In recent years there has been a marked stress on the creative role of the Deuteronomists within the Old Testament, such that one might perhaps speak of the danger of pan-Deuteronomism in some circles. One symptom of this has been the influential work of L. Perlitt entitled Bundestheologie im Alten Testament (Neukirchen-Vluyn, 1969), which claims that the whole notion of covenant as a way of speaking about the relationship between Yahweh and Israel was an invention of the Deuteronomists. This, like a number of other trends in recent Old Testament study, is something of a return to the position of J. Wellhausen and others in the 19th century. In the form represented by Perlitt I submit that this trend has gone too far. It is not the intention of this article, however, to discuss every possible pre-Deuteronomic reference to covenant in the Old Testament. In particular, I shall avoid discussion of the Pentateuchal passages traditionally ascribed to J and E (Ex. xix 5, xxiv 7-8, xxxiv 10, 27-8), the date of the former and the existence of the latter of these sources being a subject of considerable controversy at the present time, although it is my conviction that there is pre-Deuteronomic material here too. Rather I wish to focus attention on some passages in Hosea (vi 7, viii 1) and Ps. lxxviii (10 and 37). In both sets, I shall argue, a good case can be made for their antedating the Deuteronomists. If so, whatever the importance of the Deuteronomic school in elaborating the covenant theology, it is a mistake to suppose that they simply created it out of nothing\(^1\) and that there was no precedent for speaking of Yahweh’s relation with Israel as a covenant.

The Hebrew text of Hos. vi 7 reads as follows: וְהָמָ֔מָּה כֹּ֝דֶּ֨ם גָּ֣רֶ֑רְוֹ בֵּ֛ית םָֽמִּ֥י בָֽאָגָ֖דֶ֑י בֵּי, "But like Adam they transgressed the covenant; there they were faithless with me." The reading "like Adam" is clearly to be rejected, however, since not only does the Old Testament nowhere speak of a covenant in connection with Adam, but, more significantly, the following line reads "there they dealt faithlessly with me", thereby requiring the mention of a place name in the first half of the verse. There was, in fact, a place called Adam, referred to in Josh. iii 16 as the location by the river Jordan where the waters piled up when the Israelites were crossing the river on entering the promised land. The mention of this place here is, moreover, highly appropriate to the context, since the following verse (Hos. vi 8) refers to Gilead and Adam was in the neighbourhood of Gilead. This reading is clearly far preferable to the rendering "at Admah" favoured by the NEB, since not only does this require further emendation, but it also lacks the geographical proximity to Gilead which Adam has. It therefore appears that we have in Hos. vi 7 a reference to the transgression of the covenant at Adam.2

Before I go on to deal with the implications of this allusion it is as well to note the translation offered by D. J. McCarthy,3 "Behold, they have walked over the covenant like dirt, lo they have betrayed me!" This rendering omits all allusion to a place name, since (i) it understands כֹּ֝דֶּ֨ם to mean "like dirt", following the new meaning proposed by M. J. Dahood4 for יַדָּם in Zech. ix 1, and (ii) it understands שָֽמָּי not as "there", as has been universally held previously, but as "lo". McCarthy fails to give any reasons in support of this original rendering, however, which has had no followers, and the existence of the words יַדָּם "dirt" and שָֽמָּי "lo" in Biblical Hebrew is highly dubious.

It is a pity that McCarthy followed this rather eccentric rendering of Hos. vi 7 in his otherwise perceptive article, since it prevented him from noting an important piece of evidence against the view that covenant was a Deuteronomic creation. He noted that Hos. viii 1 is obscure and therefore unlikely to be a Deuteronomic addi-

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2 The reading "at Adam" has been widely followed since J. Wellhausen, Die kleinen Propheten (Berlin, 1898), pp. 116-17.
3 p. 113.