The History of a Legal Formula

kōl ָנֵר-הָפְס ָאָשָׁה (Psalms cxv 3, cxxxv 6)

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The phrase kōl ָנֵר-הָפְס ָאָשָׁה is found twice in biblical literature, both times in the Book of Psalms:

Ps. cxv 3 Our God is in the heavens;
he does whatever he pleases (kōl ָנֵר hāpēs ָאָשָׁה).

Ps. cxxxv 6 Whatever the Lord pleases he does (kōl ָנֵר hāpēs ָאָשָׁה)
in heaven and on earth.

In a slightly modified form, but still including the same key words kōl ָנֵר + hāpēs + ָאָשָׁה and conveying the same basic idea, the phrase also occurs in three other biblical passages:

Is. xlvi 10 (I am God...) my council shall stand, and I will
accomplish all my purpose1 (kōl hāpēs ָאָשָׁה).

Jonah i 14 ...lay not on us innocent blood; for thou, O Lord,
hast done as it pleased thee (kōl hāpēs ָאָשָׁה).

Eccles. viii 3 (Keep the King’s command...) do not delay...for
he does whatever he pleases (kōl yēhāpēs ָאָשָׁה).

In all five instances, the phrase refers either to God (Psalms, Isaiah, Jonah) or to an earthly king (Ecclesiastes) and denotes the unlimited power of the supreme authority which enables him “to do whatever he pleases”.2 At first glance, this idiom would seem to

1 = RSV (KJV reads: “I will do all my pleasure,” which does not make much sense). According to E. Ben Lehuda, Thesaurus III, pp. 1690-91, the meaning of hāpēs in Is. xlvi 10, as well as in xlv 28 (kōl hāpēs ūlyym) and xlviii 14 (yēhāpēs yēḥāpēs bbl), is “plan”. This meaning also fits lv 11, where the verbal form of the root is employed (ָאָשָׁה kōl hāpēs).

2 This particular meaning does not apply to 1 Kgs ix 1, although the Hebrew text includes all our four “key words” kōl + nēr + hāpēs + ָאָשָׁה; RSV: “When Solomon had finished building the house of the Lord and the King’s house and all
be a rhetorical phrase lauding the omnipotent ruler. However, a closer examination reveals that, in fact, this is no empty literary cliché but, rather, the adoption of a legal formula whose *Sitz im Leben* is to be sought in the domain of jurisprudence.

We arrive at this conclusion after a comparative analysis of our biblical idiom with related phrases employed in strictly technical-legal contexts outside the Hebrew Bible. Within the discussion, we shall first present the extra-biblical data which, we believe, substantiate the suggested legal origin of kl ʾšr hps šē. Next we shall investigate the chronological background of the formula in order to determine the historical period in which the phrase was current in both the biblical and extra-biblical sources.

that Solomon desired to build’ (št kl ḫĕsq šlmh ʾšr hps šš). Two considerations lead us to this conclusion and justify the above rendering of the RSV. First, v. 1 is concerned solely with the building activities of Solomon; the text has nothing to do with general statements about “doing whatever one pleases”, which are our concern here. Secondly, while reiterating Solomon’s activities, v. 19—which is an exact parallel to v. 1—does indeed say explicitly: wš ḫĕsq šlmh ʾšr ḥaṣq bmwt. 2 Ch. vii 11, the parallel of 1 Kgs ix 1, understands our verse in the same way: “all that Solomon had planned to do in the house of the Lord and in his own house” (št kl ḥh ḫl šlmh šš bḥṣ ḫkḥ ḫḥ bḥḥt). It is thus evident that within the context of 1 Kgs ix the meaning of kl ʾšr hps šš in v. 1 should not be stretched beyond the concrete sense of kl ʾšr ḥaṣq bmwt expressly stated in v. 19. Similarly, the wording of 1 Kgs v 22 (8): ṭy ṭš ḥl ḥpsk (bšy ṭzvm wbšy brrṣyvm) is very close to Is. xlvi 10 quoted above (kl ḥpsk ṭš); however, since ṭš ḥpsk of 1 Kgs is defined specifically by bšy ṭzvm wbšy brrṣyvm, it must be translated “I am ready to do all your desire in the matter of cedar and cypress timber” (= RSV. KJV likewise has: “I will do all thy desire concerning timber”). Indeed, 2 Ch. ii 15 (16), understanding this verse in the same way, reads: “we will cut whatever timber you need” (2 Ch. replaces kl ḥpsk by ḥkl stkh). And the same is true of 1 Kgs v 23 (9): ṭš ṭš ḥps ṭt ḥm bḥṣ ṭy. Here again, “fulfilling the desire” is concrete and well-defined; it refers specifically to the “providing of food” (in v. 24[10] we find ṭn ḥps ṭt instead of ṭš ḥps ṭt). In semantic terms, then, we have here a difference in meaning between ḥps = “need” and ḥps = “wish”. Compare “desideratum” with “desire”; and see the different meanings of “want” (“lacking”, “being in need of”; “long for”, “desire”).

3 Of the other commentaries on the Psalter, cf., for instance, F. Delitzsch, *Biblical Commentary on the Psalms* (New York, 1883 [?]) iii, p. 194: “Israel’s God is in heaven; He is therefore of supermundane nature and life; He is the absolutely unlimited One, the One who is able to accomplish everything with a freedom that is conditioned only by Himself” (my italics) = *Biblischer Kommentar über die Psalmen* (5th edn, Leipzig, 1894), p. 696. Of the more recent commentaries, cf., for instance, A. Weiser, *The Psalms* (London, 1965), p. 716: “The statement in v. 3a, ‘Our God is in the heavens’…emphasizes the infinite difference between the being of the Creator-God, who is superior to everything else, and the whole created world which he has ordered according to his own personal will” (my italics) = *Die Psalmen* (4th edn, Göttingen, 1955), p. 492).