

The "Witness in the Clouds": Psalm 89 and the Divine Council

In last month's DC 101 lesson on the divine council scene in Daniel 7 (and the deity level "co-regent" of Yahweh), I concluded with this paragraph:

The picture that emerges from Daniel's vision and its description is that Yahweh-El's vice-regent represents the interests of the divine council and Yahweh-El's chosen people, Israel, in such a way that the everlasting dominion envisioned is shared under the authority of Yahweh-El. If Michael, who is Israel's prince (Daniel 10:21), is not the figure of Daniel 7, what other being could be so associated with the divine council and the chosen nation?

In this lesson, I'll discuss the answer in my view and its implications in New Testament theology as well.

I propose that the "faithful witness in the clouds" in Psalm 89:37-38 discussed in Chapter Two parallels the figure of Daniel 7 in a number of ways that allow an identification of the two. The identification of the "one like a human being" as a deity in the clouds is possible in view of the fact that, **like Daniel 7, Psalm 89 is a passage that concerns the divine council and follows the flow of the Baal Cycle's establishment of everlasting dominion.**

In Daniel 7 Yahweh-El and his council decreed the death of the fourth beast (or kingdom) and the removal of the dominions of the other three beasts so as to elevate the Cloud Rider to vice-regent status. This everlasting dominion is then exercised with the divine council's holy ones and the people associated with those holy ones.¹ In Psalm 89 the high God Yahweh-El, incomparable in the council (89:7-9) and holder of all power in heaven and the earth (89:10-19) decrees that **the line of David** will have an everlasting rule over Israel, the chosen people (89:4-5; 20-37). **This covenant of eternal rule is guaranteed by a faithful witness in the clouds (89:38). Thus in Psalm 89 the high God and his council grants everlasting rule to Israel through David's line, and a divine cloud-witness guarantees the covenant.** In Daniel 7, the high God and his council grant everlasting rule to Israel by means of a divine being in the clouds whose power to rule can never be taken away, but who in turn shares dominion with Israel.

The observation that the witness in the clouds in Psalm 89 might be associated with the divine council is not new. Studies by T. Veijola, E. Theodore

¹ As Collins notes in his *Hermeneia* commentary, the identification of the "holy ones" in Daniel 7 (and elsewhere in Daniel) as heavenly beings and thus members of the divine council is widely accepted and secure. See J. Collins, *Daniel*, 313-317.

Mullen, and P. Mosca on the witness of Psalm 89:37-38 all discuss this possibility, and opinions vary. Mullen also addressed the issue of the cloud witness in his book on the divine council.²

At issue here is the identity of the faithful witness in the clouds of verse 38 (it's verse 37 in English; the Hebrew and English versification differs):

Psalm 89:36
אֶחַת נִשְׁבַּעְתִּי בְּקִדְשִׁי אִם־לָרוּד אֶכְזָב׃³⁷
זָרְעוּ לְעוֹלָם יִהְיֶה וְכִסְאוֹ כַשְׁמֹשׁ נִגְדִי׃³⁸ כִּי־רַח יִכּוֹן עוֹלָם
וְעַד בִּשְׁחַק נֶאֱמָן סֵלָה׃

New International Version

Psalm 89:35 Once for all, I have sworn by my holiness-- and I will not lie to David--³⁶ that his line will continue forever and his throne endure before me like the sun;³⁷ it will be established forever like the moon, the faithful witness in the sky." Selah

Tanak, Jewish Publication Society

Psalm 89:36 I have sworn by My holiness, once and for all; I will not be false to David.³⁷ His line shall continue forever, his throne, as the sun before Me,³⁸ as the moon, established forever, an enduring witness in the sky." Selah.

Mullen argued that the witness could be an unidentified member of the divine council,³ whereas Mosca contended that the witness was the Davidic throne itself.⁴ T. Veijola believed the witness to be Yahweh.⁵ I agree with Mullen's position, and some of the argumentation there bears relevance here. What follows is technical, but I include it here to demonstrate that my choice to follow Mullen here is not arbitrary.

Mosca, along with many other scholars, translated the controversial phrase **וְעַד בִּשְׁחַק נֶאֱמָן** as "an enduring witness in the sky," a rendering that presupposed the participle **נֶאֱמָן** was not the predicate of a nominal clause, but an attribute adjective modifying **וְעַד**, which would in turn describe the Davidic

² Mullen, *The Divine Council*, 253ff.

³ E. Theodore Mullen, Jr., "The Divine Witness and the Davidic Royal Grant: Ps 89:37-38," *JBL* 102:2 (1983): 207-218.

⁴ P. G. Mosca, "Ugarit and Daniel 7: A Missing Link," *Biblica* 67 (1986): 508-517; *idem.*, "Once Again the Heavenly Witness of Ps 89:38," *JBL* 105 (1986): 27-37.

⁵ Timo Veijola, "The Witness in the Clouds: Ps 89:38," *JBL* 107:3 (1988): 413-417.

throne.⁶ This view was rejected by Veijola, who cited a leading Hebrew reference grammar that indicated that the grammatical construction favored by Mosca was unknown in the language. This is good reason to reject Mosca's translation. Grammatically speaking, the translation that best honors the syntax of the phrase would be, "**And a witness in the clouds shall be faithful.**" The resulting translation leaves the distinct impression that an individual being in the clouds, not the Davidic throne itself, serves as guarantor of the covenant promises to David in the psalm. Mosca's view is also undermined by the reference in 89:45 to a fallen throne, which effectively defeats the idea of the "enduring" witness being the throne itself. Hence both grammar and context argue in favor of the witness in the clouds as some sort of being.

The translation, "And a witness in the clouds shall be faithful" allows the consideration of a correlation between the cloud witness and the cloud rider of Daniel 7 since its distancing of the cloud witness from the Davidic throne would be consistent with the absence of any reference to the Davidic line in Daniel 7.⁷ But is the cloud witness Yahweh or another divine being? The former would naturally impede a correlation with Daniel 7.

In arguing that the cloud witness was Yahweh, Veijola advanced his case primarily in three ways. First, he noted that while the members of the divine council are in the clouds, Yahweh also dwells there. This may be true, but it certainly would not overturn Mullen's view. Second, Veijola contended that Yahweh may be a witness against himself based on the analogy that in certain covenantal contexts, this is the case. As examples, he appealed to Joshua 24:22, where the people are called on to be witnesses against themselves, and Jeremiah 42:5, where Yahweh is invoked as a witness to an oath. As M. Tate observes, however, the analogy breaks down, for in none of these cases does Yahweh act as a witness to *his own* oath, which the covenant promises to David in Psalm 89 would mandate.⁸ Third, Veijola rejected Mullen's appeal to Job 16:19-21 as a conceptual parallel to defend the witness's identity as a divine council member.⁹ This text has Job referencing his "witness" in the heavens who is his "advocate" on high:

19 גַּם־עֵתָהּ הִנֵּה־בַשָּׁמַיִם עֵדִי וְשֹׁהֲרִי בַמְרוֹמִים:
 20 מְלִיצִי רָעִי אֶל־אֱלֹהֵי הַדְּלָפָה עֵינָי: ²¹ וַיִּזְכַּח לְגַבֵּר עִם־אֱלֹהֵי
 וַיְבַן־אָדָם לְרַעְהוּ:

⁶ Ibid., 414.

⁷ In this regard, it is possible, though not certain, that the absence of the article on the noun עֵד in Psalm 89:38 ("a witness") may have prompted the author of Daniel 7 to avoid explicit connection with the throne of David in Psalm 89.

⁸ M. Tate, *Psalms 51-100*, 426.

⁹ Mullen, "The Divine Witness," 217.

"19 Also now, behold, my witness is in heaven, and my advocate is on high. 20 My friends scorn me, but my eye pours out [tears] to God. 21 O that one might plead for a man with God, as a man [pleads] for his companion!"

The phrase, **בְּמַרְוֹמַיִם** ("on high") is part of the stock vocabulary for the location of the divine dwelling, associated with the meeting place of the divine council. Several other texts in Job echo the contents of 16:19-21.

Job 5:1

קְרֹא-נָא הַיֵּשׁ עִוְנְךָ וְאֵל-מִי מִקְדָּשִׁים תִּפְנֶה:

"Call now; is there an answer for you? To which of the holy ones will you turn?"

While prophets were ushered into the council's presence to receive their commission (Jer. 23:18, 22; Isa. 6), and the idea of the council determining the fate of human being is earlier than Job (I Kings 22, the fate of Ahab; Isaiah 6, the fate of Judah), the *personal* mediatorial function of council members implied in this text is striking. Job 33:23-30 (the context is also included below) provides more detail for the concept, and perhaps these texts are the foundation for the "guardian angel" idea of the New Testament.

14 For God speaks in one way, and in two, though man does not perceive it. 15 In a dream, in a vision of the night, when deep sleep falls upon men, while they slumber on their beds, 16 then he opens the ears of men, and terrifies them with warnings, 17 that he may turn man aside from his deed, and cut off pride from man; 18 he keeps back his soul from the Pit, his life from perishing by the sword. 19 "Man is also chastened with pain upon his bed, and with continual strife in his bones; 20 so that his life loathes bread, and his appetite dainty food. 21 His flesh is so wasted away that it cannot be seen; and his bones which were not seen stick out. 22 His soul draws near the Pit, and his life to those who bring death. 23 If there be for him an angel, a mediator, one of the thousand, to declare to man what is right for him; 24 and he is gracious to him, and says, 'Deliver him from going down into the Pit, I have found a ransom; 25 let his flesh become fresh with youth; let him return to the days of his youthful vigor'; 26 then man prays to God, and he accepts him, he comes into his presence with joy. He recounts to men his salvation, 27 and he sings before men, and says: 'I sinned and perverted what was right, and it was not required to me. 28 He has redeemed my soul from going down into the Pit, and my life shall see the light.' 29 "Behold, God does all these things, twice, three times, with a man, 30 to bring back his soul from the Pit, that he may see the light of life.

These texts make the dismissal of Mullen's argument for the identity of the cloud witness as a divine council member far too hasty. It is clear that a "council intercession" motif has biblical underpinnings. Consequently, there is adequate precedent for the "unidentified witness" in widely recognized divine council passages.

We can now turn our attention to comparative data for divine "cloud witnesses" testifying to ancient covenants, and the role of Baal as intercessor in Ugaritic texts that provide striking correlations to Psalm 89.

Mullen's article on the cloud witness argues persuasively that the language of Psalm 89:37-38 is that of ancient royal-grant covenants.¹⁰ Expressing agreement with Mullen, Tate notes in his own study of the Psalm, "[I]n these covenants a deity unilaterally establishes and empowers a king or other favored person. Gifts and privileges are bestowed on faithful servants by a divine suzerain (as with Abraham in Gen. 15:17)." Mullen's treatment of the matter includes verse 36 (verse number of the Hebrew text), and so taken together the passage would read:

<p>36 Once I swore by my holiness¹¹ – I do not lie to David; 37 His offspring will continue forever And his throne as the sun before me; 38 As the moon it will be established forever. And a witness in the clouds will be faithful. Selah</p>	<p>36 אַחַת נִשְׁבַּעְתִּי בְּקִדְשִׁי אִם־לְדָוִד אֶכְזֹב: 37 זִרְעוֹ לְעוֹלָם יִהְיֶה וְכִסְאוֹ כַשְּׁמֶשׁ נֹגְדִי: 38 כִּי־רַחַ יִכּוֹן עוֹלָם וְעַד בַּשָּׁחַק נֶאֱמָן סֵלָה:</p>
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Mullen's study and Veijola's interaction with his work produced several important observations and textual analogies to the structure of the covenant with David's house in Psalm 89. In several texts clouds function as witnesses to the treaty-covenant and, as Veijola admits, this is a common feature in Hittite treaties.¹² For example, in the Hittite copy of the treaty between Mursilis II and Duppi-Teshub of Amurru the treaty invokes a list of gods and personified natural forces as witnesses, stating: ". . . the mountains, the rivers, the springs, the great Sea, heaven and earth, the winds, and the clouds – let these be witnesses to this treaty and to the oath."¹³

Mullen, citing the reference to the divine assembly in Psalm 89:6-9, argues that the expression בַּשָּׁחַק (baššahaq; "in the clouds") in verse seven brings the witness into the heavenly court.¹⁴ The function of the cloud witness in Psalm

¹⁰ Mullen, "The Divine Witness," 207-218.

¹¹ See the ensuing discussion in regard to possibly repointing בְּקִדְשִׁי.

¹² T. Veijola, "The Witness," 415.

¹³ Ibid., 415. The translation comes from J. Pritchard, *Ancient Near Eastern Texts Relating to the Old Testament*: 203-205.

¹⁴ Mullen, "The Divine Witness," 215-217.

89:37-38, as with the royal grant treaty, is to guarantee the terms of the covenant, which specifically concern the creation of a dynastic line from David. As Weinfeld has demonstrated, this type of covenant protected the rights of the recipient of the covenant rather than the rights of the superior party.¹⁵ Here the cloud witness obligates that Yahweh keep the terms of the covenant with David's line. It is this aspect of divine intercession on behalf of securing dynastic succession that the Ugaritic material again illumines.

Though more commonly recognized as a warrior or fertility god, Baal is also depicted as an intercessor. This is significant for the present discussion, for not only does Daniel 7 echo the Baal Cycle, but the "one like a human being" is unmistakably associated with Baal as Cloud Rider, eternal vice-regent, and guarantor of the rule of Yahweh-El's people. Likewise, as has been noted, Psalm 89 utilizes motifs in the Baal Cycle. Some of these motifs are used in the psalm to extol Yahweh's kingship, and others are transferred to the Davidic king. The argument here is that another role of Baal, that of intercessor, is also present in the psalm's reference to a witness in the clouds who certifies a covenant calling for the giver of life, Yahweh, to grant dynastic succession to David and thus Israel. As the examples below reveal, then context for Baal's intercession for dynastic succession is always the divine council.¹⁶ Daniel 7 and Psalm 89 are contextualized in the same way.

The idea of dynastic succession being mediated with El by Baal is found in the Ugaritic epics of Kirta and Dan' il. As Mullen points out, the central concern in these texts is "the insurance of progeny for the king so that dynasty might be continued."¹⁷ In the case of Dan' il one reads:

Then on the seventh day, Baal drew near with his supplication. "In need is Dan' il, man of Rapi'. Moaning is the Hero, the Harnamite, who has no son in his house like his brothers, nor scion like his kindred. He has no son like his brothers, nor scion like his kindred. (He has given) offerings for the gods to eat, oblations that the sons of Qudsu might drink! Will you not bless him, O Bull El, my father; strengthen him, O Creator of created things? Let there be a son in his house, a scion in the midst of his palace!"¹⁸

The intercession of Baal for king Kirta is similar:

¹⁵ M. Weinfeld, *Deuteronomy and the Deuteronomistic School* (Oxford: Clarendon Press, 1972): 75ff.

¹⁶ Mullen, *The Divine Council*, 249-252.

¹⁷ *Ibid.*, 244. The texts in question are CTA 17.I.16-44 (Dan' il) and CTA 15.II.1-28 (Keret).

¹⁸ CTA 17.I.16-27. The translation is Mullen's.

Then the council of El arrived and 'Al'iyān Baal spoke: "Come now, O Kindly One, El the Compassionate. Will you not bless Kirta, the noble? Will you not strengthen Nu^cmān, lad of El?"¹⁹

The terminology for Baal's supplication is noteworthy given this context. In several places Baal "stands beside El" (*qm ḥ' il*) to obtain promise of dynastic offspring for King Kirta.²⁰ The verb *qm* is part of the stock vocabulary of the divine council, where a member of the council "stands" before the high God to perform some function.²¹ It is quite clear then from these texts that the intercession of Baal is made to the supreme authority in the Ugaritic pantheon, El, and in the instance of the Kirta text, the pleas are situated in the divine council. Thus not only is the divine council context evident, but the continuation of royal dynastic rule and divine intercession on the part of El's vice-regent are as well. When compared with the cloud-riding vice-regent figure of Daniel 7 who secures and extends the rule of Yahweh on earth through David's people Israel, an equation of the witness in the clouds in Psalm 89 and the "one like a human being" in Daniel 7 deserves serious consideration. This equation, along with the various difficulties with identifying the cloud figure of Daniel 7 with Michael, produces a sound basis for arguing that an exalted, unidentified member of the divine council more coherently accounts for the functions of the figure of Daniel 7 and his association with the holy ones and the people of Yahweh-El.

There is an additional argument, overlooked by Mullen and Veijola, that can be advanced in favor of identifying the cloud witness in Psalm 89 with a divine council member of highest rank. Briefly, there are variant readings in two verses in Psalm 89 that create the possibility that the cloud witness in 89:37-38 is an exalted member of the divine council and cannot be Yahweh. The relevant texts in context are (Hebrew) 89:14-22 (specifically verse 20) and 89:36.

In Psalm 89:14-22 the psalmist addresses Yahweh and states:

14 You have a mighty arm: strong is your hand, raised high is your right hand. 15 Righteousness and justice are the foundation of your throne: lovingkindness and faithfulness stand before you. 16 Blessed are the people who know the joyful shout: they will walk, O Yahweh, in the light of your countenance. 17 In your name they will rejoice all day long, and in your righteousness they will be exult. 18 For you are the glory of their strength, and in your favor our horns will be exalted. 19 Truly Yahweh is our shield, and the Holy One of Israel is our king. 20 Once you spoke in a vision לַחֲסִידָיָךְ ["to your faithful ones"] and you said, "I have set a boy over warriors; I have raised up a chosen one from the people. 21 I have

¹⁹ CTA 15.II.11-16. The translation is Mullen's.

²⁰ See CTA 15.2.11-28; 17.1.16-27, 35-37, 43-44. The phrase comes from CTA 2.1.21.

²¹ See especially in this regard the discussion in Chapter Two of the imperatival phrase (קוּמָה אֱלֹהִים ;

qūmah 'elohim; "arise, O God") in Psalm 82:8.

found David my servant; with my holy oil I have anointed him: 22 whom my hand will firmly support, as my arm will also strengthen him."

At issue is MT's phrase "to your faithful ones," which is taken to refer to pious individuals or spiritual leaders in the nation of Israel who would be loyal (חסד; *hesed*) to the covenant. A significant number of Hebrew manuscripts, however, read a singular "your faithful one," which would then have Yahweh addressing a particular faithful covenant loyalist. The implication, naturally, is that Yahweh would here be referencing the heavenly covenant witness or guarantor of 89:37. Interestingly, the LXX reads τοῖς υἱοῖς σου ("your sons"), which speaks to the second tier of divine council members, the sons of God.

If the correct reading is the singular, 89:36 becomes significant, for it may point back to the "faithful one" in 89:20. Additionally, re-pointing בְּקִדְשִׁי ("in/by my holiness") to בְּקִדְשִׁי ("in/by my holy one") may be warranted by the passage's parallel ideas (recall the vowels were added much later in Hebrew):²²

<p>36 Once I swore by my holy one I do not lie to David; 37 His offspring will continue forever And his throne as the sun before me; 38 As the moon it will be established forever. And a witness in the clouds will be faithful. Selah</p>	<p>36 אַחַת נִשְׁבַּעְתִּי בְּקִדְשִׁי אִם־לְדָוִד אֶכְזָב: 37 זֶרְעוֹ לְעוֹלָם יִהְיֶה וְכִסְאוֹ כַּשֶּׁמֶשׁ נֹגְדִי: 38 כַּיָּרֵחַ יִכּוֹן עוֹלָם וְעַד בַּשָּׁמַיִם נֶאֱמָן סֵלָה:</p>
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As Tate notes, "the counterpart of 38b is 36a; two colons which form a frame, or 'envelope' around vv. 36b-38a."²³ The presumed poetic parallelism of the "holy one" with the "faithful witness" is plausible, and perhaps the unpointed text might be the reason for singular reading in some manuscripts in 89:20 (חסידך). Naturally, a "holy one" in the clouds speaks of a divine council member, one among many heavenly "holy ones" who is here singled out as a covenant witness.

At this point the identity of the witness cannot be determined. The New Testament, however, identifies this particular "faithful witness" who guarantees the covenant:

²² Cf. Habakkuk 1:12 (הֲלוֹא אַתָּה מִקְדָּם יְהוָה אֱלֹהֵי קְדֹשִׁי); "Are you not from of old, O Yahweh, my Holy One?"

²³ M. Tate, *Psalms 51-100*, 425. The suggestion for re-pointing is mine, not Tate's.

Revelation 1:5 and from Jesus Christ, *who is the faithful witness*, the firstborn from the dead, and the ruler of the kings of the earth. To him who loves us and has freed us from our sins by his blood,

Revelation 3:14 "To the angel of the church in Laodicea write: These are the words of the Amen, *the faithful and true witness*, the ruler of God's creation.

This identification of Jesus as the divine faithful witness, I would suggest, was drawn on the basis of Psalm 89's parallels to Daniel 7's co-ruler. This makes perfect sense with respect to messianic prophecy and the New Testament presentation of Christ, for the Messiah, would have everlasting rule on earth (Daniel 7) and would be of the line of David (Psalm 89). The one to whom the Father (Ancient of Days) in Daniel 7 gave this dominion was himself a deity of "co-equal" status (Daniel 7). By becoming a man (the incarnation) the cloud witness / co-regent guaranteed the covenant of Psalm 89. There was no Davidic king after the exile, and so the line of David had to be secured by one who was of that line and who, like the Davidic king, was a son of God.

All this is greatly simplified in terms of both evidence and complexity of argument. Hopefully this psalm, its relation to Daniel 7, and the relation of both to the "deity co-regent" model of the Baal cycle (which both Daniel 7 and Psalm 89 follow in terms of flow and motifs) gives you a sense of the ease with which JUDAISM could accommodate a binitarian godhead.