fenses accessible to human prosecution and the other transgressions against Yahweh's basic demands which were reserved for divine requital" (p. 314). This makes it probable that not only the form but also the content of the prophetic woe originated with the curse, which was itself a part of legal practice.

A great many features of the curse, or of the speech forms that originally belonged to the curse, can be found in the prophetic announcement of judgment (not only in the woes). To mention only one example: In a Babylonian document a curse is uttered concerning the one who breaks the treaty and it terminates with the words, "He shall not return to his land." 

Exactly the same words are found in the speech of Jeremiah about Jehoiakim in Jer. 22:27. The statement encountered more frequently in the prophetic speeches, "God may make you like ...," certainly has its origin in the curse.

How does this probable origin of the woe in the curse (i.e., in the curse already included in the Yahwistic law) relate to the prophetic speech as the speech of a messenger? It means that the woe is not a genuine prophetic speech genre. From the viewpoint of its origin it does not belong to the messenger's speech but to the borrowed speech forms that were inserted into or made to resemble the messenger's speech. Still there is an especial affinity between the woe and the announcement of judgment because the curse, which is included in the legal procedure (Deut., ch. 27), presupposed the future intervention of Yahweh against the offender exactly as did the prophetic woe.

It is possible that there was a previous history of the woe in salvation prophecy in which the woe was directed against Israel's enemies; Num., chs. 22 to 24, and the tribal aphorisms especially suggest this possibility. The evidence, however, is not adequate enough to allow a reconstruction of this earlier history.

All the questions of the relationship of the curse to the prophetic judgment-speech have not been thoroughly explained by what has been said. A comprehensive form-historical investigation of the curses recorded in the Old Testament and their background in other ancient religions has not yet been made.

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V. VARIANT FORMULATIONS OF THE PROPHETIC SPEECH (BORROWED SPEECH FORMS)

The only variant formulations of the prophetic speech that will be treated here are those in which the speech is placed in a borrowed form such as that of a legal dispute. Single motifs and speech forms out of other areas which form only a component of the prophetic speech such as the provocation formula "Behold, I will ..." will not be considered.


The legal procedure is the variant formulation that corresponds the closest to the prophetic judgment-speech. Indeed, it is nothing other than a dramatic description of what happened in every other JN but was just not depicted in these words. While in the usual JN the messenger speaks, in the legal procedure, God speaks as the judge directly and without any introduction (by a messenger formula).

In Hos. 4:1-3 the reason given for the summons to hear is, "for God holds court with the inhabitants of the land." The corpus of the speech (1b-3) which follows this introduction is a regular JN. The same is true of ch. 5:3-15, which is introduced by the same sentence. The judgment procedure, therefore, appears here in what the prophetic judgment-speech portrays. Outside of the introductory sentence one does not encounter any other single feature of the court procedure. It is similar in Hos. 4:4-6; 2:4-17. The judicial procedure comes through even less plainly in Jer. 2:5-29, where in v. 9, "contend" more nearly means the
judging intervention of God against Israel, and in v. 5 the question that is characteristic of the judicial hearing (Verhörfrage) is only a rhetorical form. On the other hand, in the short speeches in Isa. 1:18-20 and 3:13-15 one can see the judicial procedure very clearly. Both are introduced with a summons to the court proceedings (as Isa. 43:20), then the complainant presents his case. In ch. 3:13-15 that happens in a direct accusation that is divided into metaphor and actuality. In ch. 1:18-20 the accusation is confronted with the assertion of the accused — that they are innocent. Both are in the form of a metaphor. Here the confrontation of the parties before the court can be seen very clearly. Following this in ch. 3:13-15 comes the question about the legal basis. This allows the accusation to be developed further. With this the speech breaks off. In ch. 1:18-20 there is yet to come the decision of the judge which shows clearly that the whole is a variant formulation of the IN.

The metaphor in Isa. 5:1-7 describes the court proceeding between God and his people with special vitality and immediacy. Here it is even more clear that when the prophetic judgment-speech is formulated as a judicial procedure, it means the same thing as it does generally. In Micah 6:1-5, after a long introduction of the legal procedure in vs. 1 and 2, there is only the question in vs. 3-5 about the legal basis. This presupposes the apostasy of the nation and contrasts it to the saving acts of Yahweh in a way similar to Jer., ch. 2.

A striking characteristic of this form of the legal procedure lies in the fact that the accusation, in every case, is comprehensive. Each time it is concerned with the whole state of the nation before God. This makes it more understandable that this form of the judicial procedure first received its broadest and most effective expression in Deutero-Isaiah. There it concerns a legal procedure between God and his people which goes back to encompass their whole history. A thoroughgoing and comprehensive treatment of this form would thus have to take the texts in Deutero-Isaiah into consideration.

2. The Disputation (Streitgespräch). The definitive expression of this is also found in Deutero-Isaiah (Begrich, op. cit., pp. 42 ff.). There are many points of contact with the judicial procedure; in Deutero-Isaiah the former often comes first and one frequently cannot make an absolute distinction between them. Micah 2:6-11 and Isa. 28:23-29 are both clearly disputations. The partners in both speeches are not God and his people but the prophet and his opponent. In Micah 2:6-11, Micah's opponents want to hinder his preaching and to deny that he is speaking the word of God (vs. 6-7). Then Micah makes his accusation against them (v. 10). The form of the disputation allows a polemical word against the salvation prophets as an expansion (v. 11). Here, therefore, the disputation has come into a close relationship with the IN.

It is a completely different matter in Isa. 28:23-29! This speech is not intended to be a messenger's speech since Isaiah expressly introduces it as his own word: "Hear my voice." This is the only place in Isa., chs. 1 to 39, where this happens. Here Isaiah consciously speaks with his opponents on their level and seeks to clarify the issue they have contested by using the parable of the farmers. This disputation is important for understanding the different ways the prophetic speech can be formulated in Isaiah because it shows that Isaiah indicates it when a speech does not belong to his message.

In Jeremiah a number of disputations are found. In each case the partners are Yahweh and his nation. Chapter 3:1-5 especially shows how all parts of the IN are woven into the disputation. Other passages are: chs. 2:23-25; 2:29 f.; 34 f.; 8:8-9. In Amos, Balla so terms chs. 3:2; 3:12; 5:18-20; 5:24 f.

3. The Parable. In the parable in Isa. 5:1-7 the IN in all its parts can be recognized beneath its present wording. The parable serves here — exactly as in the parable of Nathan in II Sam., ch. 12 — to induce the other party to assent to the verdict of God. There are hardly any other
such complete parabolic narratives as Isa. 5:1-7 in the prophecy of the eighth and seventh centuries — a passage like Jer. 13:12-14 might be mentioned. Probably they played a much greater role in the early days of prophecy. Now one finds instead a great number of metaphorical and parabolic expressions that are probably abbreviated parables. Another question to be asked is how the parabolic actions are related to the parabolic narratives. The parabolic action in Jer. 18:1-12 could well be closely related. Its core is the announcement (v. 11b) corresponding to the metaphor in vs. 3-4; the reason is given in the metaphor — the ill-made vessel that must be thrown away. This parabolic action contains therefore all the elements of the judgment-speech. Other parabolic actions are: Isa. 8:1-4; Jer., chs. 19; 16:1-12; Hos., chs. 1 and 3; Ezek. 4:1-3; and others.

4. The Lament. The classical death-lament over Israel in Amos 5:1-3 is another way of formulating an announcement of judgment which powerfully depicts the moment of the irrevocable when judgment is proclaimed over Israel. It is also an example of the fact that, under certain circumstances, an announcement can be the prophet's own word without a trace of a reason. Besides Amos 5:1-3, Jer. 9:16-21 also has poetical beauty. In Jeremiah the motif of the lament is more strongly and diversely developed than in any other prophet; besides the lament over Israel (chs. 2:31 f.; 8:4-7, 18-23; 9:9; 10:19 f.; 13:18 f.; 13:23), the lament of Yahweh over his land (chs. 2:31 f.; 12:7-13; 15:5-9; 18:13-17) and the lamentations of Jeremiah (between chs. 11 and 20) are especially well developed.

The lament of Yahweh is already found in Isa. 1:2-3. It is formulated as an accusation against his people: “They have rebelled against me” (Jer. 2:31 f. is quite similar.) It is difficult to decide whether it is meant to be the lament of a father over his faithless child or, because of the “summons to the witnesses” in v. 2, the bringing of a complaint before a court, i.e., before the forum of heaven and earth. It is impossible to distinguish sharply between these. This also shows how near the judicial complaint and the utterly personal lament can come to each other! In a way similar to ch. 1:2-3 an accusation against faithless Jerusalem in ch. 1:21-23 is composed as a lament: “How the faithful city has become a harlot . . . .” Following this is the announcement of judgment that is introduced with the messenger formula (vs. 24-26). In Jer. 2:14-19 (without v. 18) the announcement (vs. 14-16) has the form of a lament. The same is true in Isa. 1:4-9, where the announcement of judgment is formulated as a lament, in ch. 32:9-14, where it resembles the death-lament, and in ch. 22:1-5 (v. 4). The lament in Micah 1:8-16, too, is an announcement of judgment in a different form. In Hos., ch. 7, also in ch. 4:4 ff., and often in Jeremiah, the motifs of the lament are intermingled so that no one part can be clearly identified as a lament. Here, as well, no one has yet made a comprehensive investigation of the lament motifs in prophecy and in their previous history. When, e.g., in the lamentations of Isaiah the addressee is always Jerusalem (also Micah, ch. 1), it can be assumed that an old independent form stands behind these — the lament over a city, features of which still can be seen in other places in the Old Testament (Lamentations). 28

5. The Prophetic Torah.24 Isa. 1:10-17, 8:11-15, and Jer. 7:21 presuppose a Priestly Torah that contains reproof and instruction in one speech (cf. Gunkel-Begrich, Einleitungen in die Psalmen, 1933, pp. 237 f.: “Examples of this form of the Torah with its 'thou shalt' and 'thou shalt not' are offered by Ex. 12:46; Lev. 11:4, 8, 11 . . . ”; he then says that the prophets liked to use this form and cites as an example Amos 5:21-24). In Isa. 1:10-17 the summons to hear (v. 10) introduces the reproof (vs. 11-15b); following this is the instruction in vs. 16-17. In between stands a sentence (v. 15c) that does not belong to either but is an accusation: “Your hands are full of blood.” This sentence
stands in the middle of the whole. Here, the Torah is divided by the specific prophetic accusation. The announcement of judgment is intimated in v. 15a and b: God will see and hear no longer.

In ch. 8:11-15 the Torah, consisting of reproof (v. 12) and instruction (v. 18), stands in the place of the reason. Then comes the announcement in vs. 14 f., consisting of the intervention of God (v. 14) and its effects (v. 15). Amos, ch. 5, corresponds to Isa., ch. 1; Micah 6:6-8 is a Torahlike question and answer; but there is no relation at all here to the prophetic judgment-speech.

Finally, it can be said in regard to these borrowed speech forms that this partial survey has shown that one cannot place them alongside the others as one possible form of expression for prophetic speech, as has been done many times since Gunkel. They stand in a close relationship with the prophetic judgment-speech. The basic form of the JN is still operative in these variant formulations of the prophetic speech.

VI. THE ANNOUNCEMENT OF JUDGMENT TO ISRAEL’S ENEMIES

One further matter that must be mentioned is that the judgment-speech against other nations is found in the prophets of the eighth and seventh centuries. In part it corresponds exactly to the judgment-speech against the nation of Israel. Such is the case in Amos, chs. 1 and 2, in Isa., chs. 7 and 8; 10:5-15, 24-27, and in the groups of oracles against the foreign nations.20 This large and complicated body of oracles against foreign nations must be bracketed out here; such a speech is only occasionally employed where there is an obvious formal agreement with the judgment-speech to Israel (as in Amos, chs. 1 and 2). Even where there is formal agreement they do not belong in the line of those prophetic speeches examined here in regard to their content. Rather, they belong in the line of salvation-speeches because they imply salvation for Israel in the light of the situation in which they were uttered. That becomes particularly clear in Isa., chs. 7 and 8, where, e.g., the judgment-speech about Aram and (northern) Israel in ch. 7:5-8 is intended to be a salvation-speech to Ahaz. In Isa., chs. 7 and 8, as in Amos, chs. 1 and 2, it can be safely assumed that for both prophets there had been an early period of salvation prophecy28 which then suddenly changed into judgment prophecy. When oracles against foreign nations which correspond structurally to the JN are found in the judgment prophets, one must ask whether the resemblance is due to some kind of later alteration. It can be assumed that the oracles against foreign nations from the early period had their own distinctive form in the context of salvation prophecy. They were probably not announcements of judgment but of ill fortune (Unheilsankündigungen), i.e., it was not necessary for a reason to be given with them; or if there was, it was of a completely different kind. This can only be clarified, however, by an investigation of the whole body of oracles against foreign nations.

VII. THE DISSOLUTION OF THE FORM

The prophetic judgment-speech that is directed to Israel had its season. In the exile the judgment announced by the prophets came true and the historical mission of this form was thus fulfilled. Nowhere can this be seen more clearly than in Deutero-Isaiah. In his proclamation the JN simply does not exist any longer.

Subsequent to the exile, however, the aftereffects can be seen. Haggai and Zechariah are not messengers of the judg-