

The Journal of Hebrew Scriptures

ISSN 1203-1542

<http://www.jhsonline.org> *and*

<http://purl.org/jhs>



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Volume 10, Article 16

DAVID FRANKEL,
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READINGS OF PSALM 82 IN CONTEMPORARY SCHOLARSHIP

It is a commonplace of biblical scholarship to affirm the mythological character of Psalm 82. Most scholars by now agree that the **אלהים** that come under divine judgment and are condemned to death in this Psalm are not human leaders, or judges, but divine beings, members of a divine council.¹ In spite of this general consensus, the extent to which the mythology reflected in the Psalm

* I would like to express special thanks to my student, Israel Kamil, who first suggested in a class discussion that El is the speaker in Psalm 82, for allowing me to formulate and develop his suggestion here in my own distinct way.

¹ The traditional interpretation of the convicted Elohim as human judges was defended and promoted by Y. Kaufmann, *The History of Israelite Religion* (4 vols.; Tel Aviv: Bialik and Dvir, 1937–56), 2.707–08, n. 90, and Y.M. Grintz, “Between Ugarit and Qumran (Deut 32:8–9, 43),” *Studies in Early Biblical Ethnology and History* (Jerusalem: Hakibbutz Hameuchad, 1969), 253–54, n. 41. Against these see M. Tsevat, “God and the Gods in Assembly: An Interpretation of Psalm 82,” *HUCA* 40 (1969), 123–37; S.E. Loewenstamm, *The Evolution of the Exodus Tradition* (trans. B.J. Schwartz; Jerusalem: Magnes, 1992), 115–17, n. 68. See also C.H. Gordon, “**אלהים** in its Reputed Meaning of Rulers, Judges,” *JBL* 54 (1935), 139–44, and G. Cooke, “The Sons of (the) God(s),” *ZAW* 76 (1974), 22–47. H. Niehr, “Götter oder Menschen—eine falsche Alternative: Bemerkungen zu Ps 82,” *ZAW* 99 (1987), 94–98, argues that the alternative “gods or human beings” is inadequate since the actions of the gods and of human beings run parallel to one another in ancient thought. Niehr goes on to argue that the gods are being held accountable in verses 6–7 for the corruption of their human worshipers on earth (vv 2–4). This formulation, however, is problematic. There is no reason to assume that the gods themselves are not thought of as personally guilty for the injustices with which they are accused in verses 2–4. If human officials who worship these deities *also* participate in the divine corruption this hardly means that they are the ones who are really being critiqued in verses 2–4, and that the gods are only guilty in the sense that they bear ultimate responsibility. It is further strange that while the Psalm attacks the gods for the corruption of their worshippers, the worshippers themselves go unpunished.

diverges from “normative” forms of biblical Yahwism² continues to be debated. Many scholars insist that the Psalm depicts YHWH³ as the head of the council. Even though this council is referred to as “the council of El,” “it is obvious,” affirms E.T. Mullen Jr.,⁴ echoing the conviction of many others, “that it (= “El”) is employed as an epithet of Yahweh and not as the designation of a god of superior rank.” The reason that it is considered “obvious” that YHWH is the head of the council is twofold. First, verse 1 clearly states that YHWH “judges,” and this is the role that belongs to the head of the council. Second, “El” is a common epithet for YHWH throughout the Hebrew Bible. It is accordingly natural to expect this to be the case in this Psalm as well. Not only do these scholars see YHWH as the head of the council, they also see him as the one who appointed the members of the council to their posts in the first place (v 6), thereby bestowing them their derivative and subordinate authority.⁵ Accordingly, when YHWH condemns the members of the assembly to death in verse 7, he simply reclaims for himself the ultimate authority that was always his.⁶

Other scholars, in contrast, assign a higher degree of theological heterodoxy (from the canonical point of view) to the Psalm. These scholars have argued, in our view most cogently, that YHWH is *not* depicted in Psalm 82 as the one who presides over the divine assembly as head from the start.⁷ The assembly wherein

² By “normative forms of biblical Yahwism” we refer not to what was normative in monarchic Israel, but what was normative for the final editors of the biblical corpus as a whole. For this important distinction see the classic work of M. Smith, *Palestinian Parties and Politics That Shaped the Old Testament* (New York: Columbia University Press, 1971).

³ It is widely agreed that the first Elohim in v 1 and the one in v 8 must be replaced with YHWH, in accordance with the fact that Psalm 82 is part of the Elohist collection within the book of Psalms. A recent treatment of this collection is L. Joffe, “The Elohist Psalter: What, How and Why?” *SJOT* 15 (2001), 142–66.

⁴ E.T. Mullen Jr., *The Assembly of the Gods: The Divine Council in Canaanite and Early Hebrew Literature* (HSM, 24; Chico, Calif.: Scholars, 1980), 230.

⁵ G.E. Wright, *The Old Testament Against its Environment* (SBT, 2; London: SCM, 1950), 30–41; A. Rofe, “The Belief in Angels” (Ph.D. dissertation, The Hebrew University, 1969 [repr. Jerusalem: Makor, 1979]), 67–70.

⁶ Tsevat, “God and the Gods,” 129, 133–34; M.E. Tate, *Psalms 51–100* (WBC, 20; Dallas: Word, 1990), 337–38.

⁷ See the recent compelling argumentation of S.B. Parker, “Psalm 82 as Myth and Liturgy,” *RB* 102 (1995), 532–59. The basic position was first presented by K. Budde, “Ps 82 ff,” *JBL* 40 (1921), 41–42, and later promoted by O. Eissfeldt, “El and Yahweh,” *JSS* 1 (1956), 29–30. See also J.D. Levenson, *Creation and the Persistence of Evil* (New York: Harper, 1988), 6–7; S.E. Loewenstamm, “Nahalat YHWH,” *From Babylon to Canaan: Studies in the Bible and its Oriental Background* (Jerusalem: Magnes Press, 1992), 355–59; M.S. Smith, *The Origins of Biblical Monotheism: Israel’s Polytheistic Background and the Ugaritic Texts* (Oxford/New York: Oxford Universi-

YHWH takes his stand in v 1 is not referred to as “the council of YHWH,” but as “the council of El.” Though El is commonly identified with YHWH in most of the Bible, there are instances where their distinct identities are preserved, most notably in Deut 32:8–9.⁸ This Psalm would seem to be another such instance, since it would have been much more natural to state “YHWH stands in *his* council.” What is more, the one who presides as head of legal proceedings, which is what the Psalm clearly depicts, is generally presented as seated, while the litigants stand before him.⁹ YHWH, however, is said in v 1 to *stand*, not sit. Also, YHWH is situated not in front of the council, but *in the midst of* the council.¹⁰ These formulations most naturally imply that YHWH is a litigant or accuser in the ensuing legal exchange.¹¹ שפט in v 1 may thus have the significance

ty, 2001), 156–57. H.J. Zobel, “*לְיָוָה*,” *TDOT* 9:128–29.

⁸ Following the reading *לְמַסְפֵּר בְּנֵי אֱלֹהִים*. For an extensive analysis see Loewenstamm, “Nahalat YHWH,” 343–55.

⁹ See the full documentation of the evidence in Parker, “Psalm 82 as Myth and Liturgy,” 535–38. See also B. Gemser, “The RIB- or Controversy-Pattern in Hebrew Mentality,” M. Noth and D.W. Thomas (eds), *Wisdom in Israel and in the Ancient Near East* (VTSup, 3; Leiden: Brill, 1955), 123.

¹⁰ The term *בְּקִרְבָּם* implies that they are standing together. Note in comparison, e.g., Isa 43:26: *נִשְׁפָּטָה יַחַד* and Isa 50:8:

קְרוֹב מִצְדִּיקֵי מִי יִרִיב אֶתִּי נְעֻמָּה יַחַד, מִי בְעַל מִשְׁפָּטֵי יֹגֵשׁ אֵלַי

¹¹ For the heavenly accuser standing next to the accused in the divine council cf. Job 1:6; 2:1; Zech 3:1–8. There is a clear distinction in these texts between the heavenly accuser and the high Judge, YHWH. See P.L. Day, *An Adversary in Heaven: satan in the Hebrew Bible* (HSM, 43; Atlanta: Scholars, 1988). In our Psalm, YHWH takes the role of advocate of the exploited peoples amongst the nations, whose cases were not properly dealt with by the gods. As advocate for the people, he is accuser of the gods who have mistreated them. See J. Sawyer (“What Was a *Mosia*?” *VT* 15 (1965), 475–86) who argues that the *מוֹשִׁיעַ* was at root a legal advocate, that his main tool was verbal contention, and that he played a role in both earthly and heavenly contexts as counterpart to the *שֹׁטֵן*. Scholars have often pointed out that the prophet frequently plays the role of legal accuser and contender in relation to Israel. See e.g., J. Limburg, “The Root *רִיב* and the Prophetic Lawsuit Speeches,” *JBL* 88 (1969), 291–304. Thus, the prophetic sounding chastisements of verses 2–4 in Psalm 82 (cf. e.g., Isa 1:17, 23; Zech 7:9–10) accord perfectly well with the role of the accuser. Instructive for an understanding of Ps 82:1 in this context is 1 Sam 12:7, where Samuel accuses the Israelites of misconduct in asking for a king, saying,

*וְעַתָּה הִתְיַבְצוּ וְאִישׁ־פִּטְמָה אֵיתְכֶם לִפְנֵי ה' אֵת כָּל צְדָקוֹת ה' אֲשֶׁר עָשָׂה אֶתְכֶם
וְאֵת אֲבוֹתֵיכֶם*

Here we find Samuel calling the Israelites to *stand with him in judgment before the Lord*, and then proceeds to chastise the people for their failures. Similarly, in Ps 82:1, YHWH stands in judgment with the council of El and chastises them for their failures. As we shall argue below, implicitly, this *רִיב* with the gods in which YHWH represents the people, is brought

of “accuse,” “rebuke,” or “contend with”¹² and this accords precisely with the action depicted in verses 2–4. Again, if YHWH were the head of the council from the very beginning there would be little new in the call of v 8 that YHWH take up rule of the world. Verse 8 takes on much more force and significance if it is assumed that YHWH has not, as of yet, been ruler of the universe. Finally, Parker has astutely pointed to comparable instances where accusations of failure in executing judicial responsibilities brought against the regnant authorities are promoted specifically by contenders to the throne.¹³ The implication of this is that when YHWH accuses the gods of injustice and corruption in verses 2–4, he does so not from a position of the highest authority, but from one of clearly limited rank.

Undeniably, this second reading of the Psalm elicits a much greater sense of mythological tension than the first. Since the assembly does not bear YHWH’s name, he is not necessarily conceived of as the one who first established it, and his supreme authority is thus not thought of as primordial. YHWH first

before El, just as Samuel’s ריב is brought before YHWH.

¹² Parker, “Psalm 82 as Myth and Liturgy,” 536, takes שפט in v 1 in the sense of “to charge with, accuse of, injustice” though he does not cite supporting evidence for this meaning. We might point to the parallel between שפט and יכח in Isa 11:3–4, recalling that reproof or accusation is part of the connotation of יכח. We could also render שפט in Ps 82:1 a bit more broadly as “contend.” Note that the verb שפט is parallel to the verb ריב in Isa 1:17, ריבו אלמנה, שפטו יתום, שפטו יתום, ריבו אלמנה, שפטו יתום. The call of the prophet is for contending on behalf of the orphan and widow. We would particularly point to Isa 3:13–15,

נצב לריב ה', ועמד לדין עמים (עמו). ה' במשפט יבוא, עם זקני עמו ושריו,
ואתם בערתם הכרם, גולת העני בבתיכם. מלכם (=מה לכם) תדכאו עמי, ופני
עניים תטחנו

In this passage YHWH stands together with the elders of Israel as plaintiff (נצב לריב... עם), and contends with them on behalf of the people for abusing their administrative status to exploit the downtrodden of society. (The contention is also referred to with the words לדין עמו [following LXX], which obviously does not mean to give a verdict, which is lacking in the text, but to contend on behalf of the exploited people [cf. Deut 32:36; Ps 54:3]). This, of course, is exactly parallel to the situation in our Psalm, where YHWH stands amidst the council in order to contend with them, or testify against them, on behalf of the exploited people of the world, whose cause he champions. We might also consider the possibility of repointing שפט to the *niph'al*. This would also carry the meaning “enter into controversy, plead” (BDB 1048). This suggestion may draw support from the fact that this form is used in conjunction with “standing together” in 1 Sam 12:7 and Isa 43:26; 50:8. However, in light of the analysis given above, this procedure may be unnecessary.

¹³ Parker, “Psalm 82 as Myth and Liturgy,” 543–48. Parker cites the case of Absalom in 2 Sam 15:1–6, and of Yassub, who calls on his father Kirta to give him his throne after accusing him of neglecting his task of promoting the cases of the disadvantaged (KTU 1.16 VI).

progresses toward world supremacy at a rather advanced point in time, when he finally decides to condemn the gods of the nations to death, after they have shown themselves to be irreparably corrupt. What is more, the complete rise of YHWH to world supremacy is still pending, and is not completely accomplished within the temporal framework of the Psalm. This is why the Psalmist calls upon YHWH in v 8 to at long last carry out his verdict, kill the gods, and finally take charge of the chaotic world.

Yet, even for those who recognize that YHWH and El are not identified in the Psalm, El still plays no active role in the drama of the Psalm.¹⁴ El is regarded by many of these scholars as completely ignored. YHWH condemns to death what is for all intents and purposes a headless pantheon.¹⁵ The sole mention of El within the

¹⁴ The main exception to this rule is Eissfeldt (“El and Yahweh,” 29–30), who suggests that El is the speaker in vv 2–7, and the Psalmist the speaker in vv 1, 8. However, as noted by Loewenstamm (“Nahalat YHWH,” 355), this position cannot be accepted. The analysis leaves the role of YHWH in vv 1 and 8 totally unaccounted for. If El is the sole speaker, how do we explain that it is YHWH who is said to stand and judge in v 1? Furthermore, why in v 8 does the Psalmist call upon YHWH rather than El to rule the world? A more nuanced exposition that seems close to that of Eissfeldt is adopted by M. Fishbane, *Biblical Myth and Rabbinic Mythmaking* (Oxford: Oxford University, 2003) 75, n. 26. Fishbane suggests that behind the first Elohim in v 1 lay an original El, and that the mythological “residue” of the original Psalm is newly adapted to Yahwism both in the alteration to Elohim in v 1, and the appeal to YHWH in v 8. This approach also encounters difficulty. First, the purportedly original אל נצב בעדת אל is jarring. One would expect בעדתו or the like. Second, the decision to see an original El behind the Elohim of v 1 and an original YHWH behind the Elohim of v 8 is arbitrary. One would expect the same original to lie behind both.

¹⁵ Parker, “Psalm 82 as Myth and Liturgy,” 552: “carefully omitting any direct reference to the high god”; F-L. Hossfeld and E. Zenger, *Psalms 2: A Commentary on Psalms 51–100* (Hermeneia; Minneapolis: Fortress, 2005), 332–33: “the psalm immediately evokes the traditional Canaanite idea of a hierarchical assembly of the gods in which El sits on his throne surrounded by gods as his heavenly council... It is true that this idea is present here only to the extent that it can serve to profile the role of the God of Israel in contrast to the other gods. Hence nothing is said about El, the president of the gods, as an independent figure.” With reference to the statement of the Psalm in v 6 Hossfeld and Zenger remark: “The psalm leaves vague who had given them those instructions. It seems to us that this is deliberately left open in order to exclude the idea that it had been done by an “El Elyon” who, as a god superior to the God of Israel, conducts, or once conducted, the governance of the world” (Hossfeld and Zenger, *Psalms 2*, 335). Loewenstamm, “Nahalat YHWH,” 356: “The “assembly of ʿel”, therefore, refers to a pantheon which was considered to be headed and sired by ʿel. This ancient conception supplies an impressive backdrop for the confrontation between YHWH and the other gods. However, the substantiality of ʿel is weakened already in v 1. As noted

phrase “council of El” is seen as a fossilized literary relic of an old Canaanite conception. It is adopted for the purposes of speaking about the pantheon, not El. This, it is often assumed, reflects the late, monotheistic orientation of the author of the Psalm, whose theological outlook is, in spite of the heightened mythology, deemed closely akin to that of Second Isaiah.¹⁶ The recognition of the gods of the nations could just barely be ceded, and this with exclusive regard to the ancient past. No such recognition could be countenanced with respect to a deity that was deemed superior in rank to YHWH. Thus, in spite of the heightened sense of mythological tension reflected in this reading of the Psalm, it still sees YHWH as the sole supreme deity, and the sole champion of justice. All the other gods of the world are both corrupt and nameless. YHWH exhibits his supremacy not only by advocating justice as accuser and prosecutor of the gods (verses 2–4), but also by pronouncing their death sentence as high judge (verses 6–7). The assumption of the Psalm, in this reading, is that YHWH, as supreme deity, is the only one with the power to destroy all the other gods of the council. El, who is, technically speaking, the head of the council, is completely ignored, removed from the drama, treated as if he didn’t exist.

SCHOLARLY PRECONCEPTION OF THE SILENCE OF EL

In the following paragraphs we will argue that the above reading of Psalm 82 does not adequately account for the peculiarities in the text. In our view, these are best accounted for by the assumption that El, far from being a literary relic, or a shadowy figure, plays a prominent role next to YHWH in the drama of the Psalm. While YHWH is the speaker, who plays the role of prosecutor of the gods and advocate of the exploited in vv 2–4, El is the speaker, who plays the role of high judge in vv 6–8. It is El who appointed the deities to his council (v 6), and it is he who finally condemns them to death (v 7). Most important, it is El who calls upon YHWH at the end of the Psalm to rule the world in place of the gods, bestowing upon YHWH the inheritances of those gods he

above, ʾel himself is not described as being present and the only mention of his name is with respect to the pantheonic appellation. This weakness befits an ancient godhead whose only place is in the realm of speculative theological thought.” Smith, *The Origins of Biblical Monotheism*, 48: “One biblical text that presents Yahweh in an explicit divine council scene does not cast him as its head (who is left decidedly mute or undescribed, probably the reason why it survived the later collapsing of the different tiers).”

¹⁶ Parker, “Psalm 82 as Myth and Liturgy,” 555; Hossfeld and Zenger, *Psalms 2*, 335–36; H-W Jüngling, *Der Tod der Götter: Eine Untersuchung zu Psalm 82* (SBS, 38; Stuttgart: Verlag Katholisches Bibelwerk, 1969), 77–80. For a more nuanced analysis of the theological attitude of the Psalm with regard to the gods of the nations see Loewenstamm, “Nahalat YHWH,” 355–59.

just condemned (v 8). The Psalm depicts El as the deity of the highest rank, with YHWH as his new appointee to the world. In sum, the Psalm reflects a theology that is much more divergent from normative forms of biblical Yahwism than has hitherto been recognized. It certainly lies at a great theological distance from the thoroughgoing monotheism of Second Isaiah.

The idea that El could be an actual speaker in Psalm 82 has probably never even been seriously contemplated because it is so unorthodox for the Hebrew Bible from a canonical perspective. Yet we are not discussing here how the text was understood by those who placed it in the biblical book of Psalms, but what it meant in its original historical context. Once it is already conceded that the text, in its original context, went so far as to maintain a distinction between YHWH and El, there seems little reason to exclude the possibility that El was a real and active character in the text's drama.

Supposedly, El cannot possibly be a speaker since he is never directly referred to. These are the words of S.B. Parker:

The weight of this evidence leads to the conclusion that the language of v 1, together with the context of vv 2–4, indicates that God is not here presiding over the divine assembly as judge, but rather stands among the gods to pronounce a charge of injustice. There is—tactfully—no direct reference to the president of the assembly. (On the other hand, all modern historians of West Semitic religion recognize within the designation of the divine assembly [*cdt-ʔl* v 1] and the pantheon [*bny ʔlym* v 6] two terms for old high gods [El and Elyon]).¹⁷

On the one hand, Parker claims that the author tactfully refrains from making direct reference to the president of the assembly, El. On the other hand, he maintains that all *modern historians* recognize the references to El and Elyon as old high gods. Yet, if modern historians can recognize this, why couldn't the ancient reader? If the original author indeed sought to avoid reference to El, why did he not use a more neutral term for the council, such as קהל קדושים, or the like? It seems to us that in using the term עדת אל the author made unabashed reference to El. The use of the term עדת אל makes El's presence in the courtroom self evident. If, as Parker correctly maintains, YHWH stands among the gods of El's council in verses 2–4 as prosecutor to pronounce a charge of injustice on behalf of the exploited (ישפט), the clear connotation is that this is done in the hearing of El, the openly acknowledged judge and president of the assembly. There is therefore no reason to exclude the possibility that El, upon hearing the accusations, might pronounce

¹⁷ Parker, "Psalm 82 as Myth and Liturgy," 538.

his verdict in the subsequent verses.¹⁸ This, in our view, is exactly what is presented in vv 6–8.

VERSES 6–8: EL’S VERDICT AND APPOINTMENT OF YHWH

The key to our interpretation of Psalm 82 lies in a reevaluation of v 8: “Arise, O YHWH, rule the earth, for you shall inherit all the nations.” This verse is universally understood as a liturgical “petition,” or supplication, in which the congregation of worshippers pleads to YHWH to rule the world.¹⁹ The interpretation accords with the rather common usage of “Arise,” or the like, as the beginning of a petition in Psalms of Complaint.²⁰ Of course, since it is assumed that YHWH is the speaker in vv 6–7, a different speaker must be posited for v 8, where YHWH is addressed, and this would most naturally be the liturgical community offering a petition. It should immediately be noted, however, that other than the assumption that vv 6–7 are spoken by YHWH, there is no other reason to posit a change of speaker in v 8. If we were to assume that the speaker in vv 6–7 is El rather than YHWH, v 8 could follow as the essential conclusion to the unified speech of a single speaker. In v 7 El declares that the gods shall “fall,” and in v 8 he declares that YHWH shall “arise” in their place.

The understanding of v 8 as a petition does not really fit naturally into the context or genre of Psalm 82. As we have noted, the petition belongs to the Songs of Complaint, whether individual or national. The complaints in the Psalms depict distress and anguish. In that context, a desperate supplication for aid is voiced. Yet Psalm 82 is hardly a Song of Complaint. There is no atmosphere of distress or anguish in it. The Psalm is a visionary report of a mythological drama in heaven.²¹ It depicts a trial against the gods of the

¹⁸ We may well compare the role of YHWH as advocate on behalf of the exploited peoples before El to the role of Baal as advocate on behalf of the distressed kings, Daniel and Keret, before El in Ugaritic literature. On this aspect of Baal’s figure see F.M. Cross, *Canaanite Myth and Hebrew Epic* (Cambridge: Harvard University, 1973), 177–80.

¹⁹ See the typical definition of E.S. Gerstenberger, *Psalms, Part 2, and Lamentations* (FOOTL, 15; Grand Rapids/Cambridge: Eerdmans, 2001), 529: “Petition (Bitte). The central element of all complaints, in which the suppliant asks for divine help... All other elements of complaint (Invocation; Affirmation of Confidence; Complaint Element) support the petition, the complementary element of which is the imprecation.”

²⁰ See H. Gunkel and J. Begrich, *Introduction to Psalms: The Genres of the Religious Lyric of Israel* (MLBS; Macon: Mercer University, 1998), 90. Gunkel and Begrich place the petition amongst the Complaint Songs, and compare our verse with: Pss 9:20; 10:12; 44:27; 74:22; 94:2; and Jer 2:27. Tate (*Psalms 51–100*, 339) places the petition with the lament and cites Pss 3:8; 7:7; 9:20; 10:12; 44:27; 74:22.

²¹ Tsevat, “God and the Gods,” 131–32.

nations, in which these foreign gods are condemned to death. The trial is reported in a spirit of confidence and assurance. The only ones who are in distress within the context of the drama of the Psalm are the poor and exploited individuals within the foreign nations on earth. The gods of the nations have been negligent in their legal duties, and have allowed corruption to reign in their realms. Yet there is no distress in this for the “liturgical community,” the people of Israel, whose God is the single divine champion of social justice. Why, then, would Israel offer a distressed plea that YHWH save the downtrodden and unfortunate of the other nations?²²

Many scholars assume that the Psalm reflects the situation of the Israelites following the exile and the destruction of the Temple.²³ The exiled Israelites found themselves humiliated, subjected to the scorn of dominant nations who prided themselves on their visibly powerful gods. Israel’s own deity, YHWH, appeared weak and powerless in comparison to these great deities. How could Israel persist in faith in light of these realities? This, then, is the distress which the Psalm addresses. To this question of faith our Psalm “attempts a radical answer: the God who is apparently the loser is in fact the one true God.”²⁴ The Psalm, however, gives no indication that the Temple has been destroyed or that Israel has been exiled. YHWH does not plead with the gods of the nations in vv 2–4 on behalf of the restoration of Israel as a nation, or on behalf of suffering exiles. Rather, he admonishes the gods of the nations for their exploitation of their own poor and downtrodden (vv 2–4). The crimes of the gods concern social justice within their own realms, and have nothing to do with political aggression against Israel as a nation. Indeed, Israel as a nation is never mentioned, and there is never a call for national restoration. Nor is there any indication that the orphans and poor people who YHWH pleads for were, as Parker suggests,²⁵ Judean exiles. There is no

²² Jüngling (*Der Tod der Götter*, 80) finds in the Psalm’s concern for justice outside of Israel a type of universalism that links it with Second Isaiah. It is important, however, to note that the Psalm actually reflects an extreme version of nationalism. It seeks to have all the territories of the nations annexed to Israel, the national “inheritance of YHWH”! This idea is thoroughly alien to the eschatological outlook of Second Isaiah. See A. Rofe, *Introduction to the Literature of the Hebrew Bible* (JBS, 9; Jerusalem: Simor, 2009), 305–6.

²³ Parker, “Psalm 82 as Myth and Liturgy,” 555–56; Hossfeld and Zenger, *Psalms 2*, 332; 335–36; Tate, *Psalms 51–100*, 333–34. The dating of the Psalm to the exilic or post-exilic period goes hand in hand with the interpretation of the Psalm as monotheistic. The emergence of monotheism in Israel is usually connected in one way or another to the exilic period. Thus, if the Psalm is monotheistic it must be exilic.

²⁴ Hossfeld and Zenger *Psalms 2*, 336.

²⁵ Parker, “Psalm 82 as Myth and Liturgy,” 556.

mention of “captives,” or even of “strangers,” which are terms that, theoretically, could have been employed to refer to the exiled Judeans.

Not only does v 8 read poorly as “petition” within the context of the genre of the text, it also reads poorly as petition in terms of its wording. In particular, the wording of v 8b, “for you shall inherit all the nations” hardly sounds appropriate in the mouths of a suffering community offering a plea.²⁶ The wording takes on much more force when understood as a momentous proclamation of a new grant bestowed upon YHWH by El. This follows most naturally after v 8a, “Arise, O YHWH, rule the earth,” when the latter is also understood not as an appeal made by the Israelites, but as a charge, commission, or appointment, proclaimed by El. For the linguistic structure (imperative followed by explicative clause) we might compare the divine commission to Joshua in Deut 31:23, “be strong and of courage; *for* you shall bring the Israelites to the land that I swore to them.” To v 8’s cry of “Arise, O YHWH” we might compare God’s charge to Abraham in Gen 13:17, “*Arise* and traverse the land from its length to its breadth,” which is followed by the proclamation of a grant, “*for* to you do I bestow it.”²⁷ In our Psalm, El, after announcing the death of the gods in vv 6–7, concludes his court ruling with a charge to YHWH to rule in place of the rejected gods, and with a proclamation that the inheritances of the gods are hereby transferred to him.

In the conventional reading of the material, the divine judge, understood as YHWH, ends his speech in v 7 with the condemnation of the gods. This condemnation is not, however, carried out, and this situation gives rise to the plea of v 8, that YHWH carry out the death sentence that he delivered, and finally take charge of the world. Yet why would the deity, thoroughly outraged at the gross failure of the gods to carry out their responsibilities as the custodians of justice (vv 2–4), first condemn them to death (vv 6–7), but then fail to consummate this ruling, leaving the situation effectively unresolved? Is not the world in danger of imminent collapse (v 5)? Is not YHWH, in this reading, repeating the same disgraceful behavior that he so vehemently accused the other gods of exhibiting just a few verses earlier? Many scholars find in Psalm 82 a kind of theodicy. The evil that dominates the world, this theodicy teaches, is not the working of the ultimate sovereign, YHWH,

²⁶ The awkwardness of v 8b as part of a petition voiced by the people has given rise to various loose translations which attempt to evade the difficulty. JB, for example, renders “since no nation is excluded from your ownership.” Tate renders, “For you have patrimony in every nation” (Tate, *Psalms 51–100*, 329).

²⁷ Compare also Micah 4:13, “*Arise* and thresh, O daughter of Zion, *for* I will make your horns iron, and your hoofs bronze, and *you shall trample many nations...*”

but of the gods of the nations whom he soon will destroy.²⁸ Yet how is the depiction of YHWH as a procrastinating judge, who continuously defers carrying out his own sentence against his corrupt council a theological justification of reality? This difficulty is avoided in the reading that we are suggesting. El does not simply condemn the gods to death, and then leave things hanging in the air. Rather, he concludes his verdict by giving YHWH the inheritances of the gods, that is, the world. Accordingly, YHWH, the champion of justice, achieves supremacy over the world not in some eschatological future, as is usually assumed when v 8 is taken as petition, but within the time framework of the narrative of the Psalm. The purpose of the text is not to deal with the theological problem of injustice in the world, but to promulgate YHWH's political charter for ruling the world.

THE APPOINTMENT OF THE KING BY YHWH AND THE APPOINTMENT OF YHWH BY EL

El's commission of YHWH to rule the world in Psalm 82 is reminiscent of the commission of the king in the Royal Psalms.²⁹ Thus, just as El tells YHWH that he shall inherit all the nations, so YHWH tells the Judean king, "Ask me and I shall give nations as your inheritance, and your estate, the ends of the earth" (Ps 2:8). Just as El gives YHWH reign of the world because of his forceful promotion of social justice, so we read of the king, "You love righteousness and hate wickedness; that is why Elohim your God has chosen to anoint you with oil of gladness over all your peers" (Ps 45:8). We read similarly in Ps 72:11–13, "Let all kings bow to him and all nations serve him. For he saves the needy who cry out, the lowly who have no helper. He cares about the poor and the nee-

²⁸ A Weiser, *The Psalms: A Commentary* (OTL; London: SCM, 1962), 557–58; Jüngling, *Der Tod der Götter*, 80, 106. See also the analysis of Parker ("Psalm 82 as Myth and Liturgy," 543): "Psalm 82 spells out the grounds for Israel's present faith in God's universal rule, despite a world in which bad gods sometimes seem in control, and in which other nations claim their gods rule." Parker later elaborates: "The community sees injustice rampant in the world. Responsibility is ascribed to the gods whom the nations worship. The narrative recounts Yahweh's rebuke of the gods, their persistence in their destructive behavior, and Yahweh's announcement of their downfall. But their fall and death have only been announced, not realized. The myth gives assurance that their (mis)rule is doomed, but present reality insists that their practice and tolerance of injustice continues. Where the myth stops short of explaining how God's announcement is realized in its narrative world, the liturgical response calls upon God to assume authority and power, and to initiate his just governance of the universe in the real world" (idem, *ibid.*, 558).

²⁹ On the Royal Psalms see T.N.D. Mettinger, *King and Messiah: The Civil and Sacral Legitimization of the Israelite Kings* (OTS, 8; Lund: Gleerup, 1987), 99–105.

dy... .” Just as we read of El in Psalm 82 with regard to the gods, “*I said, you are gods, sons of Elyon, all of you*” (v 6), so do we read of YHWH with regard to the king, “*YHWH said to me, You are my son, I today have fathered you*” (Ps 2:7).³⁰ Finally, just as El promotes YHWH to the highest level of divinity beside him, so YHWH tells the anointed king, “*Sit at my right hand while I make your enemies your footstool*” (Ps 110:1).

All of these parallels³¹ indicate that the enthronement of the earthly king, and his promotion to divine or divine-like status by YHWH, is a mirror image of the enthronement of YHWH by El as reflected in Psalm 82. The king derived his authority to rule the world from YHWH,³² and YHWH, in turn, derived his authority to rule the world from El.³³ The imperialistic ambitions of the king were often grounded in the contention that he was chosen to rule the world because of his qualities of justice and righteousness. The imperialistic aspirations of the king’s God, YHWH, were grounded in the same claim: YHWH was chosen by El to replace all the gods and rule the world because the gods of the nations were all found to be corrupt. Their original rights to rule their peoples, as granted to them by El/Elyon (cf. Deut 32:8),³⁴ were thus revoked. YHWH alone proved to be an uncompromising champion of justice for all,

³⁰ This parallel probably indicates that we should not render Psalm 82:6, “Once I had thought you to be gods.” For a discussion of this verse see Tate, *Psalm 51–100*, 330, n. 6a; 337–38. See also our discussion below, n. 45.

³¹ We might also note that the rise of the eschatological king with the sprouting of the shoot of Jesse (Isa 11:1–9) follows immediately after YHWH hues down the proud and towering trees (Isa 10:33–34). After these trees “fall” the new king will be endowed with the spirit of wisdom and understanding, counsel and knowledge (Isa 11:2), and will champion the rights of the poor and convict the wicked (vv 3–4). Similarly, in Psalm 82 YHWH is given dominion over the world after the gods of the nations are condemned to “fall” (v 7). Implicitly, YHWH in Psalm 82 has the qualities that the gods of the nations prove to be lacking, knowledge and understanding (v 5). This is clearly demonstrated by his forceful promotion of the rights of the downtrodden. He will therefore undoubtedly continue to champion the cause of the downtrodden as they did not (vv 2–4) in his new role as ruler of the universe. Another striking parallel to Psalm 82 is Daniel 7. See on this below.

³² See H.G. May, “Aspects of the Imagery of World Dominion and World State in the Old Testament,” J.L. Crenshaw and J.T. Willis (eds), *Essays in Old Testament Ethics* (New York: KTAV, 1974), 57–76.

³³ The correlation between the authority of the king and the authority of the deity is already implicit in Psalm 89, where the enthronement of YHWH in the divine assembly (vv 6–19) serves as the backdrop and basis for the divine enthronement of the Davidic king (vv 20–38). In Psalm 89, however, the full force of the correspondence is not drawn out, since the role of El is left unmentioned.

³⁴ See n. 8 above.

and he therefore was granted their inheritances. Since the legitimization of the claims to world dominion of both YHWH and his king go hand in hand, we may well assume that Psalm 82 is programmatic in orientation, seeking to justify the king's aspirations to conquer the world for the dominion of YHWH, and to instill confidence amongst the soldiers that their joint efforts will bear fruit.³⁵ There can be little doubt that the Psalm is relatively early,³⁶ and certainly pre-exilic.³⁷

³⁵ We may discern military encouragement in the assertion that the gods of the nations have been killed. Note how Joshua seeks to encourage the Israelites to take up the conquest of Canaan with the assurance that their "protector," i.e., their gods, abandoned them (Num 14:9). See B.A. Levine, *Numbers 1–20* (AB, 4A; New York/London: Doubleday, 1993), 364; 378–79. Alternatively (see below), the gods are not yet killed, but are condemned to die *in battle* at the hand of YHWH. This, too, would constitute encouragement for the warriors before battle. If the gods of the nations have been condemned to die at the hand of YHWH in battle, there is no need to fear these gods. El has already guaranteed YHWH victory over the gods!

³⁶ The relative antiquity of the Psalm is indicated not only by the theological dualism of El and YHWH, or by the reality attributed to the other divinities in El's council, who need to be killed, but also by the fact that the Psalm lacks reference to the motif of the combat with the sea, which soon becomes a dominant motif in Psalms celebrating YHWH's dominion. It also lacks explicit reference to the earthly king in Zion. The main concern of the Psalm is with YHWH's right to conquer the world, not with the authority of the king per se.

³⁷ For the exilic dating of the Psalm see n. 23 above. For the early dating see, for example, O. Eissfeldt, "Jahwes Königsprädisierung als Verklärung National-Politischer Ansprache Israels," R. Sellheim and F. Maass (eds), *Kleine Schriften: V* (Tübingen: J.C.B. Mohr, 1973), 216–21, who places Psalm 82 in the context of the propagandists of the early Davidic empire. See also M. Weinfeld, "The Davidic Empire: Realization of the Promise to the Patriarchs," *EI* 24 (1994), 87–92 (Hebrew). Though Weinfeld does not make reference to Psalm 82, he places many of the Royal Psalms and Zion Psalms within the context of the united monarchy. Note the connection between "El Elyon" and the Jerusalem cult in Gen 14:18–20 and cf. Ps 110. Note also the reference to the Davidic covenant with El in 2 Sam 23:5. The question of the actual extent and historicity of the "Davidic Empire" in the tenth century is hotly debated today, but is of little consequence for our concern here, which is to affirm that the Psalm is rooted in pre-exilic Judah. See also H.J. Kraus, *Psalms 60–150* (trans. H. C. Oswald; Minneapolis: Augsburg Fortress, 1993), 154–55 who considers the Psalm "pre-exilic and possibly very old." (In light of the thesis of this article, it is intriguing to consider the possibility that the words of 2 Sam 23:5 are not an intrusive sentence spoken by David in the midst of the words of YHWH, but part and parcel of YHWH's speech. Accordingly, it is YHWH rather than David who insists that his house is firmly established with El [cf. Baal's house that is built with the belated approval of El], and that El has made *him* an eternal covenant. David's covenant with

THE IDENTITY OF THE SPEAKER AND HIS ADDRESSEES IN VERSE 5

Let us now return to an analysis of the Psalm. We have stated that in vv 2–4 YHWH accuses the gods of El’s council with corruption, and that in vv 6–8 El condemns them to death, and places YHWH in their stead as ruler of the world. We have not, however, determined the role of v 5. The main question is: who is speaking to whom in v 5? Three distinct possibilities may be considered. The first is that v 5 is spoken by the same narrative voice as v 1. The second is that v 5 constitutes the beginning of the speech of El, which continues till the end of the Psalm. Accordingly, the speech of YHWH ends with v 4. The third possibility is that v 5 constitutes the final and concluding words of YHWH, which then leads into the verdict of El of vv 6–8. We now examine each of these possibilities, in an attempt to determine which seems most probable.

Several scholars believe that the (first) speech of YHWH ends with v 4, and that the words of v 5 are those of the same reporter of the drama who first spoke in v 1.³⁸ The words of the reporter to the audience are then followed by the announcement of the fall of the gods in vv 6–7. What is the rationale for this position? There is a clear shift between vv 2–4 and 5. While vv 2–4 address the gods directly in the second person, v 5 speaks *about* the gods to an unidentified subject in third person. Plainly, there is a new addressee here. Since scholars have assumed that there are only two parties present at the trial, YHWH and the members of the council, it was natural to assume that the new addressee must be the audience. And if the audience is being addressed, the speaker would have to be the reporter. Furthermore, in vv 2–4, YHWH fervently calls upon the gods to repent, and to save the afflicted from their oppressors. In v 5, however, the speaker definitively asserts that the gods are obstinate and will never understand. The shift seems rather abrupt, and may have been seen as a further indication that YHWH is no longer the speaker. Again, following the assumption that there are only two parties at the trial, the new speaker would have to be the reporter, and the addressee, most naturally, the audience.

Once we realize, however, that a third party, El, is indeed present at the trial, the assumption that the speaker of v 5 is the

YHWH, as expressed in other texts, would then mirror YHWH’s own eternal covenant with El. Unfortunately, the text of 2 Sam 23:1–7 is very unclear, and this makes it difficult to be confident about its interpretation.)

³⁸ Tate, *Psalms 51–100*, 337; Hossfeld and Zenger, *Psalms 2*, 331–32; Parker, “Psalm 82 in Myth and Liturgy,” 539, 547.

within the context of the speeches of the trial than outside that context.

If v 5 is a divine speech spoken at the trial to whom does it belong, and to whom is it addressed? One possibility is that it represents the beginning of the speech of El. In this reading, El, the judge of the council, informs YHWH, advocate of the oppressed, that his noble attempts to reform the gods (vv 2–4), though well intended, are of no avail. “The gods,” El tells YHWH, “are not prepared to tend to the needs of the oppressed, or to heed the words of your reproach”! “They refuse to take note of their obligations, and are intent on walking in total darkness!”⁴¹ “The world, YHWH, is in imminent danger of total collapse, and there is no more time for your words of admonition!” After addressing YHWH in this way, El turns to the gods and informs them of their death sentence. Though this reading does seem possible, it appears to us a bit strained. For it presents El as more acutely aware than YHWH of the imminent danger that the gods pose to the stability of the world. If that were the case, however, why didn’t El dispose of the gods long ago? If he is the one who is most aware of the recklessness and obstinacy of the gods, and of the imminent catastrophe that threatens the world, why has he tolerated them for so long? Indeed, why was there need for the rebuke of YHWH altogether?⁴²

We consider it preferable to see in v 5 the final words of YHWH, who turns from his address to the gods to appeal directly to El. El, in this reading, is completely unaware of the behavior and character of the gods that he appointed. This is why YHWH needs to accuse the gods in El’s hearing. When YHWH calls upon the gods to bring justice to the poor (vv 2–4) he does not genuinely seek to elicit their remorse, or to have them change their evil ways. Rather, this is his rhetorical way of highlighting before the court both the severity of the crimes committed, and the unlikelihood that they will change their ways. Some have suggested that YHWH in v 5 comes to the belated and reluctant realization that the gods are beyond salvation, after his urgent call to them to mend their ways in vv 2–4 goes unheeded.⁴³ There is little need for such exegesis. The castigation of the gods in vv 2–4, from the very start, is designed to induce El to find them guilty. In v 5, then, YHWH turns to El directly, and in essence asks him to convict the gods.

⁴¹ For “walking in darkness” as willful defiance see Prov 2:13,

הַעֲזֹבִים אֲרוּחוֹת יִשְׂרָאֵל לְלַכְתּוֹ בְּדַרְכֵי חֹשֶׁךְ.

⁴² It is theoretically possible, to be sure, that El here is talking to himself, deliberating aloud before giving his formal verdict and sentence. This is the position of Tsevat, “God and the Gods in Assembly,” 129, assuming, of course, that the speaker is YHWH. This position seems to us, however, to be less preferable.

⁴³ H. Gunkel, *Die Psalmen* (GHAT, II, 2; Gottingen: Vandenhoeck and Ruprecht, 1926), 362 following Delitzsch.

The gods, YHWH insists, have no intention of changing their ways. They refuse to listen to any words of chastisement. They refuse to take note of the plight of the needy. The fact that they have misruled their nations for so long surely proves that the situation is hopeless. Indeed, the situation is so dire that the world will soon collapse. YHWH here entreats El to take action soon, before the foundations of earth (that El himself created)⁴⁴ falls apart! At this point, the judge El gives his sentence (vv 6–8). He admits that he was the one who, perhaps unadvisedly, appointed the gods to their posts in the first place.⁴⁵ He now revokes that early decision, condemning the gods to die as men. In their place he appoints YHWH.

As we have indicated, YHWH, in this reading, does not genuinely seek to reform the gods. He vigorously seeks their speedy dismissal. YHWH was surely not unaware of the possibility that if the gods would be dismissed he might be called upon himself to take their place. This would coincide nicely with the other instances cited by Parker of contenders to the throne who accuse the regnant authorities of judicial corruption.⁴⁶ YHWH, in this reading, seeks justice for the poor. He also seems to know who the best god for the job of enforcing justice might be.

DANIEL 7 AND PSALM 82

The motif in Psalm 82 of El convicting the national gods and enthroning YHWH in their place is particularly important for a proper appreciation of Daniel 7. In this chapter we read of a vision in

⁴⁴ For El as “creator of earth” in Jerusalem see P.D. Miller, “El, the Creator of Earth,” *Israelite Religion and Biblical Theology: Collected Essays* (JSOTSup, 267; Sheffield: Sheffield Academic Press, 2000), 45–50.

⁴⁵ The phrase **אני אמרתי** usually indicates a mistaken thought or assumption (Budde, “Ps 82 6f,” 39–42). However, it hardly makes sense that the deity who assumedly appointed the gods to their posts in the council of El now realizes that he had mistakenly appointed mortal men. Clearly, they indeed were gods, as the objective reporter of v 1 tells us. If they were actually mortal all along he would hardly have to condemn them to death. Perhaps the idea expressed here is that El had mistakenly thought the divine beings to be *worthy* of their status as gods, and particularly of their appointment to the special status of “sons of Elyon.” Their corrupt behavior proved that they are not worthy of their positions, and therefore El condemns them to death. It is also possible that the phrase **אני אמרתי** simply indicates that it was El who originally *decreed* that these divine beings would be elevated to the status of “sons of Elyon,” just as YHWH “says,” i.e., *decrees* that the king of Zion will be his son in Ps 2:1 (cf. above, n. 29). For a similar instance where the deity affirms his responsibility for a previous appointment (**אמור אמרתי**), and then cancels it in light of corrupt behavior so that another more worthy appointee may replace him cf. 1 Sam 2: 27–36.

⁴⁶ Parker, “Psalm 82 as Myth and Liturgy,” 543–48.

which four immense beasts rise up successively from the sea, the fourth one being particularly terrifying (vv 2–8). Fiery thrones are then set up, books are opened, and the “ancient of days” sits in court before thousands of ministering angels (vv 9–10). The fourth beast from the sea is then put to death (v 11), and the authority of the remaining animals is taken away, though they are granted a limited prolongation of life (v 12). Subsequently, “one like a son of man” approaches before the “ancient of days” with the clouds of heaven, and is given eternal kingly authority over all the nations of the world (vv 13–14). An attendant at the scene then relates to Daniel the eschatological significance of the witnessed event (vv 15–16). The beasts represent the four empires that will successively rule the world, the death of the fourth beast represents the downfall of the fourth empire, and the appointment of the human-like figure represents the ultimate world dominion that will be given to the *קְדוֹשֵׁי עֶלְיוֹנִין* “the holy ones of the Most High,” perhaps through the agency of their angelic counterparts (vv 17–27).⁴⁷

Many scholars agree that the sequence of events presented in this vision must derive, at least in part, from some earlier mythic pattern that, in its original context, had nothing to do with the eschatological interpretation to which it is subjected in Dan 7:17–21.⁴⁸ In particular need of explanation is the origin of the theological dualism that seems to be reflected in the vision. Many have noted that the imagery of the one like a son of man who comes with the clouds is that of a deity. Indeed, in the world of the Hebrew Bible it is YHWH himself who comes with clouds.⁴⁹ Yet how are we to account for the fact that the divine figure who comes with the clouds, and who receives dominion over the world, is nonetheless subordinate to a higher deity? Several scholars have answered that the vision in Daniel 7 has its ultimate origins in ancient Canaanite mythology, particularly the myth of Baal’s combat with the Sea. The one like a son of man who comes with the clouds is a late echo of the storm deity, Baal Hadad, also known from Ugarit as the “rider of the clouds.” The grey haired “ancient of days” is a reflex of the grey and aged patriarchal deity El, also known as the “father of years.” Baal’s authority ultimately rested in the supreme authority of El, just as the authority of the one like a son of man derives from the ancient of days. And just as Baal’s kingship was secured when he defeated the sea god, Yam, so is kingship conferred upon the one like a son of man after the destruction of the fourth sea monster. Though there is no clear depic-

⁴⁷ For a comprehensive treatment of the critical issues related to Daniel 7 see J.J. Collins, *Daniel* (Hermeneia; Minneapolis: Fortress, 1993), 274–324.

⁴⁸ See Collins, *Daniel*, 280–94; J.A. Emerton, “The Origin of the Son of Man Imagery,” *JTS* 9 (1958), 225–42.

⁴⁹ See Deut 33:26; Ps 68:5; 104:3.

tion of El appointing Baal to kingship after the conflict with Yam, El is known to have appointed other gods to their kingship in Ugaritic texts.⁵⁰ It is not claimed, to be sure, that the author of Daniel drew directly from ancient Canaanite sources. Rather, the Canaanite myth of the combat with the Sea was perpetuated in the Jerusalem cult,⁵¹ with YHWH taking on the role of Baal. Though the Old Testament witnesses to the myth of YHWH and the Sea do not speak of a higher deity who enthrones YHWH after his victory of the Sea, we may assume that the combat myth indeed existed in this form. The Yahwistic combat myth in this form was thus the intermediary link bridging the gap between the Ugaritic version of the combat myth and Daniel 7.⁵²

How are we to evaluate this position? We do not doubt that the pattern in Daniel 7 has its *ultimate* origins in pre-Yahwistic, Canaanite conceptions, or that it is grounded, in the end, in the figures of El and Baal. At the same time, we believe that the Yahwistic pattern reflected in Psalm 82 constitutes a much closer paradigm for Daniel 7 than the Canaanite combat myth. Psalm 82 presents a trial scene in which a high god, El/Elyon, proclaims the death sentence to divine beings that rule over nations, in wake of their crimes on earth. El/Elyon then confers upon a new deity, YHWH, the dominion over the world's nations that originally belonged to the condemned gods. This is very similar to what we find in Daniel 7. Here, too, we find a high god, the "Ancient of Days," or the "Most High" (Elaya)⁵³ sitting in judgment in his courtroom before his ministering angels.⁵⁴ Here, too, the convicted deities are

⁵⁰ The position was presented forcefully by Emerton ("The Origin of the Son of Man Imagery"). It has been defended and promoted by J.J. Collins, *The Apocalyptic Vision of the Book of Daniel* (HSM, 16; Missoula, Mont.: Scholars, 1977), 99–101; idem, *Daniel*, 286–94, and J. Day, *God's Conflict with the Dragon and the Sea* (Cambridge: Cambridge University, 1985), 160–67.

⁵¹ On the connection between the Jerusalem cult, its royal and religious ideology, and the combat myth see Day, *God's Conflict with the Dragon and the Sea*, 120–40.

⁵² See also P.G. Mosca, "Ugarit and Daniel: A Missing Link," *Biblica* 67 (1986), 496–517. Mosca sees one of the Royal Psalms in particular, Psalm 89, as providing the link between the Ugaritic combat myth and Daniel. It should be noted, however, that whereas in Psalm 89 YHWH gives the king dominion over Sea and River (v 26), the foes that he subdued (vv 10–11), in Daniel 7 the ancient of days does not subdue the beasts that rise from the water in battle, and does not hand them over to the dominion of the manlike creature. Rather, the beasts are completely eliminated by the divine court. The manlike creature does not rule over them, but replaces them, and takes over their inheritances.

⁵³ God is referred to as **עליא** in v 25. Note also the phrase **קדישי עליונין** in vv 18, 22, 25, 27, which is commonly rendered, "holy ones of the most high."

⁵⁴ Note in particular vv 9–10: "Thrones were set up and the Ancient

associated with national entities. The particularly sinful behavior of the fourth beast results in his slaying. A limited prolongation of the lives of the other beasts is granted, though their dominion is confiscated immediately. Following this, a new divine figure is given the dominion of the world that originally belonged to the condemned beings. The combat myth is much more distant from Daniel 7 than Psalm 82 is, since the combat myth lacks the trial context that is so central to Daniel 7, and usually takes place in pre-historical times. In fact, the combat myth is significantly different from Daniel 7. In the combat myth, it is the competing god who vanquishes his foe with the force of strength, whereas in the trial of Daniel 7, it is the high god who sentences lower deities to death as punishment for their crimes. The new divine figure who is then awarded dominion does not win it in a contest of strength.

John Day attempts to minimize these differences between Daniel 7 and the combat myth: “Although not explicitly stated, we are probably to understand that the one like a son of man himself (under God) defeated the dragon, in view of the fact that the previously mentioned dragon-symbolized empires each in turn (under God) overthrew the one that preceded it.”⁵⁵ This, however, can hardly be correct. The one like a son of man first approaches the scene of the courtroom in v 13, after the fourth beast is slain and consigned to fire already in v 11. The one like a son of man is completely passive. The only thing he does is arrive and receive the dominion of the world from the ancient of days.⁵⁶ There can be little doubt, then, that the fourth beast was slain not by the one like a son of man, but by unspecified agents of the court, probably taken from the thousands of angels who were in attendance.⁵⁷

of Days took his seat... The court sat in judgment and the books were opened.”

⁵⁵ Day, *God's Conflict with the Dragon and the Sea*, 162.

⁵⁶ Day's attempt (*God's Conflict with the Dragon and the Sea*, 162) to ascribe the execution of the fourth beast to the son of man on the basis of the fact that each dragon-symbolized empire overthrew the one that preceded it is also weak. Nowhere in Daniel 7 do we find that each beast slew the previous one. This is why the court tries not only the fourth beast, but the others as well.

⁵⁷ In light of the above, we would question whether Daniel 7 truly draws in any significant way upon the combat myth at all. While it is true that the beasts that are slain and/or deprived of dominion arise from the sea, this hardly makes them “sea monsters.” The fact is that the four beasts are clearly described as land creatures. The first resembled a lion, the second a bear, and the third a leopard. The fourth beast is not compared to a specific land animal, but it has teeth of iron, claws of bronze, and feet that trample (v 7). This hardly sounds like a sea monster. There are no aquatic qualities to any of the beasts. They come from the sea, but act out their parts completely on dry land. Nor can we say that they are in combat either with the one like a son of man, or with God. They are in combat only with the nations that they dominate. This they do at the

The situation may be similar in Psalm 82. In the final verse of the text El calls upon YHWH to inherit the nations. He does not, however, explicitly call upon him to kill the gods. Possibly, these gods are thought of as killed through the agency of the heavenly court the moment that El condemns them to death (v 7). Accordingly, nothing would be left for YHWH to do but take possession of their inheritances, the nations. It is probably preferable, however, to understand v 7 as El's decree that the gods will fall *in battle*.⁵⁸ El's charge to YHWH in v 8 would then imply that it is YHWH's task to actualize the decree of v 7, and *liberate* the nations (שפטה (הארץ)⁵⁹) from their corrupt and exploitative gods by destroying them. It should be recalled that in biblical law the prosecuting witnesses are required to take the lead in carrying out the death sentence (Deut 17:7). Since YHWH in Psalm 82 testifies against the gods, it is reasonable to expect that he would be entrusted with the task of implementing the court sentence.⁶⁰ Yet even following this reading, the theomachy envisioned in Psalm 82 would remain significantly different from the one depicted in the Canaanite and Israelite myth of the combat with the sea. First, the defeated gods of Psalm 82 are national and not aquatic. They do not act in pre-historical times, but within the framework of the history of world nations. Nor do these gods seek to contend with other deities for authority through the use of force. They are perfectly content with the limited authority that they have been given. Finally, the ultimate demise of these gods is preordained and guaranteed. Whereas in the Ugaritic combat myth with the sea we find a real power struggle for supremacy and authority among the gods, based upon the principle of "might makes right," in Psalm 82 YHWH's authority is founded on his own justice and righteousness, on the corruption of

behest of God himself, who gives them their dominion for the predetermined time allotment. When the beasts do come in contact with God, it is in the courtroom alone, not the battlefield. If the imagery does derive ultimately from the myth of the combat with the sea it must be admitted, nonetheless, that the echo is quite muted.

⁵⁸ Note that נפל is often used with reference to death in battle (Josh 8:25; Judg 8:10).

⁵⁹ For שפטה as salvation and liberation from social exploitation or political oppression see I.L. Seeligmann, "Zur Terminologie für das Gerichtsverfahren im Wortschatz der biblischen Hebräisch," E. Blum (ed.) *Gesammelte Studien zur Hebräischen Bibel* (FZAT, 41; Tübingen: Mohr Siebeck, 2004), 312–17. See also M. Weinfeld, *Social Justice in Ancient Israel and in the Ancient Near East* (Jerusalem/Minneapolis: Magnes/Fortress, 1995), 39–42.

⁶⁰ An echo of this conception may be found in the representation of YHWH carrying out "judgments" against the gods of Egypt, presumably, for their role in the exploitation of the Israelites (Exod 12:12).

the gods, and on the supreme and ultimate authority of El, and this guarantees from the start the outcome of the confrontation.⁶¹

CONCLUSION

In sum, we may consider the basic imagery of Daniel 7, with its implicit theological dualism, to be a late echo of the divine courtroom motif that is reflected earlier in Psalm 82, where the dualism is explicit.⁶² The author of Daniel basically suppressed the theological dualism of the mythic pattern he adopted. The sinful deities were now presented as animal monsters that symbolize successive, sinful, world empires, and their divine replacement was presented as a human looking eschatological symbol of Israel. Most important, the judge of the courtroom was no longer El as distinct from YHWH. He was completely identified with the one and only God of Israel.

Though the book of Daniel suppressed the theological dualism of Psalm 82, it hardly succeeded in eradicating it. The dualistic imagery of Psalm 82 continued to reverberate, though through the

⁶¹ A good analogy to the appointment of YHWH in Psalm 82:8 as leader of the world, and the charge given him to defeat the gods may be found in the appointment of Marduk by the assembly of older gods *before* the confrontation with Tiamat. Here we read: “O Marduk, you are our champion! We hereby give you sovereignty over all of the whole universe. Sit in the assembly and your word shall be pre-eminent! May your weapons never miss (the mark), may they smash your enemies! O lord, spare the life of him who trusts in you, but drain the life of the god who has espoused evil.” Following this we find the proclamation: “Marduk is King!” and the concomitant charge, “Go, and cut off the life of Tiamat!” (S. Dalley, *Myths from Mesopotamia: Creation, the Flood, Gilgamesh, and Others* (Oxford: Oxford University, 2000), 250. Of course, the conflict here occurs before the creation of humanity, and has no relation to the role of the gods as the custodians of justice within human society. Furthermore, there is no parallel here to the absolute authority of El in Psalm 82. The authority invested in Marduk is relative and provisional, and is only confirmed after the actual defeat of Tiamat and her party. In Psalm 82, in contrast, the authority of the gods comes from the same El that then confiscates it and gives it to YHWH. And whereas in the Mesopotamian Creation Epic the gods of the council confer authority, in Psalm 82 they are the ones divested of authority and condemned to death.

⁶² This allows us to dispense with the hypothesis of Collins, who sees in the fact that the beast from the sea was executed in a juridical assembly, and not slain in combat, the distinctively Jewish adaptation of the combat myth in Daniel 7. In the words of Collins, the juridical character of Daniel 7, “may be related to the growing importance of the idea of a final judgment in the apocalyptic literature of the Hellenistic period” (Collins, *Daniel*, 291). The judicial character of the mythic vision in Daniel 7, it turns out, is not a Hellenistic Jewish adaptation of the combat myth. It belongs, rather, to the essential nature of the mythic pattern of the trial of the gods that is reflected already in Psalm 82.

medium of other textual traditions as well, in New Testament Christology. The old patriarchal El figure manifested itself here in the figure of “the father,” identified now as YHWH, while the role of vice-gerent, YHWH, appeared in the figure of “the son,” identified now as Jesus of Nazareth.⁶³ And just as the distinctive figures of El and YHWH would soon coalesce in ancient Israel into a single deity, so would “the father” and “the son” in Christianity soon come to be seen as a single God that is indivisible.⁶⁴

⁶³ See on this M. Barker, *The Great Angel: A Study of Israel's Second God* (London: SPCK, 1992).

⁶⁴ For an analysis of this process see L.W. Hurtado, *How on Earth did Jesus Become a God: Historical Question about Earliest Devotion to Jesus* (Grand Rapids/Cambridge: Eerdmans, 2005); E. Ferguson (ed.), *Doctrines of God and Christ* (New York: Garland, 1993).