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The Treaty / Covenant Pattern in King Benjamin's Address (Mosiah 1–6)

Stephen D. Ricks

That covenants of some kind were necessary to secure peace and maintain order was a fundamental concept of society in the Ancient Near East.¹ Covenants held a significant position in the civic life of Ancient Israel and also played a central role in its religious thought.² Similarly, covenants and covenant-making are widely attested in the Book of Mormon.³ The covenant assembly described in Mosiah has attracted particular attention and has been fruitfully studied by Hugh Nibley in the light of the ancient Year Rite⁴ and by John Tvedtnes as an example of a Feast of Tabernacles celebration.⁵ The formal structure of this section of Mosiah may also be compared profitably with the treaty/covenant pattern attested in extant Ancient Near Eastern treaty literature as well as in several large sections of the Pentateuch, Joshua, and, to a lesser extent, in other Old Testament writings.⁶ This article will investigate the possible cultic setting of

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²The principal word which is translated "covenant" in the Old Testament, חֵינָה, occurs 287 times in the Old Testament, mostly in a religious context. However, the term חֵינָה is also used with reference to agreements between husband and wife (Prov. 2:17; Ezek. 16:8; Mal. 2:14), between two men (Gen. 21:22–27, 31:44–53; 1 Sam. 18:3, 23:18), between kings and their subjects (2 Sam. 5:3; 2 Kgs. 11:4, 17), and even between men and animals (Job 3:23, 40:28; Hos. 2:20).
³The terms covenant or covenants are used 131 times in the Book of Mormon. In more than eighty percent of those cases, the word is used in a religious context. The covenant setting of Mosiah 1–6 is assured by the use of the word covenant seven times in this passage.
these covenant passages in the Old Testament and in Mosiah, study the treaty/covenant pattern as it is reflected in these texts and in Ancient Near Eastern treaty literature, and then consider the implications for the Book of Mormon as an authentic ancient document.

SETTING OF THE COVENANT ASSEMBLY

Among the first to propose a connection between covenant-making and cult in the Old Testament was the Norwegian Old Testament scholar Sigmund Mowinckel.7 His arguments are, however, not based primarily on the major covenant texts of the Hexateuch (the five books of Moses plus Joshua) but rather on Psalms 50 and 81, where theophany is linked with covenant-making and decalogue formulas:

Gather my saints together unto me; those that have made a covenant with me by sacrifice.

And the heavens shall declare his righteousness: for God is judge himself. . .

But unto the wicked God saith, What hast thou to do to declare my statutes, or that thou shouldest take my covenant in thy mouth?

Seeing thou hastest instruction, and castest my words behind thee.

When thou sawest a thief, then thou consentedst with him, and hast been partaker with adulterers.

Thou givest thy mouth to evil, and thy tongue frameth deceit.

(Ps. 50:5–6, 16–19)

Albrecht Alt, in his seminal study of the origins of Israelite law, suggests that Israel’s apodictic law (an absolute and universally applicable form of law, of which the Decalogue remains the paradigm case) was recited at the Feast of Tabernacles each sabbatical year.8 He supports his argument by appeal to Deut. 31:10–13:

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And Moses commanded them, saying, At the end of every seven years, in the solemnity of the year of release [that is, in the sabbatical year], in the feast of tabernacles,

When all Israel is come to appear before the Lord thy God in the place which he shall choose, thou shalt read this law before all Israel in their hearing.

Gather the people together, men, and women, and children, and thy stranger that is within thy gates, that they may hear, and that they may learn, and fear the Lord your God, and observe to do all the words of this law:

And that their children, which have not known any thing, may hear, and learn to fear the Lord your God, as long as ye live in the land whither ye go over Jordan to possess it.

Similarly, Gerhard von Rad examines several covenant passages in the Hexateuch and suggests a cultic provenance for them. On the basis of the formal structural similarities in these passages, von Rad claims that Israel celebrated a periodic covenant renewal festival, in all likelihood at the Feast of Tabernacles; since it was “in earlier times preeminently the festival to which the community came on pilgrimage it is therefore inconceivable that the festival of the renewal of the covenant between Yahweh and the people should not be identified with this same festival.”

As John Tvedtine sets forth in A history of Israel (Philadelphia: Westminster, 1981), 171: “It is exceedingly probable . . . that there was a regular ceremony of covenant renewal—whether annually or every seven years (Deut. 31:9–13)—to which the tribesmen would come with their tribute to the God–King, to hear his gracious deeds recited and his commandments read, and then with blessings and curses to take anew their oath of allegiance to him.”

FORMAL STRUCTURE OF THE COVENANT ASSEMBLY

The formal structure of the Benjamin pericope has equally striking parallels to the covenant passages in the Hebrew Bible and to the treaty

9Gerhard von Rad, “The Problem of the Hexateuch,” in The Problem of the Hexateuch and Other Essays (New York: McGraw-Hill Book Company, 1966), 35. In a similar vein, John Bright writes in A History of Israel (Philadelphia: Westminster, 1981), 171: “It is exceedingly probable . . . that there was a regular ceremony of covenant renewal—whether annually or every seven years (Deut. 31:9–13)—to which the tribesmen would come with their tribute to the God–King, to hear his gracious deeds recited and his commandments read, and then with blessings and curses to take anew their oath of allegiance to him.”


literature of the Ancient Near East. In his essay on "The Problem of the Hexateuch," Gerhard von Rad analyzes the Deuteronomic covenant into the following constituent elements: (1) the historical presentation of the events at Sinai and the material surrounding these events (Deut. 1–11); (2) the reading of the law (Deut. 12:1–26:15); (3) the sealing of the covenant (Deut. 26:16–19); and (4) the blessings and curses (Deut. 27ff.).12 He also divides the Sinai tradition into (1) the exhortation (Ex. 19:4–6), (2) the historical recital of the events at Sinai (Ex. 19ff.), (3) the reading of the law (Ex. 20–23), (4) the promise of blessing (Ex. 33:20ff.), and (5) the sealing of the covenant (Ex. 24). On the basis of these structural similarities, von Rad theorizes that the covenant ceremony consisted of a recital of history and a proclamation of the law, accompanied by oaths, blessings, and curses.13 This basic structure of the covenant was further nuanced by a comparison with Hittite treaties composed in the fourteenth and thirteenth centuries B.C., approximately the same period of time when the Israelite exodus from Egypt took place.14 The fundamental elements common to both the Hittite treaties and the covenant passages in the Old Testament include the preamble, the antecedent history, individual stipulations, witness formulas/oaths of acceptance, blessings and curses, and provisions for the recital and deposit of the treaty/covenant.15

These same constituent features also appear in the account of the covenant assembly in Mosiah. In what follows, we shall consider manifestations of each of these elements in the covenant passages in the Old Testament, in the Hittite treaties, and in the account of King Benjamin's address in Mosiah.


13Ibid.


15The specific names for these categories are, to an extent, my own, but they are similar to those in other treatments of the treaty/covenant pattern in the Bible, for example, Thompson, "Near Eastern Suzerain–Vassal Concept," 4, and Mendenhall, "Covenant Forms in Israelite Tradition," 57–60, all of which are based ultimately on the analysis of the constituent elements of the Hittite treaty in Korólec, Hethitische Staatsverträge. The biblical covenant passages which will be studied here include Ex. 19:3b–8, 20–24; Deut. 1–31; and Josh. 24. Other passages may also be analyzed in the light of this pattern, for example, 1 Sam. 12.
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Preamble/Titular Descriptions

In the Hittite treaties, this section contains the name of the suzerain making the treaty as well as other titles and attributes: "These are the words of the Sun, Muwatallis, the Great King, King of the land of Hatti, Beloved of the Weather-God . . ." The parallel biblical passages introduce either God as the maker of the covenant: "And God spake all these words, saying . . ." (Ex. 20:1) or the prophet who acts as the spokesman for God, who remains the ultimate initiator of the covenant proceedings: "And Joshua said unto all the people, Thus saith the Lord God of Israel . . ." (Josh. 24:2). Similarly, the actual proceedings of the covenant assembly in the Book of Mosiah begin: "And these are the words which he [that is, Benjamin] spake and caused to be written, saying . . ." (Mosiah 2:9). But here, too, although Benjamin is speaking the words, he is clearly acting as the mouthpiece of God. Indeed, a sizable part of his address consists of words which had been made known to him "by an angel from God" (Mosiah 3:2).

Since the biblical and Book of Mormon covenant accounts (unlike the Hittite treaties) are embedded in a historical narrative, the actual preamble to the covenant is generally preceded by additional background details, as in Ex. 19:1–3:

In the third month, when the children of Israel were gone forth out of the land of Egypt, the same day came they into the wilderness of Sinai. For they were departed from Rephidim, and were come to the desert of Sinai, and had pitched in the wilderness; and there Israel camped before the mount. And Moses went up unto God and the Lord called unto him out of the mountain, saying, Thus shalt thou say to the house of Jacob, and tell the children of Israel . . .

(Compare also Josh. 24:1–2; Deut. 1:1–5)

Similarly, the details in Mosiah 1:1–2:9 provide background information necessary for understanding the setting of the covenant assembly itself.

The background of the Mosiah section—at a time of transition in the rule, when the reigning monarch, Benjamin, transferred the kingship to his son—is closely paralleled by biblical covenant passages and Hittite treaty materials. Indeed, Baltzer claims that the ideal of kingship in Israel was for "the successor . . . to take office before the

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16 McCarthy, Treaty and Covenant, 1.
death of his predecessor” and that this transfer of power is associated with covenant-making ceremonies.17

Antecedent History

This part of the Hittite treaties contains mention of the past kindliness which had been shown by the suzerain toward his vassal, providing the rationale for the great king’s appeal (in the following section which contains specific stipulations) to his vassal to render future obedience in return for past benefits: “When, in former times Labarnas, my grandfather, attacked the land of Wilusa, he conquered [it]. . . . The Land of Wilusa never after fell away from the land of Hatti but . . . remained friends with the king of Hatti.”18 The parallel biblical covenant passages retell God’s mighty acts performed on behalf of his people, Israel: “Ye have seen what I did unto the Egyptians, and how I bare you on eagles’ wings, and brought you unto myself” (Ex. 19:4; compare Ex. 20:2; Josh. 24:2–13). In other instances, the Old Testament covenant sections recount Israel’s relations with God and his prophet; for example, Deut. 1:5 and 3:29, in which God’s acts on behalf of Israel, and Moses’ deeds and his relations with Israel are both related. The Mosiah passage includes a long account of the past relations between King Benjamin and his people (Mosiah 2:9–19). King Benjamin uses the thanks which the people owe to him for his contributions to their welfare as an a fortiori argument for the greater thanks which they owe to God:

And behold also, if I, whom ye call your king, who has spent his days in your service . . . do merit any thanks from you, O how you ought to thank your heavenly King!

. . . who has created you from the beginning, and is preserving you from day to day, by lending you breath . . . and even supporting you from one moment to another. . . .

(Mosiah 2:19, 21)

Individual Stipulations

In the Hittite treaties, this section includes the specific obligations which the vassal had to his overlord: “Thou, Alaksandus, shalt protect the Sun as a friend. . . . If anyone says an unfriendly word about the Sun and you keep it secret from the Sun . . . then thou, Alaksandus, sinnest before the oath of the gods; let the oath of the gods harry thee!”19

17Baltzer, Covenant Formulary, 82–83.
18McCarthty, Treaty and Covenant, 1.
19Ibid., 2.
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Corresponding biblical sections contain those individual commandments God placed his people under obligation to observe. A major example of this is found in Exodus 20–23 where God, after recounting his mighty deeds on behalf of the Israelites, enumerates—first succinctly in the Decalogue (Ex. 20:3–17) and then in greater detail (Ex. 21:1–23:19)—the commandments they are to observe. Benjamin’s address also contains numerous commandments the people are called upon to obey:

Believe in God; believe that he is, and that he created all things, both in heaven and in earth. . . .

And again, believe that ye must repent of your sins and forsake them, and humble yourselves before God; and ask in sincerity of heart that he would forgive you. . . .

(Mosiah 4:9–10; compare Mosiah 2:22, 24b, 4:6–30)

Witness Formulas / Oaths of Acceptance

The Hittite treaties contain clauses in which the gods are invoked to witness and act as guarantors of the treaties: "The Sun God of heaven, lord of the lands, Shepherd of men, the Sun Goddess of Arinna, the Queen of the lands, the Weather-God [are called to witness this treaty]." Clearly, such a clause would have been unacceptable in a covenant in monotheistic Israel. In one instance, however, a stone is designated as a witness to the covenant "for it hath heard all the words of the Lord which he spake unto us: it shall be therefore a witness unto you, lest ye deny your God" (Josh. 24:27). In general, though, the people witness against themselves in the event that they fail to observe the covenant (Josh. 24:22), or they say, "All that the Lord hath spoken we will do" (Ex. 19:8; compare Ex. 24:3), thereby implicitly calling upon God to act as the guarantor of the covenant and its executor in the event of its nonfulfillment. In the Benjamin section of Mosiah, following the king's address, the people express their desire "to enter into a covenant with [their] God to do his will, and to be obedient to his commandments" (Mosiah 5:5). They further demonstrate their willingness to obey by allowing their names to be included among those who have "entered into a covenant with God to keep his commandments" (Mosiah 6:1).

Blessings and Curses

The Hittite treaties include a list of curses which would attend those who failed to observe their treaty agreements and of blessings if

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20 Ibid.
they did observe the covenants: “If thou, Alaksandus, break the words of this document, which are placed on this document, then may these oaths wipe thee out . . . and wipe thy seed from the face of the earth. But if thou keepest these words, then may the thousand gods . . . keep thee, thy wife, thy sons . . . with friendly hand.”21 Such a list of curses and blessings is also known from biblical literature. Deuteronomy 27–28 contains the longest series of such curses and blessings recorded in the Bible:

Cursed be the man that maketh any graven or molten image, an abomination unto the Lord, the work of the hands of the craftsman, and putteth it in a secret place. And all the people shall answer and say, Amen.
Cursed be he that setteth light by his father or his mother: and all the people shall say, Amen.
Cursed be he that removeth his neighbor’s landmark: and all the people shall say, Amen.

(Deut. 27:15–17)

Blessed shalt thou be in the city, and blessed shalt thou be in the field.
Blessed shall be the fruit of thy body, and the fruit of thy ground, and the fruit of thy cattle, the increase of thy kine, and the flocks of thy sheep.

(Deut. 28:3–4)

More often in the Old Testament, however, the curses and blessings are implicit in the covenant passages, as in Josh. 24:19–20:

And Joshua said unto the people, Ye cannot serve the Lord: for he is an holy God; he is a jealous God; he will not forgive your transgressions or your sins.
If ye forsake the Lord, and serve strange gods, then he will turn and do you hurt, and consume you, after that he hath done you good.

(Compare also Ex. 23:20–33)

In a similar manner, the curses and blessings in the Benjamin passage in Mosiah are also implied rather than explicitly stated:

And it shall come to pass that whosoever doeth this shall be found at the right hand of God, for he shall know the name by which he is called; for he shall be called by the name of Christ.
And now it shall come to pass, that whosoever shall not take upon him the name of Christ must be called by some other name; therefore, he findeth himself on the left hand of God.

(Mosiah 5:9–10)

21Ibid.
Recital of the Covenant and Deposit of the Text

The Hittite treaties frequently, though not invariably, contain provisions for the recital of the treaty document and for its deposit in the temple: "Moreover, let someone read thee this tablet which I have made for thee three times every year." 22 The biblical covenant sections also mention the recital of the covenant: "And he [Moses] took the book of the covenant, and read in the audience of the people" (Ex. 24:7; compare also Ex. 19:7). Other passages also mention the writing and deposit of the text: "And Joshua wrote these words in the book of the law of God, and took a great stone, and set it up there under an oak, that was by the sanctuary of the Lord" (Josh. 24:26; compare Deut. 27:2–4). The Book of Mosiah records that the words of King Benjamin were sent out among the people, not only enabling them to understand the proceedings of the covenant assembly but also serving as a permanent record of that assembly (Mosiah 2:8–9). At the end of his address, when all of the people expressed a willingness to take upon themselves Christ’s name, their names were recorded (Mosiah 6:1). As one of King Benjamin’s last acts as ruler of the people, he appointed priests "to teach the people . . . and to stir them up in remembrance of the oath which they had made" (Mosiah 6:3).

The majority of the verses comprising the Benjamin pericope—Mosiah 1:1–2:41, 3:24–27, 4:6–30, 5:2–6:3, 6:6—reflect features characteristic of the treaty/covenant pattern. However, certain passages—Mosiah 3:1–23, 4:1–5, 5:1, 6:4–5—do not accord with this pattern. In part, this is probably the result of the section’s being an account of the covenant ceremony and not simply a transcript of the covenant. 23 But in addition—and perhaps more importantly—it is the result of Benjamin’s sermonic intentions: he is interested not only that his people recognize the legitimacy of his son and successor and that they formally renew their covenant with God but also that they repent and experience a "change in heart" (compare Mosiah 5:2–6). John W. Welch’s analysis of the chiastic pattern in Mosiah 2:9–5:15 reveals that Mosiah 3:11–27—a passage which (with the exception of verses 24–27) does not accord with the treaty/covenant pattern—forms the centerpiece of the chiasmus:

22Ibid.

23Bickerman, in the "Note Additionelle" to his study "Couper une alliance" in Studies in Jewish and Christian History, 27, makes the point that no copies of covenants themselves have survived among the Israelites (in contrast to the Hittites and other peoples of the Ancient Near East, actual copies of whose treaties have been discovered) but only reports concerning the covenant rituals. As a result, there is frequently some imprecision in correspondence between the contents of the covenant pericopes in the Old Testament (and in Mosiah 1–6 as well) and the contents and order of Ancient Near Eastern treaties.
I. Introduction (2:9–28)

God is the Heavenly King and man has obligations thereunder.
God has physically created you.
Covenant peoples are servants of God.
There is hope of exaltation after death.

(A. Coronation proclamation [2:29–30])

II. For obedience to the laws, the Lord and king impart victory and prosperity (2:31–41; compare Lev. 26).
Contention is prohibited (2:32).

III. The Angel makes declaration of Christ’s atoning mission for the salvation of mankind (3:2–10).

IV. Benjamin discusses the present state of man and the point of his conversion (3:11–27).
There is a possibility of reconciliation.
The alternative of damnation is presented.

(B. The people fall to the ground, confess their iniquity, and are forgiven of their sins [4:1–3]).

III′. Benjamin gives testimony of the goodness and glory of God and his salvation (4:4–12).

II′. Stipulations of the law require men to impart substance for peace and social order (4:13–30; compare Lev. 25).
Contention is prohibited (4:14).

(A. Covenant proclamation [5:1–15])

I′. Conclusion (5:6–15)

God is Heavenly Father and will excommunicate upon breach of obligations.
God has spiritually begotten you this day.
Covenant people know God by serving him.
There is hope of exaltation of the people after death.\(^{24}\)

As this illustrates, the passages in this pericope which contain (according to our analysis) the "individual stipulations"—that is, Mosiah 2:22, 24b, 31–41, 4:6–30—form an envelope around Mosiah 3:1–4:3, the core of the entire section, in which King Benjamin brings his people to recognize and confess their sins and to obtain forgiveness for them.

CONCLUSION

As Hugh Nibley has noted on numerous occasions, one of the best means of establishing a text’s authenticity lies in examining the

\(^{24}\text{Welch, “Chiasmus in the Book of Mormon,” 202–3.}
TREATY / COVENANT PATTERN IN THE OLD TESTAMENT AND IN MOSIAH

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degree to which it accurately reflects in its smaller details the milieu from which it claims to derive. The extent to which the Book of Mormon correctly mirrors the culture of the Ancient Near East in matters of religious practice, manner of life, methods of warfare, as well as other topics (especially those which were either unknown or unexamined in Joseph Smith’s time), may provide one of the best tests of the book’s genuineness. In addition, the extent to which the Book of Mormon accords with Ancient Near Eastern canons of literary style and structure may also provide a test of authenticity. Chiasmus, a well-known feature of classical prosody, has been identified and intensively studied as an element of biblical style only in the twentieth century. Now, as John W. Welch’s researches have convincingly demonstrated, it has been identified as a pervasive stylistic feature of the Book of Mormon. The cultic life setting of the covenant renewal festivals in the books of Exodus, Deuteronomy, and Joshua has been

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26Compare John W. Welch, “Chiasmus in the Book of Mormon,” *Brigham Young University Studies* 10 (1969), 69–84, the first of several published and unpublished studies which he has done on the subject (including those mentioned in notes 5 and 24).
identified as the Feast of Tabernacles and its form (going back to what must have been a far more ancient Near Eastern pattern) has only within the past several decades been analyzed to include a preamble, antecedent history, stipulations, witness formulas, blessings and curses, and provisions for the recital and deposit of the text. That the covenant assembly in the book of Mosiah has been found to have the same ritual setting—the Feast of Tabernacles—as the covenant renewal festivals in the Old Testament is remarkable; that the covenant ceremonies in both the Old Testament and the Book of Mosiah reflect an Ancient Near Eastern pattern prescribed for such occasions may provide another control for establishing the genuineness of the Book of Mormon.