A King under the Law: The Torah Promulgation and its Subversion in Jeremiah[1]

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ABSTRACT

This paper explores the call of Israel to be a unique people and the implications of this for its leadership styles. It, as such, examines the Torah promulgation for a king subservient to the Law (and its attendant institutions), as prescribed in Deut 17:14–20, vis-à-vis the evolution of Israelite leadership culminating in the monarchy, and the outworking of this in the Deuteronomistic History. The paper ultimately aligns this deuteronomic leadership ideal with the reality of the late pre-exilic experience of the Judahite covenant community, especially as documented in the traditions of Jeremiah's life and ministry. The ensuing consequence of the exile is also looked at. Inferences are drawn from these discussions, outlining trajectories of import for contemporary communities of faith.

A   INTRODUCTION

The study of the close relationship between Deuteronomy and Jeremiah has intrigued scholars since this was first proposed by Bernhard Duhm.[2] In his commentary on Jeremiah, Duhm identified three sources in the book of Jeremiah (using the MT). The three sources are the authentic words of Jeremiah, consisting of about 280 verses of poetic oracles; 220 verses that make up Baruch's book of biographical material; and the 850 verses of supplemental material that derive from redactors heavily influenced by Deuteronomy, Ezekiel, Deutero-Isaiah, and Trito-Isaiah.[3] Robert P. Carroll shows that while Duhm's discussion of Jeremiah is the definitive point of departure in Jeremiah studies, Sigmund Mowinckel has wielded greater influence in shaping modern Jeremiah studies. Mowinckel in his earlier work[4] identified four sources in Jeremiah, namely, A, B, C, D, for which he assigned the redactors R^A, R^B, R^C,

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[1]   This article is a revision of the paper originally presented at the Annual Conference of the Old Testament Society of South Africa (OTSSA) in Cape Town, South Africa, held September 7–9, 2011.

[2]   Bernhard Duhm, *Das Buch Jeremia* (Tubingen: Mohr, 1901). Cf. Wilhelm Rudoph, *Jeremia* (HAT 12; Tubingen: Mohr, 1947).

[3]   William L. Holladay, *Jeremiah 2: A Commentary on the Book of the Prophet Jeremiah Chapters 26—52* (Hermeneia; Minneapolis: Fortress Press, 1989), 11.

[4]   Sigmund Mowinckel, *Zur Komposition des Buches Jeremia* (Oslo: Jacob Dybwad, 1914).

and R[D] respectively as being responsible for their redactions.[5] Mowinckel's sources A and B correspond respectively to the first and second sources identified by Duhm; while source C, which consists mainly of speeches, bears striking similarities to the language (formulaic introductions and characteristic phraseology) of the Deuteronomistic History; and D (chs. 30–31) and the appendix (chs. 46–52) are latter additions. Mowinckel later moved away from a focus on sources to a discussion of "tradition complexes," which made room for the acknowledgement of complexity in the evolution of prophetic traditions.[6] Duhm and Mowinckel, thus, had to a large degree set the agenda for modern Jeremiah scholarship. A case in point, according to Carroll, is the impact the views of Duhm and Mowinckel on Source C (i.e., the Deuteronomistic level of tradition in Jeremiah) has on contemporary scholarly discussions of the Deuteronomistic influence on the redaction of the book of Jeremiah.[7] Building upon Martin Noth's seminal work on the Deuteronomistic History (DtrH)[8] and the insightful works of Duhm and Mowinckel on Jeremiah, a number of significant biblical scholars regard Jeremiah as the concluding part of the DtrH, or at the least an integral part of the work of the deuteronomists.[9]

The striking parallel between the conclusions of both the DtrH and Jeremiah serve as part of the evidence of their connectedness. On this note, Gershon Galil writes, "The view that the Book of Jeremiah was an integral part of the Deuteronomistic history may explain why Josiah's reform is not mentioned in the Book of Jeremiah, and it may also explain why Jeremiah's name is not mentioned, even once, in the Book of Kings. Furthermore this helps explain why only one chapter is given in the Book of Kings to the last ten years of Judah's kingdom and to the most traumatic events of the book (2 Kings

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[5]   Robert P. Carroll, *The Book of Jeremiah* (Philadelphia: The Westminster Press, 1986), 39.

[6]   Carroll, *The Book of Jeremiah*, 39–40. Also see Sigmund Mowinckel, *Prophecy and Tradition: The Prophetic Books in the light of the Study of the Growth and History of Tradition* (Avanhandlinger utgitt ava det Norske Videnskaps-Akademi I Oslo II. Hist.-Filos. Kasse 2946 No. 3; Oslo: Jacob Dybwad, 1946).

[7]   Carroll, *The Book of Jeremiah*, 40–41.

[8]   Martin Noth, *The Deuteronomistic History* JSOTSup 15 (Sheffield: JSOT Press, 1981) 24–26; trans. of *Überlieferungsgeschichtliche Studien* (2nd ed.; Tübingen: Max Niemeyer Verlag, 1957).

[9]   William McKane, *A Critical and Exegetical Commentary on Jeremiah I–XXV* (ICC; Edinburgh: Clark, 1986), lxii–lxxxiii; Christopher R. Seitz, *Zion's Final Destiny* (Minneapolis: Fortress Press, 1991), 14–35; James P. Hyatt, "The Deuteronomic Edition of Jeremiah," in *A Prophet to the Nations: Essays in Jeremiah Studies* (ed. Leo G. Perdue and Brian W. Kovacs; Winona Lake, Ind.: Eisenbrauns, 1984), 247–267; Hans M. Barstad, "No Prophets? Recent Development in Biblical Prophetic Research and ANE Prophecy," *JSOT* 57 (1993): 36–60; and Ronald E. Clement, *One Hundred Years of Old Testament Interpretation* (Philadelphia: The Westminster Press, 1976).

25)."[10] Galil further shows that the lack of explanation for Jerusalem's devastation at the end of the book of Kings requires no explanation, if Jeremiah concludes the DtrH since that explanation is extensively supplied in Jeremiah (cf. 2:4–4:2).[11] A close study of Jeremiah and Deuteronomy reveals an astonishing thematic, motific, and even phraseological commonality between them.[12]

This article is an intertextual and theological study of the relationship between Deuteronomy and Jeremiah through the motif of kingship. The generally understood pattern of these two books and the DtrH is that YHWH's requirement is given in Deuteronomy, Israel's obedience (and lack thereof) is laid out in Joshua–Kings, and the culmination of the disobedience and the consequence are found in Jeremiah. In this regard, the article demonstrates how Deuteronomy provides for a king under the Law (Deut 17:14–20), and the subversion of this provision and the consequences thereof in (Joshua–Kings and) Jeremiah.

B   PRE-MONARCHIC ISRAELITE LEADERSHIP AND THE PROVISION FOR THE RISE OF THE MONARCHY

The corporate existence of biblical Israel begins with the Exodus. The leadership inaugurated by Moses for his people at that beginning point is what is called charismatic leadership. Cephas T. A. Tushima defines this kind of leadership thus:

> The adjective *charismatic* as used here refers to the combined factors of a person being elected by the deity for some special task and therefore uniquely endowed with the enabling presence of the deity, as manifested by the descent of the deity's spirit upon the person or some other palpable evidence of divine presence upon the person coupled with the individual's manifestation of exceptional abilities, especially with respect to securing deliverance for his or her people.[13]

Joshua, Moses' successor, continued in the same tradition of a charismatic leader. This, subsequently, became the basic pattern of leadership all through the era of the judges up to the rise of the monarchy. The addition that the King-

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[10]   Gershon Galil, "The Message of the Book of Kings in Relation to Deuteronomy and Jeremiah," *BSac* 158 (2001): 406–414.

[11]   Galil, "Deuteronomy and Jeremiah," 413.

[12]   See Table 1 below.

[13]   Cephas T. A. Tushima, *The Fate of Saul's Progeny in the Reign of David* (Eugene, Oreg.: Pickwick Publications, 2011), 285, footnote 22.

ship Torah[14] made to the divine elective principle of the possession of divine charismata was the requirement of popular acclaim.

Aware that his people at some point in the future will desire to have a king like the nations round about them, Moses[15] permissively provided for the rise of kingship (Deut 17:14–20).[16] The immediate context of this passage is Deut 16:18–18:22, which is found within the second address of Moses to the Israelites in the plains of Moab (Deut 4:44–26:19; 28:1–68). Daniel I. Block sees this immediate literary context of the passage (16:18–18:22) as forming a chiastic structure as follows:[17]

A   Instructions for communal judges as guardians of justice and orthodoxy (16:18–17:7);
B   Instructions for Levitical priests as Israel's supreme court (17:8–13);
C   Instructions for the King of Israel (17:14–20);
B´   Instructions for Levitical priests as worship officials (18:1–8);
A´   Instructions for prophets as guardians of orthodoxy (18:9–22).

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[14]   My term for the Torah promulgation for the kind of king Israel should have in Deut 17:14–20.

[15]   This essay is written in the methodological traditions of contemporary literary critical theory and the canonical critical approach. Thus, references to implicit Mosaic authorship of Deuteronomy are made not without the appreciation of the critical studies in Pentateuchal studies since Jean Astruc. I have rather elected to follow the final form of the canonical text of the Deuteronomistic History (in which Deuteronomy serves as the preface), which itself assumes Mosaic authorship.

[16]   Traditionally, this passage, along with its immediate context of Deut 16:18–18:22, is read as part of the struggles of the exilic Judean community in dealing with the excesses of their past with respect to pre-exilic monarchic leaders. For these, see Norbert Lohfink, "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* (ed. Duane L. Christensen; SBTS; Winona Lake: Eisenbrauns, 1993), 336–52; Udo Rüterswörden, *Von der politichen Gemeinschaft zur Gemeinde: Studien zu Dt 16,18-18-22* (BBB 65; Frankfurt-am-Main: Athenäum, 1987); Christa Schäfer-Lichtenberger, "Der deuteronomische Verfassungsentwurf. Theologische Vorgaben als Gestaltungsprinzipien sozialer Realität," in *Bundes Dokument und Gesetz: Studien zum Deuteronomium* (ed. Georg Braulik; Herders Biblische Studien 4; Freiburg: Herder, 1995), 105–118.

More recently, in view of the general trend of moving toward the contemporary literary approaches, there have been studies that analyze the passage from synchronic approaches, cf. Mark O'Brien, "Deuteronomy 16.18–18:22: Meeting the Challenge of Towns and Nations," *JSOT* 33/2 (2008): 155–72; and Jean-Marie Carrière, *La théorie du politique dans le Deutéronome: Analyse des unites, des structures des concepts de Dt 16,18–18,22* (ÖBS 18; Frankfurt-am-Main: Peter Lang, 2001). My approach is to make use of the insights from both streams.

[17]   Daniel I. Block, "The Building of Leadership: The Mosaic Paradigm of Kingship (Deut 17:14–20)," *BSac* 162 (2005): 259–278.

This chiastic structure, very tellingly, illustrates the nature of the king outlined here as one that is under the Law and its custodians. At the center of this chiastic structure is the instruction concerning the king (C), preceding this core are provisions for the maintenance of orthodoxy and justice (A & B respectively), and after the core are promulgations for proper worship and orthodoxy (B′ & A′ respectively). All the functionaries prescribed for the maintenance of justice, orthodoxy, and proper worship are people involved with the declaration/exposition of YHWH's word; they are in essence Torah people, namely the Levites/priests and prophets.[18] Thus, Torah functionaries (the Levitical priests and the prophets) both literarily (in this text) and functionally hem the king in, and he is thus subordinated to them as agents of YHWH, to whom the king is a vicegerent.

A common literary feature of Deuteronomy is the frequent oscillation in its imperatival addresses between second person masculine singular (2ms) and second person masculine plural (2mp). In Deut 17:14–20, the same pattern is visible as vv. 14–15 are in 2ms, while in the recall of YHWH's antecedent command to Israel in v. 16 is in 2mp, which is states as follows: ויהוה אמר לכם לא תספון לשוב בדרך הזה עוד ("for YHWH said to you, 'you shall not return on this way again.'"). The common way of viewing the administrative, judicial, and

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[18]   Mark Leuchter has made a convincing case for the position that in Deuteronomy (the provenance of which he places in Josiah's reign), the Levites have replaced the elders as the "judges and magistrates" (שפטים ושטרים) in the gates. His argument is that in Josiah's reform, the Levites, who were ubiquitous in Israel as family or clan priests (cf. Judg 17), were disenfranchised, and it would have been politically inexpedient to leave them without a significant role. Besides, the incorporation of the Levites in the federal judicial system, bound to the centralized sanctuary, would have ensured that the regional interpretation of the law was consistent with and would be of benefit to the monolithic interests of the state. He demonstrates that the regional שפטים ושטרים (judges and magistrates) of Deut 16:18 and the Levitical priest of Deut 17:8–13 appear to be drawn from the same social class—the local Levites of Deut 18:1–8. This, he argues, is substantiated in part by the similarity of language in Deut 16:18; 17:8–9; 18:6; each of these has something to do with Levites and justice (judgment) within (from) their towns (literally gates). Furthermore, he notes that in the charge that justice be not denied to the stranger, orphan, or widow, the Levite (a regular occurring decimal in this oft repeated list) is missing in Deut 24:17. This, he surmises, is a suggestion that the Levite is the one in charge, at this point, in the administration of law and thus bears responsibility for the preservation of legitimate justice that is due to these other marginal characters. See Mark Leuchter, "'The Levite in Your Gates': The Deuteronomic Redefinition of Levitical Auuthority," *JBL* 126/3 (2007): 417–436.

It is significant to note that it was the subversion of the requirement of not perverting justice (Deut 16:19) by the priestly sons of Samuel (1 Sam 8:1–3) that catalyzed, in a later generation, the demand for a king, anticipated by this Deuteronomic promulgation.

cultic centralizing policies of Josiah and his scribes is to understand them as mimicking the Neo-Assyrian era central administrative machinery (its ideology, terminology, and rhetorical forms) exemplified in its royal court records such as the vassal treaties of King Esarhaddon (VTE).[19] In contrast to this, J. Gordon McConville highlights the significance of the 2ms form in Israel's covenant documents in their own right. Firstly, he notes that in the ancient Near Eastern context, the 2ms form was used only in treaty traditions not in laws. This, he argues, demonstrates the theological use of the 2ms as a stress on the covenantal nature of the Torah. Secondly, the 2ms is used theologically to depict Israel's collective responsibility to keep the law. Thirdly, he also identifies the individualizing rhetoric that is implicit in the 2ms of Israel's Law.[20] Applied to our text, this 2ms imperatival promulgation highlights its covenantal context, in which YHWH is the true King of Israel to whom any human king that arises must be subservient. Besides, it also makes the observance of this legislation mandatory for Israel as a nation and for the individual citizens therein. In this light, then, it can be said that the similarity of literary and rhetorical forms of Deuteronomy with VTE (or Neo-Assyrian royal ideology) need not be read as mimicry, rather it smacks of the former being in dialogue with, and indeed a kind of subversion of, the latter. Israel (Judah) is being called upon to reject the kingship royal ideology operational among the nations, but to remain a theocracy in its adoption of a charismatic royal ideology.

This last point hinges on an important aspect of Israel's calling, one that is of no mean significance in Deuteronomy, namely, her calling to be distinct from all other nations as YHWH's covenant people. In Deuteronomy, with the imminent death of Moses in sight, the matter of succession or the problem of leadership in the Promised Land, therefore, becomes not just paramount but also urgent. Israel had to live right in the land, in order not to be evicted out of it. Leadership would be critical for keeping the people loyal to their covenant with YHWH. It is in this context that as Moses makes provisions for the covenantal leadership of the Levitical priests and the prophets that he also anticipates the people's desire for kingship so they might be like the nations around them. It is instructive to observe that while the other institutions of judges, priests, and prophets are prescribed, that of the king is merely permitted.

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[19] Leuchter, "'The Levite in Your Gates,'" 426; see also Moshe Weinfeld, *Deuteronomy 1–11: A New Translation with Introduction and Commentary* (AB 5; New York: Doubleday, 1991); Zafrira Ben-Barak, "The Mizpah Covenant (1 Sam 10, 25): The Source of the Israelite Monarchic Covenant," *ZAW* 91 (1979): 30–43; and Moshe Weinfeld, *Deuteronomy and the Deuteronomic School* (Oxford: Claredon Press, 1972).

[20] J. Gordon McConville, "Singular Address in the Deuteronomic Law and the Politics of Legal Administration," *JSOT* 97 (2002): 19–36.

Walter Brueggemann keenly picks up Moses' cool attitude to this issue. He writes,

> The tone suggests a reluctance in the tradition that is congruent with the reluctance of Samuel and the ambiguity of YHWH in 1 Sam 8. Moses' hand is forced by the reality of the circumstance; his work is to provide a monarchy that will maintain the distinctiveness of Israel as YHWH's chosen people, that is, a monarchy '*like* all the nations' for a people that is to be *unlike* all the nations.[21]

It behooves us then to outline the nature of kingship in the ancient Near East and then show the distinctiveness that Israel's kingship was to maintain from the former. The major issue here is the manner of the emergence of the king. Tushima observes that the other nations of the ancient Near East tended to have kings that claimed divine election. Succession also tended to be hereditary (and, depending on a nation's political fortunes at a given time, any ascension may have had to be approved by its suzerain). In our passage, Israel was required to have a charismatic monarchy.[22] The vital elements of charismatic kingship included, 1) that the person be chosen by YHWH, 2) the person be endowed with divine charismata, and 3) there be a popular acclaim of such a person. The first and the last condition derive directly from the text (Deut 17:15): the people were the ones to set the king over themselves, provided he was first chosen by YHWH. The second is implicit from the general nature and operation of biblical charismatic leadership as was evident in Moses, Joshua, and subsequently all the judges up to Samuel. The features of Yahwistic charismatic monarchy which sets it apart from other ancient Near Eastern monarchies that had the divine elective principle include first of all YHWH's own claim to uniqueness as the sole deity to be worshipped and as such the one with the sole prerogative of choosing who reigns in Israel. The nations had several gods all of which had to be worshipped and served. Also important in this respect is the requirement of popular acclaim, which the other nations never had; any pretensions to this amongst the nations was contrived or forced. Third, the king was to serve the interest of YHWH and the people not his, a theme to which we will be turning presently.

The key elements of the Kingship Torah, which will give a king "like the nations" to a people "unlike the nations," consists of three prohibitions (the

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[21] Walter Brueggemann, *Deuteronomy* (AOTC; Nashville: Abingdon Press, 2001), 184. It should be noted that Brueggemann, as in this article, is working with the final form of the text in his apparent assumption of Mosaic authorship. Thus, according to the deuteronomist, the Kingship Torah Moses promulgates is anticipatory of the rise of kingship in the post-settlement era of Israel.

[22] Tushima, *The Fate of Saul's Progeny*, 286. See also Tomoo Ishida, *The Royal Dynasties in Ancient Israel: A Study on the Formation and Development of Royal-Dynastic Ideology* (BZAW 142; Berlin: de Gruyter, 1977), 6–25.

non-proliferation of horses, wives, and wealth) and three prescriptions (copy the law, study, and obey it). The three prohibitions relate directly to the life-styles of ancient Near Eastern kings: the pursuit of a strong military for security and territorial expansionism (represented by the horses), political alliances (represented by wives), and accumulation of wealth often associated with the oppression and exploitation of the weak both within the monarch's realm (through excessive taxation and other oppressive practices) and outside of it (through wars, conquests, or levy of tributes). These are the very things from which Israel's charismatic leadership (even in a monarchical form) was to refrain. Reliance on military strength would take Israel's focus away from YHWH, their true King and the One who also led them in their wars (Deut 20:1; cf. Deut 31:1–6; Judg 7:2; 2 Chron 32:1–8). Political alliances with their con-comitant marriages would obliterate Israel's distinctiveness through religious perversion (Deut 17:17; cf. Deut 7:3–4; Jos 23:12–13; Judg 3:6–7; 1 Kgs 11:1–4). Similarly, multiplication of wealth always went *pari passu* with the perver-sion of justice, oppression and exploitation of the poor and powerless, vices in which Israel was prohibited from indulging (Deut 16:19; 24:14–15; 27:19; cf. Exod 23:6; Amos 2:7; 4:1; 5:11; Jer 5:26; 6:6; 7:6; Mic 2:2).

I have mentioned above three positive prescriptions (i.e., copy the law, study, and obey it). However, these prescriptions are issued in only two (not three) direct commands. Even then the prescriptions themselves consists of two *qal* stem, *waw consecutive*, 3rd person masculine singular verbs, which have imperatival force since they accompany three negative commands (three imper-fect *hip'il* stem 3ms verbal forms that are governed by the negative particle (לא). I have understood the positive prescriptions to be threefold. What I consider to be the third requirement, that of obeying the Torah, is given in a result clause govern by למען (a conjunctive particle often translated with the force of "in order that"). The result clause is so important to the author that he uses three infinitive construct verbal forms governed by a single active verb to indicate the expected result, namely, that the king will learn (ילמד) to fear (ליראה) YHWH, to keep (לשמר) all the words of the Torah and its statues, and to do (לעשׂת) them. Torah obedience, as the ultimate goal of the other activities of copying and reading the Torah, assumes the same, if not greater, status as these other two activities. Seen in this way, each of the prohibitions has its positive counterpart in what is required of the king. In like manner, in the result clause there are two expected results (fearing YHWH and keeping the Torah) that corresponds to the direct required activities (of copying and reading the Torah). All these eventuate to the final word, namely, obedience (doing all that YHWH says in his Torah).

C   THE SUBVERSION OF THE KINGSHIP TORAH IN THE DEUTERONOMISTIC HISTORY

As indicated earlier, Israel in the Promised Land continued to observe the charismatic form of leadership from Joshua through the era of the judges, Samuel being the last judge. A number of factors led up to the demand for kingship. These included the unremitting Philistine threat, in the face of which the Israelites became disgruntled with the uncertainty, instability and insecurity associated with the intermittent nature of the leadership of the judges. They envisioned the certitude, stability, and security that would come with kingship. Furthermore, Samuel's sons were perverts who vended justice to the highest bidders. Piqued as Samuel was at the Israelite request for a king, YHWH still obliged them: A king they must have.

In the appointment of her first two kings (Saul and David), Israel followed the first part of the Deuteronomic Kingship Torah: both were first chosen by YHWH; then there was the people's acclaim before the ascendency of the king, who in each case was a brother Israelite; and both of them displayed their charismatic endowments by delivering Israel from dire dilemmas (Saul with regard to the Ammonite war [1 Sam 11], and David in the Philistine war [1 Sam 17]). It remained to be seen whether the kings would serve under the Law (and its ministers: the Levitical priests and prophets). Saul served under Samuel, and was effectively censored by the latter all through his reign. Very early in his reign, however, David began the flouting of the Kingship Torah on a grand scheme. He assumed priestly roles and performed priestly functions (2 Sam 6:13–14, 17–18), determined who would serve in the priesthood[23] (2 Sam 20:23–26; 1 Chron 16:4–6), even changed the nature of the cult (from a mobile tent that rotated amongst Israel's tribes and cities to a permanent sanctuary, with all the trappings of state religion).[24]

David furthered his subversion of the Kingship Torah by his authorization of the coronation of Solomon as his successor. Neither of the first two requirements of charismatic kingship was met: there is no evidence of divine election of Solomon neither did he manifest any charismata. The popular

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[23]   It is very telling of the abuse of state power (contrary to the Torah) that David included non-Israelites amongst his priests, namely Ira the Jairite and Obed-Edom the Gittite. Walter Brueggemann highlights this in his comment on the Davidic bureaucratic list, "The inclusion in the list of forced labor, mercenaries, and a 'recorder' suggests that the old tribal vision of covenantal power has considerably eroded under David. The initial offer of Israel's throne was in the form of a covenant (5:1–3), but the presence of these officers tells against a covenantal version of royal power." See Walter Brueggemann, *First and Second Samuel* (Louisville, Ky.: John Knox Press, 1990), 332.

[24]   For a detail discussion of these issues, see Tushima, *The Fate of Saul's Progeny*, 37, 194–95.

acclaim that accompanied his coronation was a *fait accompli*, by royal mandate (1 Kgs 1:32–39). David allowed the shrewd scheming of the court prophet, Nathan, and David's favored wife, Bathsheba (1 Kgs 1:11–27) to prevail over YHWH's Kingship Torah. After David, the ascension of no other king in Judah followed this Kingship Torah, except Josiah's (the king the deuteronomists acclaimed as the ideal king). YHWH's choice of Josiah was announced centuries before it took place (1 Kgs 13:2), and at the time of its fulfillment the aspect of popular acclaim was still followed (2 Kgs 21:24).[25] In the post-divided Israel era, vestiges of charismatic kingship were more prominent in the northern Israelite kingdom than in Judah; examples of which include Jeroboam (1 Kgs 11:29–39; 12:15–20) and Jehu (2 Kgs 9:1–13; 10:5). This is not to say that the DtrH model of charismatic kingship was the dominant model in Israel either. The manner of the rise of kings both in Israel and Judah was characterized in prophetic literature as Torah violation of the same order as idolatry (Hos 8:1–4).[26] It is this degenerate state of affairs and the violation of the Kingship Torah that reached its peak during the time and ministry of the prophet Jeremiah.

D   THE SUBVERSION OF THE TORAH OF THE KING IN JEREMIAH

That deuteronomic ideology, themes/motifs, and phraseology are replete in Jeremiah needs no proving. Even a cursory comparison of Deuteronomy and Jeremiah will reveal this, as is manifest in Table 1 below. YHWH's goal in giving his covenant people the Torah, was that they would live in accordance with his divine will in order that it may go well with them (cf. Deut 4:1, 40; 5:16; 6:16; 8:1; 12:28; 19:13; 22:7; 28:1–14). As shown above, this divine purpose, the requirement of Israelite obedience and compliance with covenantal obligation, undergird the Kingship Torah (Deut 17:14–20) such that all of the commandments, prohibitions, and prescriptions eventuate to doing all that the covenant book of the Torah teaches (Deut 17:20).

Jeremiah's ministry and book, therefore, show how this requirement of covenantal loyalty was flagrantly flouted in the prophet's time both by the people and their kings. The entire book is replete with reminders to Judah of their utter disobedience of YHWH and total disregard for the reproofs and reprimands of his prophets, whom he had sent to them severally to warn and call them to repentance (cf. Jer 7:13; 25:1–7; 26:3–6; 29:19; 35:12–15; 36:1; 44:4). What was true of the people was equally true of all their post Josianic-

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[25]   As in the case of Mosaic authorship discussed above, I am well aware of redactional/editorial issues in the DtrH. However, I am working with the final form of the text (following the canonical/contemporary literary approach) without recourse to textual archaeology.

[26]   Cf. Tushima, *The Fate of Saul's Progeny*, 286–87.

kings (Jehoahaz, Jehoiakim [Eliakim,], Jehoiachin, and Zedekiah), none of whom observed the Kingship Torah.

In terms of the observance of the covenant stipulations, all the kings similarly failed. Jehoahaz is known to have followed the ways of his wicked predecessors (2 Kgs 23:32). Jehoiakim likewise followed the well-worn path of evil and wickedness (2 Kgs 23:37). The wickedness of Jehoiakim surpassed that of all the other kings in the twilight days of Judah. It is little wonder that he also was "condemned by Jeremiah more severely than any other king."[27]

Motif	Jeremiah	Deuteronomy
Israel[28] & YHWH in the wilderness	2:2	2:7; 8:2, 15–16
Israel's holiness to YHWH	2:3	7:6; 14:2; 26:19
Israel after vanity	2:5	32:21
Israel forgets YHWH, who brought them through the wilderness	2:6, 31–32	8:12–17; 31:20; 32: 10,15
YHWH brought Israel into a good land filled with good things	2:7	6:10–11, 18; 8:7; 11:11–12
Levites/Priests as Torah teachers	2:8	33:10
Levites/Priests as rulers	5:31	16:18–17:13
Summon to creation to hear YHWH	2:12; 6:19; 22:29	32:1
Creatures replace YHWH in metaphors	2:15–16	33:20
Israel brings a curse upon herself	2:17	28:15
Israel forgets her deliverance from slavery	2:20	4:20; 15:15
Israel as a foreign vine	2:21	32:32
Israel's guilt before YHWH	2:22	32:(32–)34
Israel as the cause of her woes	2:25, 27; 13:22; 18:12; 44:17	28:48; 29:19–20; 32:16
YHWH mocks Israel	2:28	32:37
Never taking back a defiled woman	3:1, 8	24:1–4
The rains withheld due to Israel's sin	3:3	28:23
Expectation of repentance	3:7–14	4:29–31; 30:1–3
Swearing in the name of YHWH	4:2	10:20
Circumcision of the heart	4:4; 10:16	30:6
Obey that it may go well with you	7:23; 38:20	4:1, 40; 5:16, 29, 33; 6:16; 12:28; 19:13; 22:7; 28:1–14
Perversion of the justice due the alien, the orphan, and the widow	7:5–7; 22:3–4, 15–16	24:17; 27:19
Curse for disobeying the covenant	11:3–5	7:12–13; 27:15; 29:10–15
Everyone responsible for his own sin	31:29–30	24:16
YHWH as the cause of his people's devastation	40:3	32:28–31

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[27]   John A. Thompson, *The Book of Jeremiah* (NICOT; Grand Rapids: Eerdmans, 1980), 478.
[28]   Israel is used here in its original conception (as found in the Torah), and hence is inclusive of Judah, whose people where being addressed at the time of Jeremiah.

| Israel's return to Egypt | 43:7; 44:12 | 17:16; 28:68 |
| Closing parts of the books | 52:31–34 | 25:27–30 |

Table 1: Some Thematic and Motific Connections between Jeremiah and Deuteronomy

For instance, the king was not only recalcitrant to YHWH's Torah, as expounded by the prophets; he also sought to destroy it, tearing it into shreds and burning it (Jer 36:9–26). Besides, he actively desired to seize and deal ruthlessly with Jeremiah and his amanuensis (Baruch). His failure to repent at the word of YHWH is in sharp contrast to Josiah's instant repentant response to the reading of the Law (2 Kgs 22:10–13; cf. Jer 36:24). The contrast could not have been sharper: While the father (Josiah) tore (*qāraʿ*) his garments on hearing YHWH's Torah, the son (Jehoiakim) tore (*qāraʿ*) the prophet's Torah (teaching) upon hearing it read.[29]

In his desire to exterminate the prophet, Jehoiakim was acting in consonance with all the other elements of the Judahite population: The priest and the prophets (the very custodians of YHWH's covenant with his people) as well as the citizenry, who had similarly desired to snuff the life out of Jeremiah (Jer 26:7–9). Indeed, it was in Jehoiakim's character to silence any voice of opposition, especially the prophetic, as he was bent on not being a king under the law (cf. Jer 26:20–23). So serious was his antagonism to Yahwism that YHWH vowed that Jehoiakim would not have a successor on the throne of Judah (Jer 36:29–30). Jer 36:30 need not lead to the construal of the text as saying Jehoiakim will be childless.[30] The prophet was well aware of the monarch's progeny; that was why he clearly stated that YHWH was going to punish Jehoiakim and his offspring (Jer 36:31). Indeed, Jeremiah mentioned Jehoiachin (Jehoiakim's son and successor) by name and foretold of how this heir-apparent will be torn

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[29] John Guest very tellingly captures the divergence between Josiah and his son Jehoiakim: "The episode recounted in this chapter concerning the scroll paints a portrait of Jehoiakim that is shocking for its contrast to Josiah, his father, under whose reign Jeremiah began his prophetic ministry. … Josiah tore his clothes in repentance; Jehoiakim tore the word in resentment. Therein lies the great difference. Their respective attitudes toward the authority of God were characteristic of their leadership style." See John Guest, *Jeremiah, Lamentations* (Mastering the Old Testament 17; Dallas: Word Publishing, 1988), 252–253.

Concerning Jehoiakim's action of burning Jeremiah's scroll, Thompson similarly notes that Jehoiakim acted "in marked contrast to the scene in 2 K. 22:11–20, where Jehoiakim's father rent his clothes as he heard the Book of the Law read" (Thompson, *Jeremiah*, 627).

[30] Literally translated, the pertinent clause in this verse would read "he will not have a successor upon the throne of David" (דוד לא־יהיה־לּו יושב על־כּסא, Jer 36:30). Thompson, likewise, does not understand it as meaning that Jehoiakim was childless. He rather thinks, "This prophecy was only partially fulfilled, for Jehoiachin his [Jehoiakim's] son became king for a brief period of three months (Thompson, *Jeremiah*, 629). This issue is explored further herein below.

from Judah with his mother and hurled to Babylon where they will die (Jer 22:24–28). Similarly, Jehoiakim's evil reign was so odious to YHWH that his prophet proclaimed that the king was not going to escape YHWH's judgment even in death, as he would not enjoy a proper and befitting burial but would rather have a donkey's burial (Jer 22:18–19; cf. 36:30). Highlighting the severity of the judgment pronounced against Jehoiakim (which in itself bespeaks the gravity of his offense), Peter C. Craigie, Page H. Kelly, Joel F. Drinkard note

> Not only will Jehoiakim lack laments at death, but the judgment continues that he will lack a proper burial. The description here is that of the disposal of a large animal. The carcass of the king, like an ass, will be dragged outside the city and dumped quite unceremoniously. A proper burial was a major concern for the Hebrews; lack of proper burial was among the most serious of curses.[31]

It is little wonder that the Deuteronomist mentions only Jehoiakim's death and not his burial, while the Chronicler only notes that he was taken to Babylon, and left the matter of his death—outside the gates of Jerusalem (in accordance with Jeremiah's prophecy)—to the reader's conjecture (2 Chron 36:5–8).

Jehoiachin's brief reign of three months and ten days was such an aberration that Jeremiah did not even bother to give space to it. The prophet similarly did not consider it fit to use the regnal formula in reference to Jehoichin's wretched reign. The Lord had already pronounced that Jehoiakim was not going to have a successor on the throne (Jer 36:30–31; cf. Jer 22:24–27).[32] Thus, for Jeremiah, YHWH's judgment was a *fait accompli*, even during the brief period of Jehoiachin's actual but uneventful three month reign. Jeremiah makes reference to his reign only in the future tense—with regard to what his end will be like (Jer 22:24–28) or in the past tense—after he had been carried

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[31]   Peter C. Craigie, Page H. Kelly, Joel F. Drinkard, Jr., *Jeremiah 1–25* (WBC 26; Dallas, Tex..: Word Books Publishers, 1991), 313.

[32]   This passage (Jer 22:24–27) is a puzzle to biblical commentators, who debate whether it was given prior to Jehoiachin's exile (cf. Thompson, *Jeremiah*, 483; Ronald E. Clement, *Jeremiah* (ed. James Luther Mays; IBC; Atlanta: John Knox Press, 1988, 136) or post eventum (Craigie, Kelly, and Drinkard, *Jeremiah 1–25*, 319). Part of the puzzle of the passage is that no apparent reason has been given for the pronounced judgment on Jehoiachin. Craigie, Kelly, and Drinkard note that Holladay had called it "a judgment-speech without a reason" (Craigie, Kelly, and Drinkard, *Jeremiah 1–25*, 318). It is even more confusing when it is read as a prophecy post-eventum. Clement insightfully sees Jehoiachin's exile as partly being a punishment for his father's atrocities (Clement, *Jeremiah*, 136). Whatever the original historical context of this oracle against Jehoiachin, its direct juxtaposition to the oracle against Jehoiakim, in the final form of Jeremiah, is indicative of the fact that the former is meant to be read in the light of the latter. This is why I, like Clement, have read the oracle against Jehoiachin as a consequence of Jehoiakim violent and vile rebellion against being a king under the Law.

into captivity (Jer 24:1; 27:20; 28:4; 29:2; 37:1; 52:31–33; cf. 2 Kgs 24:8–15; 2 Chron 36:9–10).

Zedekiah listened to Yahwistic prophecy more than any other of the last four kings of Judah. Nevertheless, he too, like the others, persecuted Jeremiah—imprisoning him (Jer 32:2–3; 37:21). He sent deputations to inquire of Jeremiah (Jer 21:1; 37:3), and even personally held conferences with the prophet (Jer 37:17; 38:14–26). Yet, Zedekiah paints the most pathetic picture. Fickle minded as he was, he could not stand for anything. Though seemingly seeking after YHWH's will, he had no temerity to stand up to his courtiers. He could not face up to their whims, even if they were against his personal desires.[33] By his acquiescence, the prophet Jeremiah was dumped in a muddy cistern for dead (Jer 38:5–6). Yet, when another Zedekian courtier, Ebed-Melech (an Ethiopian Eunuch) made a new representation to the vacillating Zedekiah, he gave new orders for the preservation of Jeremiah (Jer 38:7–13). So captive he was to his courtiers that he could not even meet freely with Jeremiah (Jer 38:24–26). He was ruined by fear—fear of the Chaldeans, fear of his courtiers, and fear of his subjects (Jer 38:19)—all this because he had not followed the Torah whereby he could have learned the right fear, redemptive fear—the fear of YHWH (Deut 17:19).

E   THE CONSEQUENCES OF SUBVERTING THE KINGSHIP TORAH

The Kingship Torah was a promulgation aimed at helping YHWH's covenant people remain in submission and obedience to their true Sovereign (YHWH), with their earthly king (YHWH's vicegerent) leading the way. Its faithful observances would have sustained Israel's theocracy (even with a king). The subversion of this law, and indeed all of the Torah, as we have seen, involved all segments of Judah's population. They effectively rejected YHWH's kingship over them. Yet, life admits no vacuum. As Judah refused to serve the true King of the universe, YHWH, he would make them serve an earthly suzerain. This still required obeying the Lord somehow, as he was the one instructing them to come under the yoke of Babylon. Notwithstanding, the same rebellious attitude that had brought them to this point also led them to their final ruin. They stiffened their necks against the king of Babylon, who eventually unleashed his reign of terror and the full force of his wrath on them (Jer 27:12–17; 38:17–23; cf. Jer 52:3–15; 2 Kgs 25:1–10). Covenant loyalty would have ensured the continuance of the people in the Promised Land (Deut 4:40; 5:33; 31:10–13; 32:47; Jer 7:22–23) and the perpetuity of the monarchy (Deut 17:20), but refusal to heed the word of the Lord consumed both.

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[33]   When his courtiers demanded that Jeremiah should die, he feebly said the prophet was in their hand to do with him as they please (Jer 38:1–5).

F   IMPLICATIONS OF THE STUDY

The ethos of the Kingship Torah is as valid today for communities of faith and, indeed, contemporary societies at large as when they were first announced. In the first instance, they are addressed to leaders. Duane L. Christensen observes, "The higher a person is exalted, the more strongly must he or she be tempted to pride, covetousness, luxury, and lust. Against these evils, leaders must guard themselves and ought to be cautioned by those who have access to them."[34] At the core of the three prohibitions in the Kingship Torah was not just the fact of the multiplications of horses, women, and wealth, but the self-serving goal in such multiplication.[35] In essence what the Kingship Torah called for is what in today's parlance is called servant-leadership.

The modern chief proponent of the servant-leadership model of management in the corporate world, Robert K. Greenleaf (a former executive of AT & T, the US telecom giant), holds that a great leader first and foremost serves those he leads.[36] Greenleaf explains further that the servant-leader ensures that other people's priority needs are attended to. He outlines the best and most difficult test to administer in order to determine whether a leadership is servant in its orientation as, "Do those served grow as persons? Do they, *while being served*, become healthier, wiser, freer, more autonomous, more likely themselves to become servants? *And*, what is the effect on the least privileged in society; will they benefit, or, at least not be further deprived?"[37] Though a non-theologian and writing from a corporate, not religious, standpoint, Greenleaf's position parallels the deuteronomic concern for the kind of leadership Israel should espouse and its impact on the led.

What Greenleaf calls servant-leadership, Kevin G. Ford, James P. Osterhaus, and Jim Denny term transformational leadership. Amongst many other qualities of this form of leadership they write as follows:

> Transformational leadership doesn't grasp power; it shares power. Transformational leaders 'walk the talk' by demonstrating character traits of integrity, honor, self-discipline, caring, commitment, and

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[34]   Duane L. Christensen, *Deuteronomy 1:1-21:9* (WBC; Nashville: Thomas Nelson Publishers, 2001), 388.

[35]   Block underscores this point as he writes, "Moses highlighted this concern through his threefold repetition of the prepositional expression לו, 'for himself.' Persons are placed in positions of leadership for the sake of those whom they are called to lead, not for their own sakes" (Block, "The Building of Leadership," 269).

[36]   Robert K. Greenleaf, *Servant Leadership: A Journey into the Nature of Legitimate Power and Greatness* (Mahwah, N.J.: Paulist Press, 1977), 7.

[37]   Greenleaf, *Servant Leadership*, 12–13.

good humor. They don't serve themselves; they serve others and they serve the organization.[38]

That servant leaders do not grab power corresponds to two of the key elements of the Kingship Torah, namely, the divine elective principle and the popular acclaim principle. It is in the sharing of power that other traits of servant leadership such as caring, commitment and service to others thrive. Ford, Osterhaus, and Denny's concept of service to the organization in the corporate world corresponds to the Kingship Torah's prime idea of obedience to YHWH in deuteronomic theology. With the primary motivation of service to others and the organization (or YHWH), character traits such as integrity, self-discipline, and the pursuit of equity and justice become germane to those who embrace this form of leadership.

This deuteronomic leadership ideal was exemplified by Moses (cf. Exod 32:30–32; Num 12:3; Deut 3:23–28; 4:21–22), upheld and embodied by Samuel (1 Sam 12:1–4), and fulfilled in Josiah, the only one who truly reigned as a king under the Torah.[39] This model of leadership finds its consummate fulfillment in Jesus of Nazareth, and it is the model that he held out to his band of disciples (Mark 10:42–45; Luke 22:24–26). The adoption of this form of leadership will be the redeeming grace in most polities of African countries where despots still dominate the political terrain in the midst of pretended "democracies." Though over a decade old now, the evaluation of African democracies by *The Economist* remains true today as it was then. Using the examples of Kenya and Zambia, the news magazine despaired that elections were likely to get rid of African despots. Concerning the impending 1998 Kenyan election, *The Economist* wrote:

> Barring an utterly astonishing upset, it will put President Daniel Arap Moi back in power for another five-year term of office, though, in 19 years Mr. Moi has already misruled the country, Kenya has grown ever poorer—income per person dropped from $330 in 1978 to $285 in 1996—and ever more corrupt. Zambia provides further dispiriting news. There, on Christmas day, the current president, Frederick Chiluba, who on his election in 1991 was hailed as a fine democrat, threw into jail his once autocratic but now elderly predecessor, Kenneth Kaunda. In these two countries at

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[38] Kevin G. Ford, James P. Osterhaus, and Jim Denny, *The Thing in the Bushes: Turning Organizational Blind Spots into Competitive Advantage* (Colorado Springs: Pinon Press, 2001), 80.

[39] For a detail discussion of Josiah's uniqueness as king under the Law, see Tushima, *The Fate of Saul's Progeny*, 16.

least, it does not seem to matter whether an election is held or who wins it: the outcome is more of the same.[40]

The recent election circles in such African countries as Nigeria (2003, 2007 and 2011), Kenya (2003), Zimbabwe (2008), and the Democratic Republic of Congo (2011) show that not much has changed since *The Economist*'s article referred to above was written: Many Sub-Saharan African countries remain in the grip of despots in supposedly democratic regimes.[41]

The vain quest of the things banned in the three prohibitions of the Kingship Torah (military might, political power, and passion for possessions—materialism) still destroys societies today. Their unrestrained pursuit (both by nations and individuals) invariably leads to the enslavement, oppression, exploitation, and other forms of extreme cruelty and inhumanity to others. Examples of these are replete in all periods of human history, from ancient times to the present, not the least of which would include slave trade (such as the trans-Saharan, trans-Atlantic slave trades, and modern day slavery), racism, tribal warfare, and genocide. The vice of the unrestrained pursuit of all forms of power (military, political, and economic) for their own sake has also, without fail, led to the self-ruin of nations, corporations, and individuals. In fact, the current global crises (political, economic, and moral) are eloquent testimonies in this respect.

Finally, leaders (especially, Christian leaders) and their followers need to take heed to the ethical underpinnings of the Torah in general, and the immediate context of the Kingship Torah in particular (Deut 16:18–18:22). It is an ethic that lays heavy emphasis on justice, equity, and the pursuit of the common good. It is an ethic that is anchored in the fear of God and the love of the neighbor. It is also an ethic that pursues identification with (not separation and distancing from) the weak and powerless in society. Even in post-modern secularizing societies, the minimum that should be expected is the love of the neighbor principle encapsulated in the golden rule ("do to others as you would have others do to you," cf. Matt 7:12).

G   CONCLUSION

Using the themes of kingship and Torah obedience implicit in the Kingship Torah, I explored, in this article, the intertextual connections of Deuteronomy and

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[40] "Africa's Democratic despots," *The Economist* vol. 346, Issue 8049 (01/01/98): 162-180. Cited March 26, 2012. Online: http://www.economist.com/node/109341.

[41] For a fuller discussion of this, see Wale Adebanwi and Ebenezer Obadare, "The Abrogation of the Electorate: An Emergent African Phenomenon," *Democratization* 18/2 (April 2011): 311–335; cf. Jeremy Farrall, "Does the UN Security Council Compound the Global Democratic Deficit?" *Alberta Law Review* 46/4 (2009): 913–932.

Jeremiah. I began with the explication of the Kingship Torah in its literary context in Deuteronomy, and then set it within its historical context of the ancient Near East. This was subsequently followed with a survey of Israelite leadership from Moses up to the rise of the monarchy. The survey evinced the dominance of charismatic leadership (the deuteronomic ideal of leadership) from Moses to David. The study, however, shows that the subversion of this deuteronomic ideal, which was set in motion on a grand scale in the reign of David, burgeoned in the post-Davidic era leading up to its zenith during the time and ministry of Jeremiah. With this trend of events, the curses outlined in the Deuteronomic Covenant Code inevitably took their course, eventuating in the captivity and exile of Judah.

Theological inferences are therefore drawn from this study for communities of faith. Servant leadership is set forth as the contemporary equivalence of the deuteronomic leadership ideal, in which case the ethos of the latter remains as valid today as when the Kingship Torah was first promulgated. Self-indulgent attitudes in politics and business bring ruin and devastation to individuals and societies at large. Finally, I showed that at the heart of the deuteronomic leadership ideal was the promotion of the common good of society, which is a goal worth pursuing today not just by communities of faith but also everyone in the human community.

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