

The Practice of Covenant Making

Bryan E. Beyer

THE HEBREW WORD TRANSLATED “COVENANT” (*berith*) [be-REETH] has many shades of meaning in the Old Testament. It may refer to a treaty between nations (1 Kings 5:12), an alliance of friendship (1 Sam. 18:3), or an agreement between a king and his subjects (2 Sam. 5:3). The word may also denote a covenant between God and His people. In the covenant, God bound Himself to fulfill certain commitments on behalf of His people. The covenant also called God’s people to live in faithful, loving obedience to God and His Word.

In the ancient world, many nations knew of and made covenants or treaties.¹ As early as 2500–2300 B.C., the Sumerian king Eannatum, king of the city of Lagash, had established a treaty with Enakalle, king of the city of Umma. The treaty described Eannatum’s victory over Umma and placed conditions on Enakalle. The treaty furthermore called upon the gods to avenge Eannatum’s cause if Enakalle or anyone from Umma violated the treaty.²

About 2300 B.C., Naram-Sin, king of Agade (northern Mesopotamia), took control of some Elamite districts to the east. Part of the badly damaged text reads, “Naram-Sin’s friend is my friend; Naram-Sin’s enemy is my enemy.”³ The treaty suggested loyalty to each other and to the other’s political relationships. Such an arrangement had advantages for both rulers. A king who held a treaty with another king did not have to stand alone against foreign attack. Treaties also could have economic benefits as well. Merchants from

each country could sell goods in the other king’s territory, or make use of trade routes that passed through that country.

Archaeologists have discovered other texts from this period, but these texts are generally broken or fragmented, and are not as complete. Still, a basic pattern appears. The treaties state the specific terms of the agreement and describe in detail what each party will do. They also describe curses that will befall whoever breaks the treaty. Finally, they call upon the gods to enforce the treaty and punish any violation. Interestingly, though, the stronger party does not take the oath. Only the subordinate party in the treaty binds himself to anything.⁴

Archaeologists have also discovered evidence of other treaties that date to about the time of Abraham. Some of the most interesting evidence comes from the ancient city of Mari and dates to about 1800 B.C.⁵ Mari was located along the Euphrates River in upper Mesopotamia (modern north Iraq). Mari was an important city during the days of



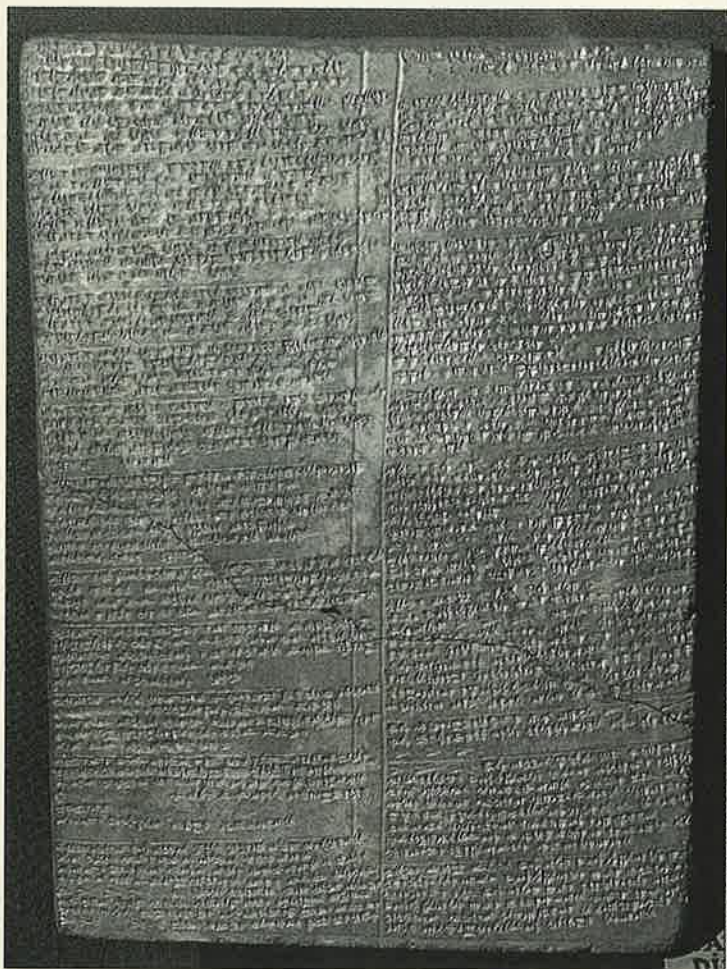
Hammurapi (also spelled Hammurabi), king of Babylon.⁶ In fact, Abraham probably passed through Mari on his way from Ur to Haran before he left his father's household to go to Canaan.

Archaeologists have not discovered any written treaties at Mari. They have, however, discovered many texts that refer to treaties. The Mari texts refer to a custom of killing a donkey's foal as part of a covenant ritual. The slaughter of the foal sealed the covenant. On one occasion, two tribal groups within the Mari kingdom were making a treaty. One or both groups offered to substitute other animals for the sacrifice, perhaps in an effort to weaken the force of the treaty. But the Mari official in charge wrote a let-

Left: A clay nail from about 2450 B.C. A brotherhood treaty between Entemena of Lagas and Lugal-kinise-dudu of Uruk is inscribed on the nail. The text of this treaty was repeated on about fifty clay nails similar to the one pictured here.

ILLUSTRATOR PHOTO DAVID ROGERS/BRITISH MUSEUM (55723)

Below: A Hittite covenant treaty dating to the 16th-15th century B.C. This artifact is from Bogazkoy. There are many structural parallels between the Law of Moses and the Hittite treaties of the second and first millennium B.C.



ILLUSTRATOR PHOTO DAVID ROGERS/ARCHAEOLOGICAL MUSEUM ANKARA, TURKEY (25337)

ter to the king of Mari, explaining, "They brought to me a whelp and a goat, but I obeyed my lord and did not give (permission for the use of) a whelp and a goat. I caused the foal, the young of a she-ass to be slaughtered."⁷

Another custom, at Mari and elsewhere, was the swearing of an oath. An oath could have the force of a treaty. It was always spoken, though scribes often recorded the purposes of the oaths on clay tablets. The parties involved would swear by the gods or by a specific god. By doing so, they were inviting the gods to judge them if they broke the agreement. The gods had given life, and they could take it away. An oath could make a simple promise more emphatic; people also used them to settle disputes.⁸

Ancient peoples regarded the oath as a serious act. Often a ritual gesture of touching the throat accompanied the swearing. This gesture apparently pointed to the fate of whoever broke the treaty. Most scholars believe that the act symbolized the cutting of the throat. Just as an animal's throat would be cut for the covenant ritual, so the gods would cut the throat (or take the life) of one who broke the covenant.⁹ The ritual thus pointed to the deep level of commitment each party pledged. Perhaps the animal's throat was cut at the same time the parties symbolically cut their own throats as a solemn reminder not to break the treaty.

The format of ancient covenants or treaties varied slightly depending upon the relationship of the two parties to each other. Sometimes two equal parties formed a treaty; historians refer to these treaties as parity treaties. At other times, a strong ruler formed a treaty with a weaker ruler; historians refer to these treaties as vassal treaties.

In an important letter found at Mari, a governor wrote,

"There is no king who, of himself, is the strongest. Ten or fifteen kings follow Hammurapi of Babylon, the same number follow Rîm-Sin of Larsa, the same number follow Ibâl-pî-El of Eshnunna, the same number follow Amût-pî-il of Qatanum, twenty kings follow Yarîm-Lim of Yamhad."¹⁰

These kings, often allied through parity treaties, referred to each other as "brothers" in their correspondence. As one might expect, in a parity treaty both parties swore faithfulness to the other. Each placed himself under the judgment of the gods if he violated the treaty's conditions. Each promised to protect the other's interests, and ideally, the relationship worked to the benefit of both parties. However, some kings did violate the conditions of their treaties. When Hammurapi of Babylon became strong enough, he

Lesson reference:

CUS: Genesis 12:1-3; 15:1-18

conquered many of his former allies.¹¹

A vassal treaty served a different purpose than a parity treaty. In a vassal treaty, the agreement joined two unequal parties. A more powerful ruler (lord) entered into covenant with a lesser, dependent ruler (vassal). Either ruler could seek such an alliance. However, many treaties were one-sided, as if the stronger rulers had simply imposed their will on lesser rulers.¹²

In a vassal treaty, the vassal referred to his lord as “father,” and the lord called his vassal “son.” The stronger ruler usually wrote the treaty and the vassal accepted it. In some cases, the vassal was consenting to the lesser of two evils. He could refuse to accept the terms of the treaty and face the constant threat of war, or he could consent to the demands the stronger ruler placed on him.¹³

Many scholars have noted interesting structural parallels between the Law of Moses and the Hittite treaties of second and first millennium B.C. The basic elements of the Hittite treaties are the following:

- Introduction of the speaker
- Historical introduction
- Terms of the treaty
- Statement concerning the document
- Naming of divine witness
- Curses and blessings¹⁴

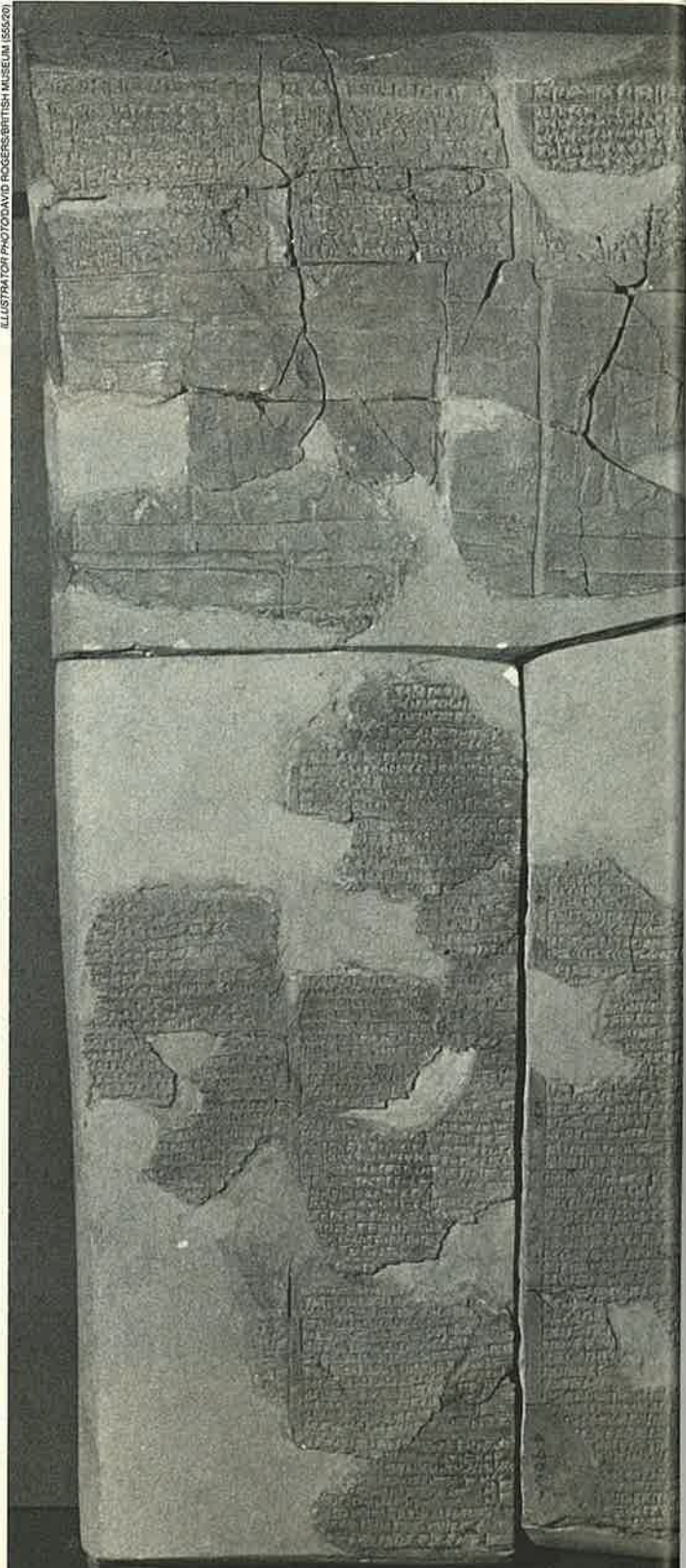
The Law of Moses and the Hittite treaties contain some similarities in format; theologically, of course, they are quite different. At any rate, we currently have no evidence that treaties or covenants prior to Moses’ time followed an established format such as was reflected in the Hittite treaties.

In Genesis 12:1-3, God began a covenant with Abram. The word *covenant* does not appear in the text, but the con-



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ILLUSTRATOR PHOTO/DAVID ROGERS/BRITISH MUSEUM (SS500)



ditions of a covenant do appear. Two parties were present. One offered a relationship to the other and bound Himself to certain promises. God's solemn word of promise established the covenant relationship. God promised Abram a new land, a new nation, a great name, and a special place of blessing in God's plans for the world. Abram responded in faith by packing up his family and belongings and jour-

neying toward this new land, a land he did not yet know. Clearly, God was the superior party in the covenant relationship. The covenant was thus more like a vassal treaty than a parity treaty.

In Genesis 15:1-18, God confirmed the covenant He had begun in Genesis 12. When Abram expressed concern over his lack of a son, God told him that his descendants would exceed the number of the stars. Abram believed God, and God counted Abram's faith as righteousness. In other words, Abram's part in the covenant was to trust God to fulfill His promises.

God then directed Abram to slaughter certain animals and bring them to Him. Abram cut each animal in two, and lay the halves opposite each other. As darkness fell upon the land, a smoking oven and flaming torch appeared and passed between the pieces. God was confirming His covenant with Abram in a manner Abram would have understood from his own culture. God, in effect, was swearing a curse upon Himself if He broke His word to Abram.

In some ways, then, God's covenant with Abram parallels covenant and treaty customs of Abram's day. We observe two parties, specific conditions for a relationship, the swearing of oaths, and the sacrificing of animals. At the same time, an important difference also appears. Even though God is the superior party, *He* is the one who binds Himself to certain commitments and swears the oaths! Abram's duty is not to swear an oath, but simply to trust in the goodness of His Lord. The change God introduced in the covenant procedure pointed to His grace and love toward Abram. ○

Far left: Statue of Idrimi, King of Alakh (16th century B.C.). The statue is inscribed with the king's autobiography. Family disputes in Aleppo forced Idrimi to flee and take refuge in Canaan. He was reconciled with his brothers, gathered troops and made a successful raid on the Hittites, and then reconquered Alakh. The inscription ends with customary curses on any who would desecrate the statue and blessing on those who would honor it.

Left: Copy of a treaty between Esarhaddon, king of Assyria, and Humbares, ruler of the city of Nahsimarta in Media, from Nimrud, Iraq (672 B.C.).

Below: The treaty of Kadesh is the earliest known peace treaty between ancient countries (1296 B.C.). The treaty was made between Hattusilis, king of the Hittites, and Ramses II, pharaoh of Egypt, to form an alliance against the "sea peoples" (probably Philistines).

ILLUSTRATOR PHOTO DAVID ROGERS/MUSEUM OF THE ANCIENT ORIENT/ISTANBUL (5/1/8)



¹Archaeologists have discovered almost sixty such treaties. For a current listing of these treaties, see John H. Walton, *Ancient Israelite Literature in its Cultural Context* (Grand Rapids: Zondervan Publishing House, 1989), 95-100.

²Historians call this treaty the "Stele of the Vultures." For a translation, see Samuel Noah Kramer, *The Sumerians: Their History, Culture, and Character* (Chicago: University of Chicago Press, 1963), 310-313.

³John J. Mitchell, "Abram's Understanding of the Lord's Covenant," *Westminster Theological Journal* 32 (1969-70): 27; and Dennis J. McCarthy, *Treaty and Covenant* (Rome: Biblical Institute Press, 1978), 32.

⁴McCarthy, 32.

⁵For further reading on Mari, see Abraham Malamat, "Mari," in *Encyclopedia Judaica*, vol. 11 (Jerusalem: Keter Publishing House, 1971), 972-989.

⁶Hammurapi (1792-1750 B.C.) was a king who wrote one of the earliest and best known law codes of the ancient world. Many of the laws closely resemble the laws God gave to Moses at Mt. Sinai. For a translation of Hammurapi's law code, see J. B. Pritchard, *Ancient Near Eastern Texts Relating to the Old Testament* (Princeton: Princeton University Press, 1969), 163-180.

⁷Abraham Malamat, "Mari," in *Encyclopedia Judaica*, vol. 11 (Jerusalem: Keter Publishing House, 1971), 985.

⁸Paul Hoskisson, "The Nisum 'Oath' in Mari," *Mari in Retrospect: Fifty Years of Mari and Mari Studies*, ed. Gordon D. Young (Winona Lake: Eisenbrauns, 1992), 208-209.

⁹J. M. Munn-Rankin, "Diplomacy in Western Asia in the Early Second Millennium B.C.," *Iraq* 18 (1956): 90-91; also Mitchell, 39.

¹⁰Munn-Rankin, 74.

¹¹William W. Hallo and William K. Simpson, *The Ancient Near East: A History* (New York: Harcourt Brace Jovanovich, 1971), 101.

¹²McCarthy, 51.

¹³Ibid.

¹⁴The list follows the basic pattern given by Walton, *Ancient Israelite Literature in its Cultural Context*, 101.

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