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The Twelve-Tribe Israelite Amphictyony

An Appraisal

IN 1930, MARTIN NOTH published his *Das System der zwölf Stämme Israëls*, a work that has been one of the most influential and epoch-making volumes in twentieth-century Old Testament study. This work gave not only a formative expression to, but also the classical expression of, premonarchical Israel as a twelve-tribe amphictyony.

Noth began his study with an analysis of the Old Testament traditions that speak of the twelve tribes and especially those texts that provide lists of the tribes (Gen 29:31—30:24; 35:16–20; 49:1–27; Num 1:5–15; 26:5–51; Deuteronomy 33; and Joshua 13–19). The oldest of these Noth considered to be, in chronological order, Genesis 49; Numbers 26; and Numbers 1. In these, the lists appear in two distinct forms. In the first and chronologically the oldest, Levi appears as a secular tribe (Genesis 49; cf. Genesis 34; and see Gen 25:23–26; 46:8–25; Exod 1:2–4; Deut 27:12–13; 1 Chron 2:1–2; and Ezek 48:31–35). In the second, and chronologically later, Levi does not figure as a territory-holding tribe (Numbers 1; 26; see also Num 2:3–31; 10:14–28; 7:12–83). In all of these lists, Noth distinguished two recurring motifs: the constancy of the number twelve and the division and association of the tribes into two distinct sub-groups, viz. the so-called Leah-tribes (Reuben, Simeon, Levi, Judah, Issachar, and Zebulun) and Rachel-tribes (Joseph and Benjamin). The number twelve

is preserved in those lists where Levi does not appear by the division of Joseph into the two tribes of Ephraim and Manasseh.¹

This twelve-tribe tradition was accepted by Noth as an independent tradition reflective of a historical actuality. The origin of the twelve-tribe system and tradition was placed in the pre-monarchical period of the Judges. The terminus ad quem for such a system could not be placed any later than the time of David when a well organized state and empire system was the dominant government structure. The origin and existence of such a system was understandable only when the tribes were conscious of their individual existence and retained their individual political identity. By the time of David's reign, some of the twelve tribes had ceased to exist. The terminus a quo was considered to be the time of the settlement in the land of Canaan. The literary evidence suggested two stages in the twelve-tribe structure. The earliest is reflected in those lists in which Levi appears as a secular, land-holding tribe. Noth assigned this form of the system to the early period of the Judges, although he acknowledged that Gen 49:1–27 in its present form probably dates from the time of David or Solomon. A later or second stage in the tribal structure is reflected in the lists where Levi no longer appears as a landholding or secular tribe (esp. Numbers 26). This structure Noth dated to the second half of the Judges period when Levi's place was filled by the subdivision of the "house of Joseph." The "Song of Deborah" (Judges 5), upon which Noth places little emphasis because he claims it to be a free-formed composition that does not adhere to the divisions of Leah and Rachel groupings found elsewhere, does reflect a stage between the first system (with Levi) and the second system (without Levi). In the "Song of Deborah," the tribes of Machir (= Manasseh and Ephraim, which later appear as subdivisions of Joseph) already exist as independent tribal entities.

The historical period that saw the rise of this twelve-tribe system was the time immediately following the invasion of the "House of Joseph." Noth did not assume a full scale simultaneous invasion of all the tribes into Palestine and in this was following Alt's reconstruction of the settlement in Canaan.² Noth argued that the Leah-tribes and Benjamin³

1. *Das System*, 3–28. A more limited discussion by Noth of the material in *Das System* is found in his *The History of Israel*, 85–109.

2. See Alt, *Die Landnahme der Israeliten in Palästina* [reprinted in *Kleine Schriften zur Geschichte des Volkes Israel*, 1:89–125]; ET = "The Settlement of the Israelites in Palestine."

3. In his history of Israel, Noth considers Benjamin to have entered Palestine along

were already settled in the land at the time of the invasion of the house of Joseph.⁴

Noth compared the twelve-tribe structure of early Israel with similar tribal structures found elsewhere. Scholars prior to Noth had already referred to the biblical and some non-biblical references that mention special groupings of tribes somewhat analogous to the twelve tribes of Israel. Heinrich Ewald had pointed to the twelve Ishmaelite tribes in Gen 25:13–16, the enumeration of the twelve Edomite tribes in Gen 36:10–14, and the reference to a list of Horite tribes in Gen 36:20–28.⁵ Ewald had suggested comparing these twelve-tribe groups to parallels of six- and twelve-tribe systems in Greek and Italian literature and even in some African and American tribal groupings. Ewald then postulated the existence of a twelve-tribe structure in the pre-Mosaic period of Israelite pre-history.

Hermann Gunkel, in discussing the stories of the birth of Jacob's children (Gen 29:31—30:24), drew upon these extra-biblical traditions in elucidating the biblical traditions.⁶ Emil Szanto, in a study on the Greek tribes,⁷ referred to the possible analogy between the Israelite and Greek tribal systems. Julius Wellhausen had described the early tribes as a "kriegerischen Eidgenossenschaft" ("military confederacy") and stressed the role of Yahweh as a "Kriegsmann" ("man of war") and as "Feldgeschrei" ("war-cry") of the confederacy.⁸ Max Weber described early Israel as a war confederacy whose membership varied from time to time and who was led by the *shofetim*, the characteristic war heroes.⁹ "The Israelite confederacy itself, according to unambiguous tradition, represented a war confederation under and with Yahweh as the war god of the union, guaranteeing its social order and creator of the material prosperity of the confederates, especially of the requisite rain. This is brought to expression by the name 'Israel' which was meant to designate directly 'the people of the fighting god'. . . 'Israel' was no tribal name but the name

with the house of Joseph; see *History of Israel*, 89–90.

4. *Das System*, 28–39.

5. Ewald, *Einleitung in die Geschichte des Volkes Israels*, 1:519ff.

6. Gunkel, *Genesis*, 332; ET = *Genesis*, 321–22.

7. Szanto, *Die griechischen Phylen*.

8. Wellhausen, *Israelitische und jüdische Geschichte*, 23–24.

9. Weber, *Das Antike Judentum = Ancient Judaism*, 77–89.

of an association, at that, of a cult league.”¹⁰ Albrecht Alt pointed to the Greek and Italian tribal systems organized in a sacred union around a common sanctuary as an aid to understanding the pre- and early history of ancient Israel.¹¹ Noth acknowledged his indebtedness to these scholars and summarized most of their contributions. In some respects, Noth’s work on the twelve-tribe system can be compared to Julius Wellhausen’s work on pentateuchal criticism:¹² both took over ideas and concepts current in their day and expounded them in a convincing, definitive manner marshaling a great array of supporting evidence while utilizing the biblical materials with a systematic thoroughness and drawing the logical conclusions and consequences from their research.

Noth examined the structures and functions of the tribal systems in the Greco-Italian world¹³ in order to make comparisons that would elucidate the existence of the twelve-tribe Israelite system that he had deduced from the biblical literary traditions. Such a tribal system was referred to in Greek as an “amphictyony,” i.e. a “community of those who dwell around” (around a particular shrine). The most notable of the Greek amphictyonies was Pylae-Delphi which, as its double name implies, possessed two central sanctuaries, the temple of Demeter at Pylae and the temple of Apollo at Delphi. This amphictyony was composed of twelve tribes, not cities as in most other Greek amphictyonies, a factor that Noth took as a sign of the system’s antiquity. Other Greek amphictyonies¹⁴ to which Noth drew attention were:

- Delos with its temple of Apollo;
- Onchestus in Boeotia (Strabo 9.2.33) and Calauria (Strabo 8.6.14) each with its temple of Poseidon;
- the Panionium amphictyony of twelve Ionian cities on the Asia Minor coast with the temple of Poseidon at Myclae as a central cult-place;

10. Ibid., 81.

11. Alt, “Israel, politische Geschichte,” 438–39.

12. Wellhausen, *Prolegomena zur Geschichte Israels*; ET = *Prolegomena to the History of Israel*.

13. On the European amphictyonies, see Freeman, *The History of Federal Government in Greece and Italy*; Cauer, “Amphiktyonia”; Busolt and Swoboda, *Griechische Staatskunde*, 1280–1309; Bürgel, *Die pylaeisch-delphische Amphiktyonie*; and Harland, “The Calaurian Amphictyony.”

14. Most of these had already been referred to by Ewald, and on some the evidence is very scanty.

- the amphictyony of six Dorian cities with its temple of Apollo at Cnidus; and
- the amphictyony of six Triphylian cities with its temple of Poseidon.

Italian leagues similar to the Greek amphictyonies that had been noted by Ewald were utilized by Noth as comparative evidence. Livy (1.8.3) spoke of a league of *duodecim populi* among the Etruscans with its central sanctuary of the goddess Voltumna in the district of the city Volsinii, with its important spring cultic celebration, which seems to have had a chief official, a covenant administrator, who in one text (5.1.5) is called *sacerdos*. In addition, there was the Italian league, the Bruttian, which was also called a league of *duodecim populi* (Livy 25.1.2).

Several factors about these amphictyonies and leagues were stressed by Noth. (1) The numbers six and twelve occur with some frequency. (2) The tribal groupings were centered around and utilized a common sanctuary whose upkeep was a basic function of the league. (3) A council of official representatives from the members met at the central shrine and were responsible for its administration (in Greek the representative was called *hieromnemes*). (4) Periodic cultic festivals were held at the central sanctuary; the most important being the major yearly feast at which time the council of representatives met and expression was given to the treaty relationship of the members. (5) Union for common military protection was an element in the tribal association. (6) Amphictyonic law regulated various aspects of freedom. (7) Holy war could be carried out against members of the amphictyony for transgression of amphictyonic law.¹⁵

On the basis of the literary traditions concerning the twelve tribes, the biblical references to “twelve” among the neighbors of Israel, and the comparative material on Greek and Italian tribal and city leagues, Noth proceeded to reconstruct the origin, form, and functions of the pre-monarchical twelve-tribe amphictyony in ancient Israel.

Noth saw in the Yahwistic-Elohistic narrative of Joshua 24¹⁶ the foundation story of the twelve-tribe amphictyony. According to him, the Leah and concubine tribes as well as the tribe of Benjamin¹⁷ were already settled in Canaan before the invasion of the “house of Joseph.” The

15. *Das System*, 39–60.

16. Noth provides an analysis of this chapter in *Das System*, 133–40; and in his commentary *Das Buch Joshua*. See also Schmitt, *Der Landtag von Sichem*.

17. See n. 3 above.

twelve-tribe league came into existence after the settlement of the house of Joseph when the newcomers and the already settled tribes united. The role assigned to Joshua in Joshua 24 reflects an historical memory of his role in the establishment of the amphictyony. The location of the “Landtag von Sichem” also preserved a true historical reflection of the origin of the amphictyony at Shechem,¹⁸ which was the first central sanctuary for the tribes. Joshua 24; Deut 11:29–30; 27; and Josh 8:30–35 reflect some of the elements in the covenant-making ceremony. Noth argued that the six Leah tribes (Reuben, Simeon, Levi, Judah, Issachar, and Zebulun) had formed a six-tribe amphictyony in the early part of the Judges era prior to the settlement of the house of Joseph. This six-tribe amphictyony had used Shechem as its central sanctuary. The tribes of Reuben, Simeon, and Levi had originally dwelt in the Samaritan mountains in the territory later occupied by the “house of Joseph” (see Genesis 34; 49:5–7).¹⁹ This six-tribe confederation was therefore the forerunner and basis for the later twelve-tribe amphictyony. The numbers twelve and six should be seen as a reflection of the monthly and bimonthly rotation in the tribal responsibility for the upkeep of the common sanctuary and its worship.²⁰

According to Noth, the Leah-amphictyony was not a Yahweh-amphictyony; neither had its members (or the tribes of Dan, Gad, Asher, and Naphtali) gone into Egypt and experienced the events of the exodus. Yahweh worship was first introduced into Palestine by the “house of Joseph” and under the latter’s influence the newly created twelve-tribe alliance accepted Yahweh as the god of the amphictyony. Contact between the southern Leah-tribes and the “house of Joseph” at Kadesh prior to the latter’s settlement in central Palestine was held open as a possibility by Noth.

The name “Israel” was the term used as the designation for the twelve-tribe amphictyony. Noth concluded that the older six-tribe amphictyony (the Leah-tribes) had gone under the name Israel and that this name was retained with the expansion to a twelve-tribe alliance and the

18. The importance of Shechem in the history of early Israel had figured prominently in the writings of Ernst Sellin. See his *Geschichte des israelitisch-jüdischen Volkes*, 1:98ff; “Seit welcher Zeit verehrten die nordisraelitischen Stämme Jahwe?”; and “Wie wurde Sichem eine israelitische Stadt?”

19. Earlier references to a “smaller” than the twelve-tribe league had placed it in Hebron or Mamre. On the former, see Sayce, “Cuneiform Tablets of Tel El-Amarna,” 347; and for the latter see Alt, *Der Gott der Väter*, 58–59 = *Kleine Schriften*, 1:54–55 (ET = “The God of the Fathers,” 53–54).

20. *Das System*, 61–86.

adoption of Yahwism. The reference to Israel in the famous stele inscription of the Egyptian pharaoh Merneptah referred to this six-tribe Israel and not the later constituted form.

The initial central sanctuary of Israel was Shechem (= *Tell Balatah*) located in the valley between Mt. Gerizim and Mt. Ebal.²¹ Noth, however, claims that the central shrine was not so much a sanctuary as a sacred object—the ark. The ark was originally the portable or wandering sanctuary from the wilderness period that was attached to the house of Joseph. The formula “Yahweh, the god of Israel” was closely tied to the employment of the ark and to the Shechem sanctuary. The central sanctuary of the Israelite amphictyony was moved from Shechem to various other places. In his *History*,²² Noth suggests that Bethel, Gilgal, and Shiloh functioned as the central sanctuary prior to the removal of the ark to Jerusalem by David. At the central sanctuary, a yearly festival or cultic celebration was held in which there was a public profession of faith in Yahweh, an act of covenant-making, and a proclamation of the statutes of the law.²³

The official representatives of the tribes who met as a colloquium at the yearly festival at the central sanctuary were the twelve *nesi'im*. Several Old Testament passages speak of these representatives (Gen 25:16; Exod 22:28; Num 1:5–16; 13:4–15; 34:17–28) according to Noth. The *nasi'* was assumed by Noth to have performed in the Israelite amphictyony functions analogous to those of the *hieromnemes* in Greek amphictyonies. In an appendix to *Das System* (151–62), Noth recognized the problems involved in the use of the term *nasi'* within the Old Testament in so far as his amphictyonic theory was concerned. The usage of the term is limited almost entirely to the book of Ezekiel and the Priestly History, viz., to material from a period very late in Hebrew history. Nonetheless, Noth argued that the office was very old and that the priestly writer had taken over and incorporated in his work an old and independent list of the early tribal *nesi'im* now found in Num 1:5–16. The *nasi'* was not a priest but a tribal representative; and Exod 22:27, which prohibits the cursing of a *nasi'* suggests that the term was a *terminus technicus*.

Between the writing of *Das System* (1930) and his *Geschichte Israels* (1950), Noth developed his theory of the all-Israel office of “judge,”²⁴

21. The sacred sanctuary was the very ancient tree shrine east of the city of Shechem; Noth, *History of Israel*, 91.

22. *Ibid.*, 94–96.

23. *Ibid.*, 92–93, 100–101.

24. See his “Das Amt des ‘Richters Israels’”; ET = “The Office of ‘Judge of Israel.’”

whose function was that of the central judicial official who publicly proclaimed the law and oversaw its observance.²⁵ The term “judge of Israel” (*shophet yisra'el*) is found only once in the Old Testament (Mic 4:14). Noth argued, however, that the “minor judges” mentioned in Judg 10:1–5 and 12:7–15 are to be distinguished from the “savior judges” who appear elsewhere in Judges. The so-called “major judges” were not all judges in the judicial sense but were incorporated as judges by the deuteronomistic editor because Jephthah appeared in both the list of judicial judges and that of the charismatic tribal leaders. Noth assumed that Judg 10:1–15 and 12:7–15 were based on official recollections of the period and that the minor judges noted there functioned as legal authorities over the amphictyony.

On the analogy of the Greek amphictyony, Noth argued that the Israelite tribal alliance possessed its divine or amphictyonic law, which regulated the common cult and perhaps ordered tribal conduct and the relationship between the members of the amphictyony. A deposit of this amphictyonic law is now found in parts of the Book of the Covenant. The codification or at least formulation of many of the Israelite laws could thus go back to the pre-monarchical period of the Judges or be developed from the early beginnings of this period.²⁶

In addition to the accepted or “federal” law of the amphictyony, Noth argued that there also existed customary or unwritten law (*nomoi agrapoi*). The tribal association was committed to punish violation of the amphictyonic laws and if need be to call out the tribes to take punitive action against the transgressor. This capability to carry out a “holy war” against one of its own members lies behind the campaign against the tribe of Benjamin in Judges 19–21 because of the rape-murder of a Levite’s concubine in Gibeah. After the failure of Benjamin to punish the crime, the tribes mustered in action against the Benjaminites.

Noth argued that at the time of the twelve-tribe amphictyony there existed a southern six-tribe amphictyony with a central sanctuary at Mamre near Hebron. This six-tribe league was composed of Simeon, Judah, Caleb, Othniel, Jerahmeel, and Kain (the Kenites). Judah and Simeon thus held membership in two tribal amphictyonies.²⁷

25. *History of Israel*, 101–3.

26. Worked out more fully in his *Die Gesetze im Pentateuch* (1940); ET = *The Laws in the Pentateuch and Other Essays*, 1–107.

27. *Das System*, 86–108.

Noth recognized that his theory of a tribal amphictyony during the period of the Judges carried consequential ramifications for the history and religion of ancient Israel. Only a few of these were mentioned in *Das System* although in later works Noth developed many of these concepts. A few of the consequences of his theory as noted in *Das System* may be referred to here. (1) The origin of kingship in Israel must be seen as an outgrowth of the amphictyonic structure. The amphictyonic organization laid the foundations for political structures and Saul, the first king of Israel, was primarily a charismatic leader of the amphictyonic tribes. (2) The amphictyonic concept supports the idea of a national Yahweh religion and a strong allegiance to Yahweh as the national god. (3) The prophetic movement in later times was strongly dependent upon the amphictyonic outlook and ideals. (4) The traditions of the patriarchs, Sinai, and the conquest of the land have their settings in the amphictyonic cult. (5) The amphictyonic structure stressed the prominence of one sanctuary. David sought to make Jerusalem into the central sanctuary by bringing the ark to Jerusalem, thus keeping operative the idea of Israel as the people of Yahweh as well as a national, political entity. (6) The concept of Israel as the people of Yahweh and the stress on the importance of the central sanctuary reasserted itself in the deuteronomic reformation under Josiah in the seventh century.²⁸

In many of his later writings, Noth developed the themes and concepts already found in *Das System*. In his *Die Überlieferungsgeschichte des Pentateuch*,²⁹ Noth examined the growth of the pentateuchal themes out of the traditions of the amphictyony. His study *Die Gesetze im Pentateuch*,³⁰ developed the concept of the law as a constitutive feature of the amphictyonic system, which he argued was neither removed nor replaced by the development of the national state or the breakup of this state into the states of Israel and Judah.³¹ In his *Geschichte Israels*, Noth accepted the consequences of his theory that the patriarchal, exodus, wilderness, Sinai, and settlement traditions were developed in the amphictyonic cult.

28. *Das System*, 109–21.

29. ET = *The History of the Pentateuchal Traditions*.

30. See n. 26 above.

31. “This institution (the tribal amphictyony) was neither replaced nor removed by the states later brought into being on the territory occupied by the people of Israel . . . neither did the regulations and functions of the state consciously displace that older institution.” *The Laws in the Pentateuch*, 29.

That is, he began his history with the period of the Judges and treated the earlier traditions within the context of amphictyonic life.³²

The Acceptance and Modifications of Noth's Amphictyonic Theory

George W. Anderson has remarked that “at least as many students of the Old Testament have accepted the amphictyonic theory without reading *Das System* . . . as have rejected Mowinckel’s hypothesis of an enthronement festival without reading the second volume of *Psalmenstudien*.”³³ What he is implying is the fact of almost universal acceptance. As a rule, Noth’s theory has been accepted without question. Some scholars while accepting the general theory have sought to modify some of the details.

John Bright, as an example of enthusiastic acceptance and extension of the concept, has concluded that “the origins of the amphictyonic system, like those of Yahwism itself, reach back to Sinai. The amphictyony was a sacral league formed in covenant with Yahweh, perfectly expressive of primitive Yahwistic faith. If Yahwism originated in the desert (as it certainly did), we must conclude that the covenant society did also, for Yahwism and covenant are coterminus.”³⁴ This statement also seeks to modify Noth’s theory of the origin of the amphictyony by placing its origin in the wilderness period prior to the settlement of the tribes in Palestine. A similar modification is stressed by G. Ernest Wright. For Bright and Wright the terminus a quo for the origin of the Israelite amphictyony is not, as it was for Noth, the time of the settlement in Canaan but rather the period immediately after the exodus from Egypt.

An extensive attempt to re-create the history of Israel from the time of Moses until the establishment of the Davidic dynasty along the lines of Noth’s amphictyonic theory has been made by Murray Newman.³⁵ He argues for the following amphictyonic units in early Israel: a six-tribe Leah amphictyony centered around Shechem in the fourteenth century, a period of association at Kadesh between the southern remnants of the Leah-amphictyony and the “house of Joseph” after the latter’s exodus

32. See *History of Israel*, 110–38.

33. Anderson, “Israel: Amphictyony,” 138–39.

34. Bright, *A History of Israel*, 1st ed., 145–46. In the 3rd ed. (p. 168), Bright changed “amphictyony” to “covenant league.”

35. *The People of the Covenant*.

from Egypt in the mid-thirteenth century, a twelve-tribe league formed at Shechem, and a six-tribe league at Hebron.

Some scholars have modified Noth's theory in a different direction. Stressing the "Song of Deborah" with its reference to only ten tribes (Judges 5) at the expense of the twelve-tribe lists, Sigmund Mowinckel,³⁶ Artur Weiser,³⁷ and others³⁸ argue for a ten-tribe amphictyony during the period of the Judges. Mowinckel considers the twelve-tribe scheme to be post-Davidic in origin.

Many scholars have accepted Noth's theory of the amphictyony and proceeded to build interpretive systems on this basis, which seek to expound wide areas of Old Testament studies in light of the theory. Only a few of these may be mentioned here. Gerhard von Rad argued for the Holy War as a basic element in the tribal amphictyony and its ideology as a continuing influence in ancient Israel.³⁹ The covenant festival that Noth postulated as the basic annual amphictyonic ritual has provided scholars with an idea that in most Old Testament studies has become an overriding (overbearing?) concern. This covenant festival has been taken by Artur Weiser as the interpretive key to the book of Psalms.⁴⁰ H. Graf Reventlow has argued that some of the offices of the amphictyony continued in existence after the founding of the monarchy. One such was the tribal "prosecutor."⁴¹ The function of the covenant-mediator in the amphictyonic cult has been used as the interpretive key to understanding the prophets. Hans-Joachim Kraus has argued that the prophets were successors to the mosaic and amphictyonic covenant mediator whose primary responsibility was the proclamation of the covenant law.⁴² James Muilenberg has postulated the existence of a succession of prophets who filled the "office" of prophet in terms of the amphictyonic mediator.⁴³ Reventlow has taken this idea to its logical conclusion by arguing that the prophets were cultic functionaries within the covenant festival ritual whose task was interpretation, application, and proclamation of the cov-

36. Mowinckel, *Zur Frage nach dokumentarischen Quellen in Joshua 13-19*, esp. 20-23; and Mowinckel, "'Rahelstämme' und 'Leastämme.'"

37. Weiser, "Das Deborahlied."

38. Schunck, *Benjamin*, 48-57.

39. Von Rad, *Der Heilige Krieg im Alten Israel*; ET = *Holy War in Ancient Israel*.

40. Weiser, *Die Psalmen*; ET = *The Psalms*, esp. 35-52.

41. Reventlow, "Das Amt des *Mazkir*."

42. Kraus, *Die prophetische Verkündigung des Rechts in Israel*.

43. Muilenburg, "The 'Office' of the Prophet in Ancient Israel."

enant and its law.⁴⁴ Likewise, Old Testament law has been placed back within the covenant renewal festival and subsequently efforts have been made to trace the law materials back to the period of the Judges.⁴⁵ Noth's theory of the amphictyony and covenant law has been related to Near Eastern history and life through the comparison of the Hebrew covenant with ancient Near Eastern treaties. The first to do this was George E. Mendenhall⁴⁶ who compared the biblical materials to the Hittite state treaties. The fullest treatment of this subject is by Klaus Baltzer⁴⁷ who traces the theme of covenant and covenant renewal throughout the biblical traditions.⁴⁸

Recent Criticism of the Amphictyonic Theory

Some opposition to Noth's amphictyonic theory or to the idea of any amphictyony in the period of the Judges has on occasion been expressed. H. H. Rowley in his article on "Israel, history of" in the *Interpreter's Dictionary of the Bible* wrote the following:

It has been suggested that the Israelite tribes formed an amphictyony, pledged by a religious oath to help one another, with an amphictyonic shrine as the center of their confederation. One may doubt whether there was any twelve-tribe amphictyony at this date, for one finds little evidence of it in the period of the judges. At the same time, the prominence of shrines in the narrative must be recognized, and it seems more likely that at various times there were alliances of groups of tribes, these alliances being sealed at sanctuaries. The variety of shrines mentioned

44. Reventlow, *Das Amt des Propheten bei Amos*; Reventlow, *Wächter über Israel*; and Reventlow, *Liturgie und prophetisches Ich bei Jeremia*. For a similar but modified view, see Brueggemann, *Tradition for Crisis*.

45. See Stamm and Andrew, *The Ten Commandments in Recent Research*, esp. 35–75.

46. Mendenhall, "Ancient Oriental and Biblical Law"; and Mendenhall, "Covenant Forms in Israelite Tradition."

47. Baltzer, *Das Bundesformular*; ET = *The Covenant Formulary*.

48. For a survey of the issues, see McCarthy, *Old Testament Covenant*. For a sharp criticism of the emphasis on covenant in Old Testament studies, see Perlitt, *Bundes-theologie im Alten Testament*. For a restatement of the significance of the covenant concept, see Hillers, *Covenant*.

seems to tell against an amphictyony of all the tribes with a central amphictyonic shrine.⁴⁹

A number of important studies have recently been published that are extremely critical of Noth's theory of a twelve-tribe amphictyony.⁵⁰ Practically every element in the amphictyonic theory has been challenged.

The Greek Amphictyonies and Italian Leagues

The employment of evidence gathered from the Greek and Italian tribal groupings has been challenged on a number of points. Firstly, the Greek and Italian leagues were far more heterogeneous than Noth admitted. Part of his use of this comparative material was postulated on the supposed recurrence of the numbers six and twelve. However, these leagues were far from homogeneous entities and much of the supposed homogeneity has resulted from making comparisons with the twelve-tribe Delphic league and imposing the Delphic structure where it wasn't applicable. Apparently no set or particular number of tribes seems to have been a prerequisite for the leagues.⁵¹ The Calaurian league had seven members; the Boeotian at various times had ten, eleven, or twelve members. The Boeotarchian league had eleven members while the second Achaean league began with two members and then went from four to seven to ten members within six years. The Lycian league had a membership of twenty-three cities. The numbers six and twelve are not therefore firmly fixed elements in the leagues reflecting monthly or bimonthly tribal responsibility for the care of a central sanctuary. Secondly, all the Greek amphictyonies and Italian leagues were Indo-European and not Semitic in background.⁵² Tribal and city leagues were present in Norway, Denmark, and Sweden but all of these are ethnically and linguistically different from the early

49. Rowley, "Israel, History of," 753–54.

50. Herrmann, "Das Werden Israels"; Orlinsky, "The Tribal System of Israel and Related Groups in the Period of the Judges"; Smend, *Jahwekrieg und Stämmebund* (ET = *Yahweh War and Tribal Confederation*); Irwin, "Le sanctuaire central israelite avant l'establissement de la monarchie"; Rahtjen, "Philistine and Hebrew Amphictyonies"; Fohrer, "Alten Testament—'Amphiktyonie' und 'Bund'"; Mayes, "Amphictyony and Covenant"; Anderson, "Israel: Amphictyony"; and de Vaux, "La these de Lamphictyonie Israelite."

51. Rahtjen, "Philistine and Hebrew Amphictyonies," 103–4.

52. Fohrer, "Alten Testament—'Amphiktyonie' und 'Bund,'" 92; and de Vaux, "La these," 420.

Hebrew tribes. The closest contact with Indo-Europeans was experienced by the Phoenicians and Philistines. Nothing is ever heard among the former that would suggest the influence of Indo-European amphictyonic structures although Rahtjen⁵³ has argued for the existence of a five member Philistine amphictyony. Thirdly, the Greek city-state leagues reflect a culture radically different from the nomadic and semi-nomadic culture of the early Hebrew tribes.⁵⁴ Fourthly, most of the Greek amphictyonies date from the mid or late first millennium whereas the supposed Hebrew amphictyony would have belonged to the last quarter of the second millennium. This chronological difference raises serious questions about the possibility of comparison.⁵⁵

The biblical references to non-Israelite groups of twelve noted by Ewald among the Ishmaelites (Gen 25:15–16), Edomites (Gen 36:10–14), and Horites (Gen 36:20–28) can no longer be classified as “the result of certain established organizations such as were customary in tribal societies which were still lacking settled political institutions.”⁵⁶ Nothing is said in these texts about amphictyonic organization. Elsewhere in the Old Testament, there are references to groups of five—a coalition of five kings in Genesis 14, five Midianite kings (Num 31:8), five Amorite kings (Josh 10:5), or five Philistine city states but no one would assume that on the basis of these references, one should expound a theory of five tribe amphictyonies.

William W. Hallo has argued that the amphictyonic structure was current in early Sumerian times.⁵⁷ During the third dynasty of Ur at the end of the third millennium, the sanctuary at Nippur functioned as a ‘national’ shrine for the Sumerian and Akkadian cities that were required to contribute to the support of the national shrine. This example, however, does not parallel the type of conditions presupposed by Noth during the Hebrew amphictyonic period but rather reflects the type of provincial administration set up by Solomon in his division of Israel into twelve districts.⁵⁸

53. See reference in note 45.

54. Fohrer, “Alten Testament—‘Amphiktyonie’ und ‘Bund,’” 93.

55. De Vaux, “La these,” 420–21.

56. Noth, *History of Israel*, 87.

57. Hallo, “A Sumerian Amphictyony”; Hallo, “Royal Hymns and Mesopotamian Unity”; and Hallo and Simpson, *The Ancient Near East*, 38–39; 2nd ed. (1998).

58. De Vaux, “La these,” 421.

The Tribal Lists and the Number Twelve

In his discussion of the tribal lists and the employment of the number twelve, Noth says that the twelve-tribe references are “entweder einfache Wiedergabe einer naturgewachsenen historischen Situation oder reine Theorie.”⁵⁹ This is obviously presenting the issue in an overdrawn manner to prejudice the case in his favor. The tribal lists in the Hexateuch are far less homogeneous and stylized than Noth admitted. In the story of the birth of the offspring of Jacob (Gen 29:31—30:25; 35:16–21), one actually has narrated the birth of thirteen offspring, not counting Ephraim and Manasseh. The thirteenth is the tribe of Dinah, which figures in the story of the assault on Shechem (Genesis 34). Deuteronomy 33 refers to twelve tribes with Joseph divided into Ephraim and Manasseh, with Levi retained but described as a religious tribe, but with no reference to Simeon. Judges 5, which Mowinckel has used to reconstruct a ten-tribe confederation, of course does not reflect Noth’s twelve-tribe pattern. These passages therefore reflect schemes of tribal listings which Noth did not take into serious consideration.

The tribal lists found in Genesis 49, Numbers 1, 26, and Joshua 13–19 are in all probability not lists reflecting the historical reality of a twelve-tribe league from the period of the Judges. The individual songs of the tribes now found in Genesis 49 and Deuteronomy 33 have been shown to have existed originally as independent units and to date from various periods in early Hebrew history.⁶⁰ Their original purpose cannot therefore have been to enumerate the membership in a tribal amphictyony. Some other form than a collection of loosely associated tribal songs would surely have been a better means to depict the membership of a tribal amphictyony and a more natural one had such an amphictyony existed.

The tribal lists of Joshua 13–19, upon which Noth relied very little, are a collection of materials of various sorts, some boundary lists and some city lists, from various periods in Israelite history. The lists dealing with the tribal holdings of Benjamin, Manasseh, Ephraim, Zebulun, Asher, and Naphtali could come from the period prior to the monarchy.⁶¹ The last editing of this material in Joshua could reflect the priestly con-

59. Noth, *Das System*, 41.

60. Zobel, *Stammesspruch und Geschichte*; and Gunneweg, “Über den Sitz im Leben der sog. Stammessprüche.”

61. See Aharoni, *The Land of the Bible*, 227–39.

cept of the division of the land in the Priestly History written during the exile. Such a depiction would parallel Ezekiel's ideal allocation of the land in Ezek 47:13—48:35.⁶² The tribal lists in the book of Numbers have traditionally been attributed to the priestly historian and Noth's arguments for their antiquity are dependent upon an acceptance of his amphictyonic theory.

The appearance of the number 12 in the tribal lists may be a reflection of the symbolic significance of the number. Twelve was a symbolic number among the Greeks and Italians and is frequently found in diverse cultures with a symbolic significance.⁶³ Many references in the Bible should be seen as reflection of the symbolism of the number (Gen 22:20–24; 25:12–16; 36:10–14; 1 Kgs 7:44; 10:20; 19:19, and elsewhere). The New Testament and later Jewish literature reflect this symbolic quality of the number.

The Central Sanctuary

Basic to the concept of the amphictyony is the existence of a central sanctuary. Noth hypothesized that the presence of the ark denoted the central sanctuary for the amphictyony. Where the ark was, there was the central sanctuary. Noth concluded that at least four sanctuaries served as the central amphictyonic sanctuary: Shechem, Bethel, Gilgal, and Shiloh.⁶⁴ There is no Old Testament reference to the ark at Shechem and even the foundation story of Noth's amphictyony (Joshua 24) contains not a single reference to the ark. Much of the material that Noth used (Deut 11:29–30; 27:4–8; 27:11–13) to reconstruct the Shechem ceremony was probably originally statements with reference to Gilgal.⁶⁵ W. F. Albright, while accepting the concept of an amphictyony, has denied that Shechem ever played the role of central sanctuary.⁶⁶

The ark is mentioned as residing for a time at Bethel (Judges 20:27–28); however in the narrative complex in which this reference appears the

62. This is the position of Mowinkel, *Zur Frage*.

63. De Vaux, "La these," 422–23. See also Heiler, *Erscheinungsformen*, 161–71; and Jaubert, "Le symbolisme des Douze."

64. Dus has argued that the ark was a wandering sanctuary even after the settlement of the tribes and he argues for a number of stations for the ark. See his "Der Brauch"; and "Noch zum Brauch."

65. See Eissfeldt, "Gilgal or Shechem?"

66. Albright, *Archaeology and the Religion of Israel*, 103–5.

tribes are said to gather at Mizpah (Judg 20:1) which seems strange if one assumes that the presence of the ark was essential for the rallying of the tribes in amphictyonic assembly.

The presence of the ark at Gilgal is noted in Joshua 3–4; however there is no reference to the ark at Gilgal during the period of the Judges.⁶⁷ When Saul assembled the people at Gilgal (1 Sam 10:8; 11:14–15; 13; 15:12; 21–33), the ark was apparently still in the hands of the Philistines or at least at Kiriath-jearim not Gilgal.

Shiloh has far more claim to have been the central sanctuary if the presence of the ark constituted the decisive factor. The ark was at Shiloh under the care of the family of Eli at the end of the period of the Judges and was captured when taken into battle against the Philistines. Many scholars have denied that Shiloh even functioned as an amphictyonic center comparable to Noth's claim.⁶⁸ The texts make no reference to amphictyonic or tribal assemblies at Shiloh.

Rudolf Smend has recently argued that the ark was associated with the Rachel tribes and warfare but not with the amphictyonic element that he claims had its origin with the Leah group.⁶⁹ A recent and very attractive theory has been proposed which argues that the ark at Shiloh was associated with an anti-Philistine military league rather than with a cultic amphictyony.⁷⁰

What is obvious from the biblical traditions is that there were a number of important shrines in use during the period of the Judges but one cannot prove a theory of a central amphictyonic shrine.

The Amphictyonic Law

Noth argued that the amphictyonic league in early Israel possessed its written and unwritten law, which regulated its common life, and that the office of judge in early Israel was an important and central amphictyonic office. If this be the case then there are some interesting lacuna in early Israelite law as this has been preserved. (1) There are no laws in the Old Testament that deal with the creation, organization, or structure of an

67. On Gilgal, see Kraus, "Gilgal."

68. Irwin, "Le sanctuaire," 176–78; de Vaux, "La these," 427–30.

69. Smend, *Jahwekrieg und Stämmebund*, 76–97.

70. Maier, *Das altisraelitische Ladeheiligtum*; see Smend, *Jahwekrieg und Stämmebund*, 43–75.

amphictyony or with the tribal responsibilities toward each other. (2) In fact, there is no word for amphictyony in the Hebrew Language. (3) There are no laws in the Old Testament that regulate and stipulate the functions of the central “judge of Israel.” In fact, the term only occurs in the late passage of Mic 4:14. (4) Noth’s case for the minor judges as central amphictyonic functionaries (Judg 10:1–5; 12:7–15) rests on the slightest of evidence. These lists contain some very legendary material that suggests that it does not derive from any official list of successive amphictyonic judges. In addition the years covered by these minor judges only totals 76, far too few to reflect the total list of judges for the so-called amphictyonic period.⁷¹ This list of minor judges was probably added to the description of the major judges by the Deuteronomistic editor in order to bring the total number of judges to twelve.

Combined Amphictyonic Action

When one reads the book of Judges, there is little to suggest that the tribes rallied in amphictyonic fashion to their common defense. What one finds is concerted action occasionally by two or more tribes in the area threatened. “It is beyond every doubt that, apart from the battle of Deborah, only single alliances participated in the Yahweh wars of the time of Judges, and not Israel as a whole.”⁷² Even in the song of Deborah, only ten tribes are referred to and in the narrative account of the same battle in Judges 4 only the tribes of Naphtali and Zebulun are mentioned. Smend has argued that the concept of a joint Yahweh war was developed among the Rachel-tribes but was not amphictyonic in origin.⁷³

In one episode, action is said to have been taken by all the tribes against one of its members (Judges 19–20). Noth made a great deal of this episode since one of the functions of an amphictyony was the policing of its members. However subsequent analysis has shown that this episode originally involved only a time of warfare between the two tribes of Ephraim and Benjamin.⁷⁴

71. See Smend, *Jahwekrieg und Stämmebund*, 43–75.

72. *Ibid.*, 19; see 13–25.

73. *Ibid.*, 106.

74. Eissfeldt, “Der geschichtliche Hintergrundlicher.”

The Amphictyonic Council

Noth argued that the individual tribes were represented at amphictyonic councils by delegated tribal representatives. This representative was the so-called *nasi*'. The passages which Noth utilized to support this theory came from Ezekiel and the priestly history.⁷⁵ No evidence exists in the early material for any such council. Orlinsky's comment is here to the point: "It is indeed noteworthy that nowhere in the book that is alleged to have sprung from an amphictyonic society, viz., the book of Judges, is the term *nasi*' found."⁷⁶

Conclusion

The following paragraph written by de Vaux a few months before his death in the summer of 1971 summarizes the collapse of the amphictyonic theory and points to the need for a re-examination of the period of the Judges:

All this research leads to the same conclusion: the proposed parallel between the grouping of the tribes of Israel and the Greek amphictyonies is not justified. The difference between their milieus is improbable from the outset. The essential features of an amphictyony are not found in Israel: one cannot prove the existence of a central sanctuary nor of a council of tribal delegates. There is no historical example of a joint action by all the tribes. Those follow common laws and habits, but there is no amphictyonic law. If it were proven that there was a central judge of the tribes, it would be an unknown function of the Greek amphictyonies. Employing the word "amphictyony" in connection with Israel can only generate confusion and give a false idea of the relations between the tribes. It must be abandoned.⁷⁷

75. See Speiser, "Background and Function of the Biblical *Nasi*."

76. Orlinsky, "The Tribal System" 14.

77. De Vaux, "La these," 436. "Toutes ces recherches conduisent à la même conclusion: le rapprochement qu'on a proposé entre le groupement des tribus d'Israël et les amphictyonies grecques n'est pas justifié. La différence des milieux le rend dès l'abord improbable. Les traits essentiels d'une amphictyonie ne se retrouvent pas en Israël: on ne peut pas prouver l'existence d'un sanctuaire central ni d'un conseil des délégués des tribus. On n'a aucun exemple historique d'une action concertée de toutes les tribus. Celles-ci suivent des lois et des coutumes communes, mais il ne s'agit pas d'un droit amphictyonique. S'il était prouvé qu'il y a eu un juge central des tribus, ce serait une fonction inconnue des amphictyonies grecques. L'emploi du mot 'amphictyonie' à

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propos d'Israël ne peut qu'engendrer la confusion et donner une fausse idée des relations que les tribus avaient entre elles. Il doit être abandonné."

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