does King Ahab of Israel with respect to King Ben-Hadad of Aram (1 Kgs 20:32–33). "Brother," correspondingly, is a standard expression of equality in social rank in royal diplomacy (Ringgren 1973, 205).

[33] Ironically, the expression "not to turn aside" (לא סור) is used in the Deuteronomistic History as a formula referring to the failure to abandon sins: 2 Kgs 10:29.31; 13:2.6.11; 14:24; 15:9.18.24.28; 17:22.

These exceptions, however, prove the rule; most kings are assessed negatively in the Deuteronomistic account. The conclusion of Moses's words on kingship, "that he may prolong the days of his kingdom (ממלכה), he and his sons in the midst of Israel" (Deut 17:20),[34] implies the idea of a royal dynasty, most prominently elaborated in Nathan's oracle, where God promises to grant the House of David their "kingdom" (ממלכה) "forever" (2 Sam 7:13.16).[35] In contrast to Nathan's oracle, Deuteronomy implies that the continuity of the dynasty is conditional and depends on the kings' observance of "this torah."

Beyond the instructions concerning the king, Deuteronomy mentions Israel's (human) king just once more, in Moses's curses: "Yhwh will bring you, and the king whom you raised over you, to a nation that neither you nor your ancestors have known" (28:36). Every word spoken about the king here has negative connotations. His appointment is attributed solely to Israel, not to divine choice;[36] the expression "over you" (עליך) implies dominance, rather than the brotherhood connoted by the expression "in the midst of Israel" (17:20). If Israel disobeys, the king will suffer the same fate as the entire people: exile in an unknown country. This prophecy *ex eventu* seems to allude to Zedekiah's exile (2 Kgs 25:7) and could have been read in postexilic times as an etiology of the lack of a king (Otto 2017, 2010).

Read together with the "historical reality" of Israel's monarchy presented in the Deuteronomistic History, Moses's instructions on the king clearly provide a contrasting foil. From the very beginning, Israel's wish to imitate the surrounding nations casts a shadow over the project of monarchy. Moses, however, describes a very specific role for the king in Israel in contrast to the common practice of the surrounding nations. This unusual role is only very partially and exceptionally realized, while the great bulk of Israel's and Judah's kings clearly subvert it. Moses's instructions even place Solomon's exuberant royal power and splendor, which should be reasons for pride according to conventional standards, in an ambivalent light. As the ultimate destruction of "Solomon's temple" coincides with the demise of the Davidic monarchy, Deuteronomy stresses, partly with and partly against the grain of the Deuteronomistic History, that the faults of Solomon himself had compromised Israel's monarchy. Moreover the requirements of Moses's torah, with its ethics of brotherhood, were severly undermined by the great majority of the kings of Israel and Judah. Moses's instructions thus portray an anti-king, not only in terms of common ancient Near Eastern standards, but also as compared to the Deuteronomistic History—a presentation that serves as an etiology of the disasters that befell the monarchies of both Israel and Judah.

---

[34] Rüterswörden (1987, 65) pointed to parallels of the phrase "prolong the days" in Aramaic and Phoenician royal inscriptions, which may have had parallels in royal inscriptions in Israel and Judah.

[35] In 1 Sam 7:12, God does not refer to Solomon as David's "son," but as his "semen after you that comes out of your belly"; God himself will consider Solomon his "son" (v. 14). Abijah's speech in 2 Chr 13:4–12 connects the term "kingdom" with the "sons" of David (vv. 5.8).

[36] Comparable uses of "raise" (קום *hiphil*) in the sense of "appoint" are found in Deut 18:15.18 (the prophet like Moses); 28:9; 29:12 (Israel as the people of Yhwh).

A Humble King? In Search of a Political Program

If Deuteronomy's law of the king helps explain the ultimate demise of Israel's monarchy, is there any need to look for a concrete political purpose for this passage? Is it likely, on the other hand, that the author(s) of Moses's instruction on kingship formulated it without any consideration of their present political situation or their vision for the future? I think this is unlikely. Historicized etiology, utopian conception, and political ideology may well flow into each other in this peculiar text.[37] Any political ideology, however, presupposes a concrete historical setting, which has been reconstructed in different ways for the passage in question. I shall start my discussion by presenting two recent and exemplary interpretations, which identify two layers in the law and situate their origin in preexilic, exilic, or postexilic times.

N. Wazana (2016, esp. 177–178) follows the frequently held hypothesis that the older core of the law of the king is Deut 17:14–17.20, while the instruction on the torah (vv. 18–19) is a later insertion.[38] Wazana dates the original law to the "late eighth and early seventh centuries BCE" and interprets it as a reaction against Assyrian imperialism (170). The "emphasis of the law on the Israelite origins of the king probably points to the rejection of the possibility that Judah, an Assyrian vassal ruled by a Davidic king, will become a province like its northern sister, Israel, ruled by a foreigner" (180). The three prohibitions on amassing cavalry, wives, and riches are seen as a reaction against imperialistic power rather than local kingship (182–185).[39] Wazana reads the insertion of Deut 17:18–19, with its emphasis on learning, in the context of the Neo-Babylonian view of the king as a teacher of wisdom (189–190). Although Wazana's argument is corroborated by a wide comparative perspective,[40] and her proposal certainly presents an imaginable possibility, there remains a tension in this interpretation. Insofar as the law decribes a king chosen from within Israel, it would have excluded "the possibility of Israel building an empire" (184) at a time when "Judah was probably unable to maintain a significant chariot force" and did not have any other realistic means of creating an empire (186). And if it is true that "this text signals that it is the concept of *empire* that is foreign 'like all other nations', not Israelite kingship" (187), the very expression "like all other nations" would be a questionable hyperbole, since only a few of the peoples surrounding Israel were in fact capable of building an empire, while local kingship was the rule.

---

[37] On the dialectic between ideology and utopia, see Ricœur 1986.

[38] For authors who argue for the redactional growth of the law of the king, see Achenbach 2009, 216.

[39] Wazana (2016, 187) remarks, "The fact that this polemic is implicit is perhaps evidence of the need to be careful about the ideology expressed under the yoke of the empire."

[40] For a less elaborate attempt to argue for a preexilic origin of the law of the king, see Crouch 2014, 177–184.

E. Otto similarly assumes a redactional expansion of the original text in Deut 17:18–20a, but he attributes both layers to later periods. In Otto's (2016, 1481, 1486) view, the original version of the law of the king depends on the Deuteronomistic account of 1 Sam 8 and dates to the sixth century.[41] Its authors await a new king, whom they hope will be different from the kings of Israel and Judah who had failed (1486). The redactional addition of vv. 18–20a is attributed to postexilic authors of the fifth–fourth centuries BCE, who have given up any hope for the restitution of the Davidic kingship but imagine, for the sake of scripture, an Ezra-like scribe as king.[42] In a similar vein, the Torah is added as the criterion for judging the behavior of kings in 1 Sam 1–2 Kgs 25 in postexilic times (1487). Otto (1482–1483) interprets the instruction to choose a king from within the people as a critique of the prophetic recognition of Nebuchadnezzar as God's "servant" (Jer 27:6; 43:10) and of Cyrus as God's "shepherd" and "anointed" (Isa 45:1).[43] Although this possibility is certainly worth consideration, one might question whether this issue really is at stake here, since the Babylonian and Persian kings were not appointed by the people of Israel over themselves in the promised land: Nebuchadnezzar destroyed the monarchy of Judah, and Cyrus became king after Israel had already lost possession of the promised land.

The possibility that a first version of the law of the king originated in pre-exilic times remains, in my view, a hypothesis that is difficult to prove. The textual connections between the law of the king and the Deuteronomistic criticism of the monarchy, as well as the restrictive thrust of the text—which would never have been overly pleasing to any real king of Israel or Judah—suggest it is more likely that the law presupposed, from the very beginning, a situation in which the monarchy had failed and the guilt for the historical catastrophes was (partly) attributed to the majority of the kings; hence the institution of royalty had to be reconsidered and reinvented.[44] The question of the reinstatement of the Davidic kingship left open at the end of the Deuteronomistic History and attested in several postexilic texts may have been a historical incubator for the text.[45]

---

[41] On the assumption that 1 Sam 8 stands in the background of Deuteronomy's law of the king, see also Achenbach 2009, 223. For the reverse position see, e.g., Veijola 1977, 68, 116–117.

[42] See Otto 2016, 1489, on Deut 17:19–20: "Hier schreiben nachexilische Autoren, die im Gegensatz zu ihren Vorgängern des 6. Jahrhunderts im 5.–4. Jahrhundert alle Hoffnung auf eine Restitution eines davidischen Königtums aufgegeben haben und sich nur, um der Schrift Genüge zu tun, einen Schriftgelehrten als König vorstellen können, der Züge eines Esra hat."

[43] Cf. Achenbach 2009, 228.

[44] Cf., e.g., Müller 2004, 212: "weit jenseits der geschichtlichen Erfahrungen der Königtümer Israel *und* Juda."

[45] The idea of dynastic succession in Deut 17:20, however, does not necessarily imply an interest in the continuity of the Davidic line (pace Müller 2004, 213). Since Deuteronomy's promise of dynastic continuity is conditional, it can explain the demise of the Davidic line while leaving open the possibility of the beginning of a new dynasty upon returning to the land. "When you have come into the land . . ." (Deut 17:14) can be read in the light of postexilic restoration ("Yhwh, your God, will make you come into the land," Deut 30:5).

The conception of the king as a faithful student of "this torah" has far-ranging political implications. First, it inverts the king's supreme responsibility for the judiciary and lawgiving, making him the subject of a law that it is beyond his competence to alter ("do not add to it or take anything from it," Deut 4:2; 13:1). Or, as B. Levinson (2006, 1881) formulated it: "In being thus constituted by the Torah, the monarchy becomes regulated by and answerable to the law." This seems to represent one of the first expressions of the idea of the supremacy of the law in history.[46] Second, as the king depends on receiving the "master copy" of "this torah" from the "levitical priests" (17:18), their responsibility for keeping and teaching this law (cf. 31:9–13) exceeds the king's responsibility for its implementation—he is primarily supposed to learn humility through his studies (17:20). This conception may well suggest that the redactors of this law and the group behind Deuteronomy's transmission projected their own, self-attributed responsibility onto the "levitical priests."

If this is the case, the idea of the king as a student of the Deuteronomic torah was developed by a priestly group in the absence of a monarch. They fashioned the law of the king in order to cement their religious and judicial authority in case a monarchy should be reinstituted. While I agree, therefore, with Levinson (2001, 512) that "this utopian delimitation of royal power never passed from constitutional vision into historical implementation," I do not consider it probable that this vision predates a Deuteronomistic "transformation of torah."[47] More likely, it radicalizes the Deuteronomistic critique of the monarchy,[48] preparing for the possibility that monarchy might be re-established in postexilic Jerusalem.[49] If this reconstruction is correct, the political interest behind restricting royal power is the preservation of the increased political responsibility of the priesthood, which had developed, out of necessity, after the demise of the monarchy, and is expressed—most articulately—in Deuteronomy.[50]

The Septuagint provides us with an intriguing glimpse into the reception and interpretation of the law of the king in the Hellenistic period—most probably by the Egyptian Jewish community in the third century BCE (Hertog, Labahn, and

---

[46] For comparable Greek evidence, see Hagedorn 2004, 154–155.

[47] Cf. the title of Levinson 2001 ("The Reconceptualization of Kingship in Deuteronomy and the Deuteronomistic History's Transformation of Torah") and esp. 523–531; a similar view is held by Knoppers 1996, based on the traditional pre-exilic dating of the laws of Deuteronomy.

[48] Cf., with further literature, Blanco-Wißmann 2008, 137. Achenbach (2009, 231) states, "Damit erscheint Mose als ein Prophet, in dessen Weisungen die Gründe für die göttliche Verwerfung des Königtums schon erkennbar werden."

[49] Cf. Achenbach 2009, 218: The law provides "aufgrund einer skeptischen Gesamtbeurteilung der Geschichte und Institution des Königtums Kriterien für den Fall einer möglichen Restitution desselben." Achenbach opts on this basis to date the text no earlier than the Persian era (219). Cf. also Hagedorn 2004, 156: "the law aims at protecting the community of brothers which has the desire to place a king over them, but at the same time wants to remain free from despotic rule."

[50] Deuteronomy's agenda of self-authorization reaches a first climax in the law of the king, since "this torah" presents Deuteronomy's torah *mise en abyme* (Sonnet 1997, 78–83).

Pola 2011, 529–530). Remarkably, LXX Deuteronomy consistently renders the noun מלך, “king,” as *βασιλεύς* whenever it refers to foreign kings but prefers the semantically broader term *ἄρχων* when referring to kings of Israel (17:14–15; 28:36).[51] Since it is highly unlikely that LXX Deuteronomy is based on a *Vorlage* different from proto-MT,[52] there must be a reason for this systematic choice. H. Ausloos, who proposed several possibilities in his careful study, emphasized the fact that LXX seems to have created a sharp contrast between the kings of other nations and Israel’s “ruler,”[53] which would clearly correspond with the law’s content. Ausloos (2013, 171) admits, however, that the “enigmatic passage” where LXX has Moses address God as *βασιλεῦ τῶν θεῶν* (Deut 9:26) is an exception to the rule that in LXX Deuteronomy “the term *βασιλεύς* has been reserved for foreign kings,” which may cast a shadow of doubt on the assumption that this is the decisive “clue to the translator’s choice.” If the term *βασιλεύς* had been negatively charged and associated with the kings of foreign nations in the eyes of the translators of LXX Deuteronomy, would they have used it for God? It may be more plausible, as R. Hanhart suggested, that the translator primarily “actualized both law and curse for the Hellenistic cultic community of his own period,” since *ἄρχων* is “adequate both for the pre-exilic monarchical representative and also for the post-exilic high priestly one.”[54] Beyond the high priest, other individuals of superior rank could also identify with the term *ἄρχων*[55] and understand that political responsibility of any sort requires the study of Torah. Moreover, this conception is not limited to LXX Deuteronomy but appears throughout the entire Pentateuch, as R. Freund showed. LXX intends “to create the political structure of the Israelites as an archony rather than a monarchy” (Freund 1990, 65). While keeping the reality of the monarchy in its historical memory, LXX envisions a postexilic “semi-autonomous Jewish polity” (59).

---

[51] This corresponds with LXX’s rendering of ממלכה, “kingdom,” as *ἀρχή*, “reign,” in Deut 17:18.20. On the textual evidence, see Ausloos 2013, esp. 160–161. While מלך refers to God in Deut 33:5, LXX renders *ἄρχων*, probably thinking of a human leader. Cf. Lust 1991, 202; Freund 1990, 65.

[52] Rofé (2002, esp. 42–46) proposed that LXX’s Vorlage had read נשׂיא. Many reasons, however, can be adduced against this assumption; see Ausloos 2013, 161–165; Otto 2016, 1433.

[53] Ausloos 2013; cf. esp. 169 and the conclusion, 171–172.

[54] Both quotations are from Hanhart 1992, 343. Ausloos (2013, 171) acknowledges this possibility. See also, with additional aspects, Hanhart 1988, esp. 72–73. Since LXX uses the term *βασιλεύς* in the critical passages of 1 Sam 8; 12, the criticism of monarchy in Israel contrasts sharply with LXX’s positive interpretation of the order of the cultic community in its law on the “ruler” in Deut 17 (cf. Hanhart 1988, 73). At the same time, *ἄρχων* contrasts with the Ptolemaic *βασιλεύς*, as Rüterswördern (1987, 51) has pointed out: “Als ein primus inter pares, der sich nicht über seine Brüder erhebt, ist er ein *ἄρχων* (wie in der griechischen Polis), kein *βασιλεύς*, wie ihn die umliegenden Völkerschaften (und vor allem das ptolemäische Ägypten) haben.” See also Ausloos 2013, 170. On the comparable avoidance of *βασιλεύς* in Ezekiel, see Raurell 1986, 86–88.

[55] In Deut 20:9, *ἄρχων* renders שׂר, which refers, in this context, to military commanders. In Deut 33:5, *ἄρχων* is used for ראשׁ, a less specific term for representatives.

Another witness to the early reception of the law of the king—in the second century BCE—is the Temple Scroll (TS).[56] Besides its typical transformation of Moses's teaching into direct divine speech (11Q19 56:12–20), it contains specific variants and a substantial expansion (11Q19 57:1–59:20).[57] The rewording of Deut 17:18 in 11Q19 56:20–21, "they shall write for him this torah on a scroll from (before) the priests" (וכתבו לו את התורה הזואת על ספר מלפני הכוהנים) identifies "this torah," perhaps, with TS as a whole or, more likely, with "this torah" introduced in 57:1. The king is not to write for himself (as in MT); rather, an unidentified group does the writing, and the "levitical priests," who are responsible for the torah in Deuteronomy, are here, most probably, altered to "priests." This latter transformation seems to imply that the group behind TS identify themselves as "priests" and underline the authority of their torah.[58]

The expansion of the law in 11Q19 57:1–59:20 is in strong tension with Deuteronomy's conception, as it reattributes military (57:1–11; 58:3–21) and judicial (57:19–21)[59] authority to the king, "filling a perceived gap in the biblical text" (Fraade 2011, 293). On the other hand, TS's expansion is ideologically related to Deuteronomy's law in that the king is obliged to act in accordance with his council, which consists of twelve each of princes, priests, and Levites (57:11–15)—thus a majority are cultic personnel.[60] Similarly, the king must not wage offensive warfare without complying with the high priest's decision, found by Urim and Thummim (58:18–21). Legal authority, which derives from the torah "before the priests," is implemented in concrete governance through the council system. TS integrates Deuteronomy's prophetic and etiological dimension into its expansion, providing for the king's guard, which is supposed to protect him from being captured by the nations (57:7.11), announcing exile and restoration (59:2–13; cf. the dynamics of Deut 28:15–68; 30:1–10), and contrasting the extinction of the lineage of a disobedient king (59:13–15) with the eternal continuity of an obedient lineage (59:16–21).

TS's interest in the concrete political responsibilities of the king is, as several scholars have argued, historically related to the rise of Jewish political leadership during the Hasmonean period, in which TS provides a critical vision of a divinely approved monarchy.[61] In contrast to LXX, which had downplayed the law of the king relative to the law of the archon, TS highlights the role of a hoped-for ideal king. On the basis of Deuteronomy's example, TS combines historicized etiology with real political interests, reflecting a new phase in the political history of Second Temple Judaism.

---

[56] For the text see Yadin 1983b, esp. 252–270.

[57] See especially Schiffman 2008; Fraade 2011, 290–299; Elledge 2004; Paganini 2011; 2009, esp. 137–154.

[58] Cf. Paganini 2009, 147.

[59] Cf. Pearce 2013, 92.

[60] In this context, 11Q19 57:14 applies Deut 17:20 to the king's attitude toward the council: "that his heart should not be lifted up above his brothers"; cf. Pearce 2013, 287.

[61] Cf. already Yadin 1983a, 387–389, and, with more references, Schiffman 2008, 502–504.

Tracing the further history of the law's interpretation in the Mishnah, the Tosefta, and the Sifre to Deuteronomy, S. Fraade arrives at the conclusion that "Qumran sectaries and rabbinic sages ingeniously read themselves into the gaps in the weave of the scriptural Torah of the king"—an essentially political enterprise (Fraade 2011, 299–318; quotation at 319). The early reception of the law of the king thus continues what is already implied in its canonical base text: the Janus-faced vision of the king serves an understanding of the past while, at the same time, seeking to influence the future.

Historicized Etiology *and* a Political Program?

We have thus far seen that Deuteronomy's law of the king can serve—in the context of Moses's prophecies—as part of the etiology of the disasters that unfold in the Deuteronomistic History, and it may, at the same time, support a political agenda of promoting the priestly power that had started to grow after the monarchy's demise. Could these two levels of meaning work together in Deuteronomy's textual pragmatics? I shall suggest that they can.

Insofar as Deuteronomy's law of the king makes it clear—as a hermeneutical key to the subsequent historiographical complex—that Moses envisioned monarchy in a way that was hardly ever implemented, the Deuteronomistic History proves in the end—although its implied vision of kingship differs to a considerable degree from Deuteronomy's law of the king—that Moses was right. The Davidic dynasty could not live and remain on the throne forever since it did not keep Moses's commands. This means, *a fortiori*, that any king who might wish to rule over Israel in the (postexilic) future had to be aware of the serious threat connected with the Mosaic instruction. Either he would fully comply, so as to have the chance of prolonging his reign and that of his sons, or he could be quite certain of facing the same fate as the kings who had been driven from the stage of history in the past.

Whatever prehistory one might imagine for Deuteronomy's law of the king, read from the perspective of the postexilic reconstruction of Jerusalem it conveys a consistant message in every layer of its potential meaning. Moses, Israel's unique prophet, conceived of Israel's king within an ideal constitution that would instill in him a spirit of torah study and of humility in relation to his "brothers." The kings of Israel and Judah complied with this vision, as the Deuteronomistic History shows, only very exceptionally, so that the dynasty could not maintain its rule (Deut 17:20) and had to go into exile, as Moses had correctly prophesied (Deut 28:36; 2 Kgs 24:15).[62] Consequently, the postexilic community, represented by the people of Israel who stand at the Jordan as they are about to cross into the land (Deut 30:1–10) and enter into the Moab covenant (Deut 29–30), must be careful about the king whom they might be willing to elect. In order to avoid the dangers of the past, this king would have to study Deuteronomy's torah carefully and, encouraged not least by the lessons of the past, live and reign accordingly. If this analysis is correct, we should replace "or" in the subtitle of this article with "and": Deuteronomy presents historicized etiology *and* a political program; or, more precisely, historicized etiology that, at the same time, promotes a political program, albeit a priestly rather than a classical royal political program.

---

[62] "At the same time the rare figures of rightful kings are a proof that the portrait of the king is not just utopia; and they are historical prototypes of royal figures that could come after the exile. Josiah is not only the typological counterpart of Joshua, he is also the prototype of kings (hopefully) to come"—thus Jean-Pierre Sonnet in a personal communication. On Josiah as the typological counterpart of Joshua, see Sonnet 1994, here 857; Nelson 1981.

Perspectives: Breaking the Vicious Circles of History

The strategies of textual pragmatics discernible in the book of Deuteronomy are tightly linked to cyclical historical schemes. Positively, the cyclical actualization of foundational experiences is essential to the continuity of Israel's identity. Just as God assembled Israel at Horeb to teach them (Deut 4:10), Moses teaches Israel in Moab (6:1) and instructs them to teach "this torah" regularly in their assembly in the promised land (31:9–13; e.g., Sonnet 1997, 140–147). Just as the Horeb covenant really is valid for the Moab generation (5:2–3), the Moab covenant is supposed to include even those (future generations) "who are not here with us today" (29:14). Similarly, the restoration of Israel's brotherly society through the annual feasts (16:1–17) and the cyclical reassertion of social equality during the sabbatical years (15:1–18) are supposed to continuously renew Israel's identity according to Mosaic teaching.

Negatively, history runs the risk of unfolding in vicious circles.[63] Israel might perish from the promised land, just as the Canaanite nations are about to be driven out of it (Deut 8:20). Israel must at all costs avoid committing the abominations for which the Canaanites themselves are to be driven out (18:10–12). Tragically, it is precisely such crimes committed in Israel—most prominently child sacrifice—that contributed to Israel's loss of the land according to the Deuteronomistic History.[64]

Vicious circles such as these provide a powerful pattern of thought that enhances Deuteronomy's textual pragmatics of self-authorization for a postexilic readership. If Israel were to disobey again, "all these curses" would "come upon you, pursuing and overtaking you until you are destroyed" (Deut 28:45). The account of the catastrophe in the books of Kings promotes the study of the "torah book" found during the reign of King Josiah (Markl 2014a, 724–726). Only by breaking the vicious circle of disobedience does Israel have a chance to establish continuous life in the land. On the brink of return, God himself creates the spiritual precondition for obedience by circumcising "your heart and the heart of your descendants" (Deut 30:6; Ehrenreich 2010, 156–188; 2011).

Deuteronomy's law of the king can be read as an example of the necessity of a new beginning. The premonarchic—and thus impartial—voice of Moses clearly explains why the monarchy had to fail in the end. Only by refusing to fall into the same trap again does Israel have a chance to survive. It is the people's responsibility to elect the right king. A primary duty of the king will be to learn from the lessons of history that are explained in "this torah." By unveiling the repetitive patterns of sin and destruction, Deuteronomy—together with the Deuteronomistic History—aims at a new start. Both instill a sharpened awareness, a circumcised heart that helps avoid the traps of the past.

---

[63] On the following, see Lohfink 2000b.

[64] See n. 14 above.

We should return, in the end, to the question at the center of these reflections. Can there be a humble king? In Deuteronomy, the virtue of humility is not the exclusive privilege of the king but is democratized in Moses's parenesis. Moses warns Israel not to "exalt" (רום) their "hearts" (לבב, Deut 8:14; cf. 17:20) because of the material wealth with which they will be blessed in the promised land (8:7–13).[65] In contrast, the experience of the desert wanderings was a divine education in the school of humility for the entire people (8:1–6.15–16, esp. ענה in vv. 2–3.16). One of the most elevated characterizations of Moses in the Pentateuch attributes this virtue to him to the highest degree: "Now the man Moses was very humble (ענו), more so than any other human being on the face of the earth" (Num 12:3).[66]

The different priestly groups behind the traditions of the Pentateuch seem to converge in their esteem for humility as a political virtue.[67] As long as there is no real king in postexilic Jerusalem, the portrait of a humble king shows what an ideal leader should be: a diligent student of Mosaic torah. As long as this king's imagined throne is empty, leadership duties may well be fulfilled by those who live his task to perfection—the priestly experts in Mosaic torah. Since Deuteronomy commands not only the king but also the entire people to study torah (6:6–9; 31:9–13),[68] the humble king may well be an exemplary Israelite.[69] "To envision a polity's leadership is to define its subjects" (Fraade 2011, 319). Eventually, all Israelites may be endowed with royal dignity by studying "this torah."

---

[65] Especially the motif of "multiplying" (רבה) "silver and gold" (כסף וזהב) strongly connects Deut 8:13 with 17:17. The positive formulation in 8:13 contrasts with the negative one in 17:17. Hagedorn (2004, 144) remarks, "In a society of brothers it is illegitimate to increase one's own wealth at the cost of others."

[66] On this characterization, see Markl 2015, 34–36.

[67] Pharaoh serves as a contrastive personification of political vice. His hardened heart is a symbol of despotic arrogance in Exod 4:21–14:8.

[68] Nelson (2002, 225) notes that behind the idea of the studious king "is the cultural concept of documents specially written for royal instruction (such as *ANET*, 414–20 [= "The Instruction for King Meri-ka-Re," "The Instruction of King Amen-em-het," and "The Instruction of Prince Hor-dedef"]), but here the king in fact studies the same law as everyone else."

[69] Sonnet (1997, 80–82) conspicuously analyzes the parallels between the effects the study of the torah will have on the king and on the entire people, suggesting that "what is expected from the king's reading is presumably pertinent to the people's reception ethics" (80).

References

Achenbach, R. 2009. "Das sogenannte Königsgesetz in Deuteronomium 17,14–20." *Zeitschrift für Altorientalische und Biblische Rechtsgeschichte* 15: 216–233.

Ausloos, H. 2013. "The »Law of the King« (Deut 17, 14–20) in the Septuagint. Between Ideal and Reality." *Semitica* 55: 157–172.

Blanco-Wißmann, F. 2008. *"Er tat das Rechte . . .": Beurteilungskriterien und Deuteronomismus in 1 Kön 12–2 Kön 25*. Abhandlungen zur Theologie des Alten und Neuen Testaments 93. Zürich: Theologischer Verlag.

Braulik, G. 1986. *Deuteronomium 1–16,17*. Die Neue Echter Bibel. Würzburg: Echter.

— 1992. *Deuteronomium II 16,18–34,12*. Die Neue Echter Bibel. Würzburg: Echter.

— 2006. "Deuteronomium 1–4 als Sprechakt." In G. Braulik, *Studien zu den Methoden der Deuteronomiumsexegese*, Stuttgarter Biblische Aufsatzbände 42, 39–48. Stuttgart: Verlag Katholisches Bibelwerk. Originally published in *Biblica* 83 (2002) 249–257.

— 2008. "Der unterbrochene Dekalog: Zu Deuteronomium 5,12 und 16 und ihrer Bedeutung für den deuteronomistischen Gesetzeskodex." *Zeitschrift für die alttestamentliche Wissenschaft* 120: 169–183.

— 2017. "'Heute' im Buch Deuteronomium: Tora und Bundesschluss." *Bibel und Liturgie* 90: 11–22.

Cancik-Kirschbaum, E. 1999. "König der Gerechtigkeit—ein altorientalisches Paradigma zu Recht und Herrschaft." In *Torah—Nomos—Ius: Abendländischer Antinomismus und der Traum vom herrschaftsfreien Raum*, edited by G. Palmer, C. Nasse, and R. Haffke, 52–69. Berlin: Vorwerk 8.

Carrière, J.-M. 2001. *Théorie du politique dans le Deutéronome: Analyse des unités, des structures et des concepts de Dt 16,18–18,22*. Österreichische Biblische Studien 18. Frankfurt a.M.: Peter Lang.

Cogan, M., and H. Tadmor. 1988. *II Kings: A New Translation with Introduction and Commentary*. Anchor Bible 11. New York: Doubleday.

Crouch, C. L. 2014. *The Making of Israel: Cultural Diversity in the Southern Levant and the Formation of Ethnic Identity in Deuteronomy*. Vetus Testamentum Supplements 162. Leiden: Brill.

Dietrich, W. 2006. *David, der Herrscher mit der Harfe*. Biblische Gestalten 14. Leipzig: Evangelische Verlagsanstalt.

Dubovský, P. 2015. *The Building of the First Temple: A Study in Redactional, Text-Critical and Historical Perspective*. Forschungen zum Alten Testament 103. Tübingen: Mohr Siebeck.

Ehrenreich, E. 2010. *Wähle das Leben! Deuteronomium 30 als hermeneutischer Schlüssel zur Tora*. Beihefte zur Zeitschrift für Altorientalische und Biblische Rechtsgeschichte 14. Wiesbaden: Harrassowitz.

— 2011. "Tora zwischen Scheitern und Neubeginn. Narrative Rechtshermeneutik im Licht von Dtn 30." In *Deuteronomium—Tora für eine neue Generation*, edited by G. Fischer, D. Markl, and S. Paganini, Beihefte zur Zeitschrift für Altorientalische und Biblische Rechtsgeschichte 17, 213–226. Wiesbaden: Harrassowitz.

Elledge, C. D. 2004. *The Statutes of the King: The Temple Scroll's Legislation on Kingship (11Q19 LVI 12–LIX 21)*. Cahiers de la Revue Biblique 56. Paris: Peeters.

Fraade, S. D. 2011. "'The Torah of the King' (Deut 17:14–20) in the Temple Scroll and Early Rabbinic Law." In S. D. Fraade, *Legal Fictions: Studies of Law and Narrative in the Discursive Worlds of Ancient Jewish Sectarians and Sages*, Journal for the Study of Judaism Supplements 147, 285–319. Leiden: Brill. Originally published in *The Dead Sea Scrolls as Background to Postbiblical Judaism and Early Christianity: Papers from an International Conference at St. Andrews in 2001*, edited by J. R. Davila, Studies on the Texts from the Desert of Judah 46, 25–60. Leiden: Brill, 2002.

Frankfort, H. 1948. *Kingship and the Gods: A Study of Ancient Near Eastern Religion as the Integration of Society and Nature*. Chicago: University of Chicago Press.

Freund, R. A. 1990. "From Kings to Archons: Jewish Political Ethics and Kingship Passages in the LXX." *Scandinavian Journal of the Old Testament* 4(2): 58–72.

Hagedorn, A. C. 2004. *Between Moses and Plato: Individual and Society in Deuteronomy and Ancient Greek Law*. Forschungen zur Religion und Literatur des Alten und Neuen Testaments 204. Göttingen: Vandenhoek und Ruprecht.

Hanhart, R. 1988. "Die Bedeutung der Septuaginta für die Definition des 'hellenistischen Judentums.'" In *Congress Volume: Jerusalem 1986*, edited by J. A. Emerton, Vetus Testamentum Supplements 40, 67–80. Leiden: Brill.

— 1992. "The Translation of the Septuagint in Light of Earlier Tradition and Subsequent Influences." In *Septuagint, Scrolls and Cognate Writings: Papers Presented to the International Symposium on the Septuagint and Its Relations to the Dead Sea Scrolls and Other Writings (Manchester 1990)*, edited by G. J. Brooke and B. Lindars, Society of Biblical Literature Septuagint and Cognate Studies 33, 339–379. Atlanta: Scholars Press.

Hertog, C. den, M. Labahn, and T. Pola. 2011. "Deuteronomion. Deuteronomium / Das fünfte Buch Mose." In *Septuaginta Deutsch: Erklärungen und Kommentare zum griechischen Alten Testament. Band I: Genesis bis Makkabäer*, ed. M. Karrer and W. Kraus, 523–601. Stuttgart: Deutsche Bibelgesellschaft.

Knauf, E. A. 2016. *1 Könige 1–14*. Herders Theologischer Kommentar zum Alten Testament. Freiburg i.Br.: Herder.

Knohl, I. 2003. *The Divine Symphony: The Bible's Many Voices*. Philadelphia: Jewish Publication Society.

Knoppers, G. A. 1996. "The Deuteronomist and the Deuteronomic Law of the King: A Reexamination of the Relationship." *Zeitschrift für die alttestamentliche Wissenschaft* 108: 329–346.

Lanfranchi, G. B., and R. Rollinger, eds. 2010. *Concepts of Kingship in Antiquity*. History of the Ancient Near East Monographs 11. Padua: S.A.R.G.O.N. Editrice e Libreria.

Levinson, B. M. 1997. *Deuteronomy and the Hermeneutics of Legal Innovation*. New York: Oxford University Press.

— 2001. "The Reconceptualization of Kingship in Deuteronomy and the Deuteronomistic History's Transformation of Torah." *Vetus Testamentum* 51: 511–534.

— 2006. "The First Constitution: Rethinking the Origins of Rule of Law and Separation of Powers in Light of Deuteronomy." *Cardozo Law Review* 27: 1853–1888.

— 2008. "Deuteronomy's Conception of Law as an 'Ideal Type': A Missing Chapter in the History of Constitutional Law." In B. Levinson, *"The Right Chorale": Studies in Biblical Law and Interpretation*, Forschungen zum Alten Testament 54, 52–86. Tübingen: Mohr Siebeck. Originally published in *Maarav* 12 (2005): 83–119.

Lohfink, Norbert. 1990. "Die Sicherung der Wirksamkeit des Gotteswortes durch das Prinzip der Schriftlichkeit der Tora und durch das Prinzip der Gewaltenteilung nach den Ämtergesetzen des Buches Deuteronomium (Dt 16, 18–18, 22)." In N. Lohfink, *Studien zum Deuteronomium und zur deuteronomistischen Literatur I*, Stuttgarter Biblische Aufsatzbande 8, 305–323. Stuttgart: Verlag Katholisches Bibelwerk.

— 1991. "Dtn 12,1 und Gen 15,18: Das dem Samen Abrahams geschenkte Land als der Geltungsbereich der deuteronomischen Gesetze." In N. Lohfink, *Studien zum Deuteronomium und zur deuteronomistischen Literatur II*, Stuttgarter Biblische Aufsatzbande 12, 257–285. Stuttgart: Verlag Katholisches Bibelwerk.

— 1993. "Distribution of the Functions of Power: The Laws Concerning Public Offices in Deuteronomy 16:18–18:22." In *A Song of Power and the Power of Song: Essays on the Book of Deuteronomy*, edited by D. L. Christensen, 336–352. Winona Lake, IN: Eisenbrauns.

— 2000a. "Der Zorn Gottes und das Exil." In N. Lohfink, *Studien zum Deuteronomium und zur deuteronomistischen Literatur V*, Stuttgarter Biblische Aufsatzbande 38, 37–55. Stuttgart: Verlag Katholisches Bibelwerk.

— 2000b. "Geschichtstypologisch orientierte Textstrukturen in den Büchern Deuteronomium und Josua." In N. Lohfink, *Studien zum Deuteronomium und zur deuteronomistischen Literatur IV*, Stuttgarter Biblische Aufsatzbande 31, 75–103. Stuttgart: Verlag Katholisches Bibelwerk. Originally published in *Deuteronomy and Deuteronomic Literature* (FS C. H. W. Brekelmans), edited by M. Vervenne and J. Lust, Bibliotheca Ephemeridum Theologicarum Lovaniensium 133, 133–160. Leuven: Peeters, 1997.

— 2005. "Narrative Analyse von Dtn 1,6–3,29." In N. Lohfink, *Studien zum Deuteronomium und zur deuteronomistischen Literatur V*, Stuttgarter Biblische Aufsatzbande 38, 57–110. Stuttgart: Verlag Katholisches Bibelwerk. Originally published in *Mincha* (FS R. Rendtorff), edited by E. Blum, 121–176. Neukirchen-Vluyn: Neukirchener Verlag, 2000.

Lust, J. 1991. "Molek and ΑΡΧΩΝ." In *Phoenicia and the Bible*, ed. E. Lipiński, Orientalia Lovaniensia Analecta 44, 193–208. Leuven: Peeters.

Markl, D. 2012. *Gottes Volk im Deuteronomium*. Beihefte zur Zeitschrift für Altorientalische und Biblische Rechtsgeschichte 18. Wiesbaden: Harrassowitz.

— 2013. "The Ten Words Revealed and Revised: The Origins of Law and Legal Hermeneutics in the Pentateuch." In *The Decalogue and Its Cultural Influ-*

ence, edited by D. Markl, Hebrew Bible Monographs 58, 13–27. Sheffield: Phoenix.

— 2014a. "No Future without Moses: The Disastrous End of 2 Kings 22–25 and the Chance of the Moab Covenant (Deut 29–30)." *Journal of Biblical Literature* 133: 711–728.

— 2014b. "This Word is Your Life: The Theology of 'Life' in Deuteronomy." In *Gottes Wort im Menschenwort: Festschrift für Georg Fischer SJ zum 60. Geburtstag*, edited by D. Markl, C. Paganini, and S. Paganini, Österreichische Biblische Studien 43, 71–96. Frankfurt a.M.: Peter Lang.

— 2015. "Der Mann Mose: Gottesmann und homo politicus." In *Männer-Beziehungen: Männerspezifische Bibelauslegung II*, edited by R. Knieling and A. Ruffing, Biblisch-theologische Schwerpunkte 37, 30–49. Göttingen: Vandenhoeck und Ruprecht.

— Forthcoming (2018). "Deuteronomy." In *The Paulist Biblical Commentary*, edited by M.-D. Janus et al.

— Forthcoming a. "David the Musician and Politician—From the Bible to the Present." In *The Oxford Handbook on the Historical Books of the Hebrew Bible*, edited by B. E. Kelle and B. A. Strawn. Oxford: Oxford University Press.

— Forthcoming b. "Polemics against Child Sacrifice and the Construction of the Other in Deuteronomy and the Deuteronomistic History." In *Intolerance, Polemics, and Debate in Antiquity.* Edited by G. van Kooten and J. van Ruiten. Berlin: De Gruyter.

Markl, D., and A. Ezechukwu. 2015. "'For You Know the Soul of a Stranger' (Exod 23:9): The Role of the Joseph Story in the Legal Hermeneutics of the Pentateuch." *Zeitschrift für Altorientalische und Biblische Rechtsgeschichte* 21: 215–232.

McKenzie, S. L. 2000. *King David: A Biography.* Oxford: Oxford University Press.

Müller, R. 2004. *Königtum und Gottesherrschaft: Untersuchungen zur alttestamentlichen Monarchiekritik.* Forschungen zum Alten Testament 2, Reihe 3. Tübingen: Mohr Siebeck.

Nasuti, H. P. 1986. "Identity, Identification, and Imitation: The Narrative Hermeneutics of Biblical Law." *Journal of Law and Religion* 4: 9–23.

Nelson, R. D. 1981. "Josiah in the Book of Joshua." *Journal of Biblical Literature* 100: 531–540.

— 2002. *Deuteronomy.* Old Testament Library. Louisville: Westminster John Knox.

Noth, M. 1957. *Überlieferungsgeschichtliche Studien: Die sammelnden und bearbeitenden Geschichtswerke im Alten Testament.* 2nd ed. Darmstadt: Wissenschaftliche Buchgesellschaft. English translation: *The Deuteronomistic History.* Translated by J. Doull and J. Barton. 2nd ed. Journal for the Study of the Old Testament Supplement 15. Sheffield: Sheffield Academic, 1991.

Otto, E. 2012. *Deuteronomium 1,1–4,43.* Herders Theologischer Kommentar zum Alten Testament. Freiburg i.Br.: Herder.

— 2016. *Deuteronomium 12,1–23,15.* Herders Theologischer Kommentar zum Alten Testament. Freiburg i.Br.: Herder.

— 2017. *Deuteronomium 23,16–34,12.* Herders Theologischer Kommentar zum Alten Testament. Freiburg i.Br.: Herder.

Otto, E., and R. Achenbach, eds. 2004. *Das Deuteronomium zwischen Pentateuch und Deuteronomistischem Geschichtswerk.* Forschungen zur Religion und Literatur des Alten und Neuen Testaments 206. Göttingen: Vandenhoeck und Ruprecht.

Paganini, S. 2009. *"Nicht darfst du zu diesen Wörtern etwas hinzufügen": Die Rezeption des Deuteronomiums in der Tempelrolle: Sprache, Autoren, Hermeneutik.* Beihefte zur Zeitschrift für Altorientalische und Biblische Rechtsgeschichte 11. Wiesbaden: Harrassowitz.

— 2011. "Die deuteronomische Fassung des Königsgesetzes und ihre Interpretation innerhalb der Tempelrolle: Rechtshermeneutische Beobachtungen." In *The Qumran Legal Texts between the Hebrew Bible and Its Interpretation*, edited by K. De Troyer and A. Lange, Contributions to Biblical Exegesis and Theology 61, 75–89. Leuven: Peeters.

Pearce, S. J. K. 2013. *The Words of Moses: Studies in the Reception of Deuteronomy in the Second Temple Period.* Texts and Studies in Ancient Judaism 152. Tübingen: Mohr Siebeck.

Perlitt, L. 1994. "'Ein einzig Volk von Brüdern'. Zur deuteronomischen Herkunft der biblischen Bezeichnung 'Bruder.'" In L. Perlitt, *Deuteronomium-Studien*, Forschungen zum Alten Testament 8, 50–73. Tübingen: Mohr Siebeck. Originally published in *Kirche: Festschrift für Günther Bornkamm zum 75. Geburtstag*, edited by D. Lührmann and G. Strecker, 27–52. Tübingen: Mohr Siebeck, 1980.

Raurell, F. 1986. "The Polemical Role of the ΑΡΧΟΝΤΕΣ and ΑΦΗΓΟΥΜΕΝΟΙ in Ez LXX." In *Ezekiel and His Book: Textual and Literary Criticism and Their Interrelation*, edited by J. Lust, Bibliotheca Ephemeridum Theologicarum Lovaniensium 74. Leuven: Peeters.

Ricœur, P. 1986. "Introductory Lecture." In P. Ricœur, *Lectures on Ideology and Utopia*, ed. G. H. Taylor, 1–18. New York: Columbia University Press.

Ringgren, H. 1973. "אָח." In *Theologisches Wörterbuch zum Alten Testament*, vol. 1 (Ab–Galä), ed. G. J. Botterweck and H. Ringgren, 205–210. Stuttgart: Kohlhammer. English translation: *Theological Dictionary of the Old Testament*, vol. 1, 188–193. Grand Rapids, MI: Eerdmans, 1974.

Rofé, A. 2002. "Qumranic Paraphrases: The Greek Deuteronomy and the Late History of the Biblical נשיא." In A. Rofé, *Deuteronomy: Issues and Interpretation*, Old Testament Studies, 37–46. London: T & T Clark. Originally published in *Textus* 14 (1988): 163–174.

Römer, T. 2007. *The So-Called Deuteronomistic History: A Sociological, Historical, and Literary Introduction.* 2nd ed. London: T & T Clark.

Rüterswörden, U. 1987. *Von der politischen Gemeinschaft zur Gemeinde: Studien zu Dt 16,18–18,22.* Bonner biblische Beitrage 65. Frankfurt a.M.: Athenäum.

Schäfer-Lichtenberger, C. 1995. *Josua und Salomo: Eine Studie zu Autorität und Legitimität des Nachfolgers im Alten Testament.* Vetus Testamentum Supplements 58. Leiden: Brill.

Schiffman, L. H. 2008. "The King, His Guard, and the Royal Council in the Temple Scroll." In Lawrence Schiffman, *The Courtyards of the House of the Lord: Studies on the Temple Scroll*, edited by Florentino García Martínez, Studies on the Texts of the Desert of Judah 75, 487–504. Leiden: Brill.

Schmid, K. 2004. "Das Deuteronomium innerhalb der 'deuteronomistischen Geschichtswerke' in Gen–2 Kön." In *Das Deuteronomium zwischen Pentateuch und Deuteronomistischem Geschichtswerk*, ed. E. Otto and R. Achenbach, Forschungen zur Religion und Literatur des Alten und Neuen Testaments 206, 193–211. Göttingen: Vandenhoeck und Ruprecht.

— 2016. "Divine Legislation in the Pentateuch in its Late Judean and Neo-Babylonian Context." In *The Fall of Jerusalem and the Rise of the Torah*, edited by P. Dubovský, D. Markl, and J.-P. Sonnet, Forschungen zum Alten Testament 107, 129–153. Tübingen: Mohr Siebeck.

Seux, M.-J. 1983. "Königtum. B. II. und I. Jahrtausend." In *Reallexikon der Assyriologie und Vorderasiatischen Archäologie*, edited by E. Ebeling et al., vol. 6 (Klagegesang–Libanon), 140–173. Berlin: De Gruyter.

Skweres, D. E. 1979. *Die Rückverweise im Buch Deuteronomium.* Analecta Biblica 79. Rome: Biblical Institute Press.

Sonnet, J.-P. 1994. "'Le livre trouvé': 2 Rois 22 dans sa finalité narrative." *Nouvelle Revue Théologique* 116: 836–861.

— 1997. *The Book within the Book: Writing in Deuteronomy.* Biblical Interpretation Series 14. Leiden: Brill.

— 2012. "The Fifth Book of the Pentateuch: Deuteronomy in Its Narrative Dynamic." *Journal of Ancient Judaism* 3: 197–234.

— 2016. "The Siege of Jerusalem between Rhetorical Maximalism (Deut 28) and Narrative Minimalism (2 Kgs 25)." In *The Fall of Jerusalem and the Rise of the Torah*, edited by P. Dubovský, D. Markl, and J.-P. Sonnet, Forschungen zum Alten Testament 107, 73–86. Tübingen: Mohr Siebeck.

— Forthcoming. "'In quel giorno', 'Fino ad oggi': L'arco della comunicazione narrativa nelle Bibbia ebraica." *Rivista liturgica.*

Veijola, T. 1977. *Das Königtum in der Beurteilung der deuteronomistischen Historiographie: Eine Redaktionsgeschichtliche Untersuchung.* Annales academiae scientiarum fennicae 198. Helsinki: Suomalainen Tiedeakatemia.

Wazana, N. 2016. "The Law of the King (Deuteronomy 17:14–20) in the Light of Empire and Destruction." In *The Fall of Jerusalem and the Rise of the Torah*, edited by P. Dubovský, D. Markl, and J.-P. Sonnet, Forschungen zum Alten Testament 107, 129–153. Tübingen: Mohr Siebeck.

Yadin, Y., ed. 1983a. *The Temple Scroll*, vol. 1, *Introduction.* Jerusalem: Israel Exploration Society.

— 1983b. *The Temple Scroll*, vol. 2, *Text and Commentary.* Jerusalem: Israel Exploration Society.