

On the Steps of Moab: Deuteronomy

Lecture 11 Transcript

<https://oyc.yale.edu/religious-studies/rlst-145/lecture-11>

Overview

This lecture, focusing on Moses's final address to the Israelites and transfer of authority to Joshua, describes Moses as the paradigmatic leader of biblical tradition. The structure of Deuteronomy is then outlined. Attention is given to updated and revised laws within Deuteronomy which exemplify the activity of adaptive interpretation of earlier tradition. The main themes of Deuteronomy are presented and include the notion of God's chosen people and chosen city, social justice, covenantal love and the centralization of cultic worship.

1. Moses as the Paradigmatic Leader of Biblical Tradition

- [1] *Professor Christine Hayes:* You may have heard that post-biblical tradition hails Moses as ancient Israel's first and greatest law giver; and certainly the Bible depicts Moses as receiving law from God and conveying it to the Israelites. But clearly Moses isn't the author or compiler of the legal traditions contained in the Bible. Some of the individual laws we know are found in very, very, very Ancient Near Eastern laws: they're part of an Ancient Near Eastern legal tradition. The collections as a whole clearly date to a much later period of time — and we're going to see that clearly when we talk about Deuteronomy today — and they have been retrojected back to the time of Moses. But nevertheless, Moses is the central figure in the biblical narrative, from Exodus all the way through Numbers and into Deuteronomy. And he's going to serve as a paradigm for Israel's leaders to follow.
- [2] In the biblical view no one can look upon the face of God and live, and yet Moses, who spoke with God "mouth to mouth," the text says, was an exception to this rule. So why wasn't he permitted to see the fulfillment of his labors? Why was he not permitted to enter the Promised Land? This is a question that plagued ancient Israel, and the Bible contains the effort of tradition to explain this great mystery, or tragedy. When Moses asks God if he can enter the land — that's in Deuteronomy 3:25 — God refuses, and he gives his reason in Deuteronomy 32:49-52:
- [3] You shall die on the mountain that you are about to ascend, and shall be gathered to your kin, as your brother Aaron died on Mount Hor and was gathered to his kin; for you both broke faith with Me among the Israelite people, at the waters of Meribath-kadesh in the wilderness of Zin, by failing to uphold My sanctity among the Israelite people. You may view the land from a distance, but you shall not enter it — the land that I am giving to the Israelite people.
- [4] So what happened at Meribath-kadesh that made God so angry? Well you can read the story, it's in Numbers 20, the incident is described there. But the answer is still not entirely clear, it's not clear what Moses did that was so bad as to deserve this punishment. Perhaps it's Moses' failure to follow God's instructions to the letter when he is producing water for the Israelites or demanding water: perhaps that's what angers God. But one gets the impression that the story in Numbers 20 and Deuteronomy's subsequent claim that it was something about that story that earned Moses God's disapproval... you get the impression that these are an attempt to explain what was probably a longstanding tradition about a great leader who died on the east side of the river. For that to have happened, for that death to have happened the writers seem to surmise, he must have sinned; there must have been some punishment for some sin.
- [5] After a very poignant scene in which God shows Moses the Promised Land, from a

lookout point on the east side of the Jordan River, we then read about the death of Moses in Deuteronomy 34:

- [6] God spoke to Moses on that same day. “Ascend this Mount Abarim, the peak Nebo, in the land of Moab opposite Jericho, and look at the Land of Canaan which I am giving Israel for a holding.” So Moses went up from the plains of Moab to Mount Nebo to the top of Pisgah, opposite Jericho. And God showed him all the land, from Gilead to Dan [which is in the north], and all of Naphtali and the land of Ephraim and Manasseh, and all of Judah [in the south] to the outer Mediterranean Sea; and the Negev [the southern wilderness]; and the Plain of the Valley of Jericho, the Palm City, as far as Zoar [the end of the Dead Sea]. ... Then Moses the servant of God died there, in the land of Moab, as God had said, and he buried him in the valley, in the land of Moab...but no man knows the place of his burial, to this day. And the people of Israel wept for Moses in the Plains of Moab for thirty days...and there never again arose in Israel such a prophet as Moses, whom God knew face to face, none like him for all the signs and wonders which the Lord sent him to do in the land of Egypt, to Pharaoh, to his household and to all his land; none like him in respect of all the mighty power and all the great and terrible deeds which Moses wrought in the sight of all Israel. [Hayes translation]
- [7] There’s no other human being in the Bible who earns such a tribute. This is unusual for the biblical writer to speak in such glowing terms of a human character.
- [8] I said that Moses becomes a paradigmatic leader in the biblical tradition. And the force of Moses as paradigmatic leader of Israel is apparent in the very first leader to succeed him, and that is Joshua. Deuteronomy closes with a transfer of authority from Moses to Joshua. So in Deuteronomy 34:9 we read, “Now Joshua son of Nun was filled with the spirit of wisdom because Moses had laid his hands upon him; and the Israelites heeded him, doing as the Lord had commanded Moses.” And in several ways Joshua’s going to turn out to be a kind of carbon copy of Moses. Moses crosses the Reed Sea, the waters stand in a heap, and the children
- of Israel cross over on dry land. We’ll see in connection with Joshua that he crosses the Jordan River into the Promised Land, the waters stand in a heap, the children of Israel cross on dry land — that’s in Joshua 3:13.
- [9] After crossing, the Israelites then celebrate the Passover, and that makes a strong link then to the Exodus led by Moses, also at the time of the first Passover. Moses had a vision of God at the burning bush. He was told to remove his shoes, his sandals, because he was on holy ground. Joshua is also going to have a theophany — that’s a vision — after he crosses the Jordan. He’ll see a man with a drawn sword who’s the captain of the Lord’s host and he tells him to remove his shoes, he is on holy ground. Moses is the one to mediate a covenant between God and Israel at Sinai. Joshua will mediate a renewal of the covenant at a place called Shechem. Moses sent out spies to scout out the land; Joshua also sent out spies to scout out the land. Moses holds out a rod during battle in order that Israel prevail over her enemies, and Joshua will do the same with a javelin. So these are all important literary parallels and they signal the importance of Moses in Israelite tradition, as the paradigmatic leader; so other leaders who are praised will be modeled on Moses. It’s said of Joshua after the Israelites enter the Promised Land, it’s said, “On that day the Lord exalted Joshua in the sight of all Israel so that they revered him all his days as they had revered Moses.” So no greater praise can be given to an Israelite leader than to be compared to Moses. But now we’re going to take a close look at Deuteronomy and we’ll pick up with Joshua on Wednesday.
- [10] So Israel’s wanderings in the wilderness end on the Plains of Moab, which is on the east bank of the Jordan River, and it’s there that the book of Deuteronomy opens. There Moses is going to deliver three long speeches prior to the Israelites’ entry into the Promised Land, and these three speeches constitute the bulk of the book of Deuteronomy. So Deuteronomy differs very much from the other four books of the Pentateuch because in those books you have an anonymous narrator who describes Yahweh as directing his words to Moses to then be conveyed to Israel. Moses will speak to Israel on God’s behalf. But in Deuteronomy Moses is going to be speaking directly to the Israelites so that the book is written almost entirely in the first person, whereas the first four books of the

Pentateuch are not; they are third person anonymous narrative, narration. Here we have the bulk of the book in the first person: direct speech.

- [11] Now Moshe Weinfeld — I've put his name on the board as someone who you should associate always with the book of Deuteronomy — Moshe Weinfeld is one of the leading scholars of Deuteronomy and he describes the book as expressing ideology by means of a programmatic speech put into the mouth of a great leader. That's a very common practice in later Israelite historiography, and he says it's happening here already. And I'll be referring quite a bit to Weinfeld's work as we talk about Deuteronomy. Deuteronomy differs from the other books of the Pentateuch in other significant ways. So for example, according to the Priestly writer, Israel received its laws, its Torah, from God at Mount Sinai. But in Deuteronomy the laws were given here on the Plains of Moab, 40 years after Sinai, before the Israelites crossed the Jordan. At Sinai the Israelites heard the Decalogue but the remainder of the laws, it would seem, are delivered on the Plains of Moab.

2. *Basic Structure of Deuteronomy*

- [12] We can look at the basic structure of Deuteronomy in a couple of ways. We can do a kind of literary division, which I have on this side of the board, according to the speeches. So to begin we have the first speech which is a sort of introductory speech in the first four chapters, going through 4:43. There's an introduction that gives us the location, where the Israelites are, and also then Moses' first sermon. Moses in this sermon is giving a historical review, and the purpose of this historical review is didactic; he wants the Israelites to learn something, to infer something from this review of their history from Sinai to the present day. And in that review, as he retells the story, which we've just been reading about in the previous books, we see his selective choice of events, we see how he's describing things in a way that underscores God's faithful, loyal, fulfillment of the covenantal promise, and he's using this to urge the Israelites to do their part by obeying God's laws.

- [13] The second speech extends from 4:44 through 28:6. And this also contains a bit of a historical review, again retelling some of the narrative of

the earlier books of the Torah and again giving us an insight into this phenomenon of inner biblical interpretation, or parts of the Bible that review parts elsewhere [and] are already beginning to interpret and present that material in a particular light. But then we have a central section of laws being presented, beginning at about 12; so this is still part of Moses' second speech, but stretching from Deuteronomy 12 through 26 we have laws, and this is in many ways a repetition of much of the revealed legislation we've already encountered. That central portion of laws, 12 through 26, is thought to be the earliest core of the book. We're going to come back and talk about that in a moment.

- [14] Now the Greek title for this book, which is Deuteronomy, *deutero nomos*, a second law, a repetition of the law, and that name derives from the fact that the bulk of the book contains this legal core of material which reviews the law. In Chapter 27 we have a covenant renewal ceremony. It takes place on a mountain near Shechem after the Israelites have crossed the Jordan. It describes the ceremony that will take place, excuse me, after they have crossed the Jordan. And from ancient Greece we know that in the ancient world settlers who would colonize a place, particularly if they colonized a place at divine instigation, they would perform certain ceremonies that would be accompanied by blessings and accompanied by curses. They would write the laws on stone pillars, they would erect an altar for sacrifices, they would proclaim blessings and curses for those who obey and disobey — very similar to what happens in chapter 27; all of these elements appear in chapter 27.

- [15] Chapter 28 lists the material rewards that will accrue to Israel if she is faithful to God's law, and the punishments if she should disobey — and some of these are very creative. But the importance of the Deuteronomist's view of history in which Israel's fate is totally conditioned on her obedience to the covenant — this is something that will occupy us repeatedly at a future date. I mention it here but it's something we will need to come back to. The third speech of Moses is in Chapters 29 and 30. This speech emphasizes the degree to which evil fortune is the responsibility of the community. Moses enumerates additional misfortunes and sufferings that will befall Israel if she sins. But he emphasizes the choice

is Israel's: God has been clear regarding what's required, and it's not beyond Israel's reach to attain life and prosperity. She needs to only choose. And this is all set out in a speech in Chapter 30. I'll read from verses 11 to 20:

- [16] Surely, this Instruction which I enjoin upon you this day is not too baffling for you, nor is it beyond reach. It is not in the heavens, that you should say, "Who among us can go up to the heavens and get it for us and impart it to us, that we may observe it?" Neither is it beyond the sea, that you should say, "Who among us can cross to the other side of the sea and get it for us and impart it to us, that we may observe it?" No, the thing is very close to you, in your mouth and in your heart, to observe it. See, I set before you this day life and prosperity, death and adversity. For I command you this day, to love the Lord your God, to walk in His ways, and to keep His commandments, His laws, and His rules, that you may thrive and increase, and that the Lord your God may bless you in the land that you are about to enter and possess.
- [17] Listen to the cadences of this kind of language in Deuteronomy. We haven't heard language like this before but it's what people often think of when they think of biblical language. It starts here in Deuteronomy.
- [18] But if your heart turns away and you give no heed, and are lured into the worship and service of other gods, I declare to you this day that you shall certainly perish; you shall not long endure on the soil that you are crossing the Jordan to enter and possess. I call heaven and earth to witness against you this day: I have put before you life and death, blessing and curse. Choose life — if you and your offspring would live — by loving the Lord your God, heeding His commands, and holding fast to Him. For thereby you shall have life and shall long endure upon the soil that the Lord your God swore to your ancestors, Abraham, Isaac, and Jacob, to give to them.
- [19] So all has been given. It's simply Israel's choice to take it or not. The last section of the book, chapters 31 to 34, is a sort of miscellany of appendices. There's some ancient poetry

that's found in chapter 32, which is referred to as The Song of Moses; scholars refer to it as The Song of Moses. We have the blessings of Moses recorded in chapter 33, and then chapter 34 is the story of Moses' death: I read part of that to you.

- [20] Now centuries ago, already scholars of the Bible noted that Deuteronomy opens with the verse, "These are the words that Moses addressed to all Israel on the other side of the Jordan," that is to say the trans-Jordan, on the other side of the Jordan. So that line is obviously written from the prospective of someone who is inside the land, saying Moses said that when he was over there, outside the land, on the other side of the Jordan — so he's looking eastward. And so that's a line that one would think could not be written by Moses because Moses did not ever enter the land and would not be in a position to talk about something being on the other side of the Jordan. Likewise, the last chapter which describes Moses' death and burial probably was not written by him. So as we shall see, these and many other textual features point to the period of composition for Deuteronomy, which was many centuries after the time that Moses would have been supposed to have lived, if we are to assume he was a historical character.
- [21] And so through careful analysis you have scholars like Moshe Weinfeld and many others — I think Bernard Levinson is the one has written about Deuteronomy in your Jewish Study Bible, and that's a wonderful introduction to read there, so I encourage you to please make sure you look at that — but analyses of scholars like these have led them to draw the conclusion that the original core of Deuteronomy emerged in the eighth century, and this is now where my interesting little mountain-shaped diagram is going to come into play. It was probably a scroll of laws known as the Book or the Scroll of the Torah. Deuteronomy refers to itself that way in Deuteronomy 17:19-20. And so we think it was probably something roughly equivalent to chapters 12 to 26; maybe there was a little introduction, a little conclusion. And eventually these laws were put into the framework of a speech by Moses: maybe chapters 5 through 11 and maybe 28; maybe that would've been in the eighth, seventh century. And then at some later point several

things happened, and I will say them in the following order, but that doesn't mean they happened in this order, we really aren't sure.

[22] At some point several things happened. You have framing chapters, Deuteronomy 1 through 4, the sort of introductory frame and historical review, as well as the appendices at the end, chapters 31 and 34 — those get added. You also have laws being updated, passages being expanded, to reflect the experience of exile. You'll remember that as of 586, Jerusalem is destroyed and the Israelites are in exile in Babylonia. Additionally, at some point Deuteronomy is appended to the other four books of the Pentateuch. Genesis through Numbers is made to precede this. It's serving therefore as their conclusion, and by being joined to them it confers its title as a book of Torah, as a scroll of Torah, to that material as well. They don't use the word "Torah" in that way, in those books; only Deuteronomy uses the word Torah to speak of God's instruction or revelation overall. So by being appended now to Genesis through Numbers, all of this perhaps comes to be known as Torah, as well. And then finally during the exile or sorry, probably during the period after the exile — no, during the exile, down to the end of the sixth century, Deuteronomy was incorporated into a larger narrative history that runs from Joshua through Judges, First and Second Samuel, First and Second Kings: that's all a unit, as we'll come to see in the next lecture. And so Deuteronomy in a way served as an introduction to that material looking forward; so a conclusion to the previous four books but also an introduction to a long narrative history that's going to run through to the end of 2 Kings. Now there's a lot of debate over the precise timing of these events and this process by which this material grew and was expanded, but in the post-exilic period, at some point, the entire unit, the Genesis through Numbers material, Deuteronomy, and then the lengthy historical narrative, all the way through 2 Kings, was solidified.

[23] The Deuteronomistic history [correction: the Deuteronomic history, i.e., the book of Deuteronomy] is sort of an odd conclusion to the Genesis through Numbers material because it doesn't really have the expected narrative climax. You sort of expect the story to end with the entry of the Israelites into the land, and hopefully under Moses, and that doesn't occur.

Some scholars have suggested that deferring Israel's possession of the land to the future may have reflected the historical experience of exile, an experience which challenged the very idea of the possession of the land as central to the maintenance of the covenant. So if you are in exile, then perhaps a more satisfying ending is to have Israel not in fact entering the land.

[24] The complex process by which Deuteronomy was formed underscores the fact that modern notions of authorship cannot be applied to biblical texts. We think of an author, we tend to think of an author, as a discrete individual who composes a text at a specific time, but this isn't the way that texts came into being in the ancient world, particularly important communal texts. As Weinfeld points out, the biblical authors were what we would call collectors, compilers, revisers, editors, and interpreters of ancient tradition. Ancient texts were generally the product of many hands over the stretch of many long centuries, and during that time modifications and recontextualizations occurred. And so we refer to those who transmit and develop a text in this way as a school; but you need to understand that we are using that in a relatively informal way. So when we talk about the Deuteronomic School or the Deuteronomistic School, we're really talking about the fact that we have a set of texts that all seem to share a certain sort of ideology or orientation; and yet we know that parts of them seem to date from very, very different times. And so we think of that text as being preserved, transmitted and developed by many hands who share certain commonalities, common ideologies, we call it a school. It's not that we know of the existence of a Deuteronomistic school, and we say, oh, well then, they must have produced this text. It's the other way around. We have a text, and its features suggest to us a longstanding tradition of scholarship, that preserved and transmitted the text in that way. Same with the Priestly school: we're speaking about the Priestly materials which clearly have evidence of originating from the eighth, seventh, sixth and fifth centuries, and so there must have been a common stretch of scholarship that would have preserved and transmitted and developed those traditions, and we call that the Priestly school.

[25] The legal core of Deuteronomy — so really from 5 to 26, because 5 is where some of the legal material begins — contains first of all a

somewhat expanded version of the Ten Commandments, you have that in Deuteronomy 5, and then other laws, really from 12 to 26, that resemble the legal material that's found in Exodus — the collection of material we've called the Covenant Code. And they also seem to bear some relationship to the laws in Leviticus and Numbers. But the question is, what is the relationship between the different versions of the legal material? Some of these laws will parallel each other quite closely and others do not. So are Deuteronomy's legal traditions a direct response to or modification of the laws in Exodus and Numbers, or are they best understood as just different, independent formulations of a common legal tradition?

3. Updated and Revised Laws According to New Ideas

[26] Weinfeld has argued that Deuteronomy is dependent on the previous traditions of the Pentateuch, that Deuteronomy revises and reforms them according to new ideas: its new notion of a centralized cultic worship, and secondly its humanitarian spirit. Those are two controlling ideologies he says that shape its revision of pre-existing material. He specifically argues that Deuteronomy is dependent on the E source, the source that some scholars think is pretty hard to isolate or find in the biblical text. But in E, Sinai is referred to as Horeb, and in Deuteronomy Sinai is also Horeb. The author of Deuteronomy limits the revelation at Sinai to the Decalogue and seems to assert that the full law was given to Moses for the Israelites on the plains of Moab. In Weinfeld's view this means that Deuteronomy, with its revisions, would have been seen, would have been presented as and would have been seen as an updated replacement of the old Book of the Covenant, rather than its complement. It exists side by side in our text now, but I think in his view those who promulgated it were understanding it as the updated replacement of the laws of the Book of the Covenant.

[27] For the most part Deuteronomy doesn't really contain much in the way of civil law. It tends to focus on the moral-religious prescriptions — kind of the apodictic law in Israel — and the few civil laws that are there tend to be reworked in line with Deuteronomy's

humanity. So, for example, the laws of the tithe, the laws of the seventh year release of debts, the rules for the release of slaves, the rules for the three festivals — these are all ancient laws; they occur in Exodus but they appear in Deuteronomy with modifications, modifications about things that concern the Deuteronomists, and some of you have discussed some of these in section. So in Deuteronomy the Israelite debt slave comes out of his or her servitude, with generous gifts from the owners. This is not something that appears in Exodus. Or as another example, Deuteronomy extends the Covenant Code's prohibition against afflicting a resident alien. In Deuteronomy there's the insistence that the Israelites must not just refrain from afflicting them, but must love the resident alien. It goes so far as to provide concrete legal benefits, food and so on, for the resident alien.

[28] So while the relationship of D to some of the laws in the Covenant Code is often — not always but often — one of revision, the relationship between D and the laws in the Priestly source is more difficult to characterize. The Priestly source seems to represent an equally early set of laws, legal traditions, that just emanated from a very different circle and had different concerns. It tends to deal with sacral topics, or if it's dealing with other topics it will deal with the sacral implications of those topics. Like D, P often updates and revises laws of the Covenant Code. We can see that in the fact that the Priestly source abolishes Israelite debt slavery altogether and insists that slaves must be acquired only from the nations around Israel: no Israelite can enslave another Israelite. Nevertheless, Weinfeld argues that on occasion Deuteronomy contains laws that are also found in P, but presents them in a more rational manner, is the word he uses, or desacralized manner. So D's treatment, Deuteronomy's treatment of sacrifice, we'll see in a moment, is going to be different, for example, from P's. They have different concerns and different foci in their presentation of that material.

[29] In any event, many scholars through their analysis of these texts have been led to conclude that the Deuteronomistic School updated and revised earlier laws, particularly laws in the Covenant Code, but sometimes also in the older legal stratum of P; and they did so in keeping with the circumstances of the eighth to sixth century. So Deuteronomy exemplifies

a phenomenon that occurs at several critical junctures in Israel's history — and we're going to see this as we move forward through the biblical text — and that is the modification and re-writing of earlier laws and traditions in the light of new circumstances and ideas. So Deuteronomy is itself an implicit authorization of the process of interpretation. And the notion of canon, or sacred canon, that's exemplified then by biblical texts is one that allows for continued unfolding and development of the sacred tradition. And that's an idea that I think differs very much from modern intuitions about the nature of sacred canons. I think a lot of people have the intuition that a sacred canon means that the text is fixed, static and authoritative because it is fixed and static, or unchanging. That's not the biblical view or ancient view of sacred canon. Texts representing sacred revelation were modified, they were revised, they were rephrased, they were updated and they were interpreted in the process of transmission and preservation. It was precisely because a text or a tradition was sacred and authoritative that it was important that it adapt and speak to new circumstances; otherwise it would appear to be irrelevant. So it's a very different notion of what it means for something to be canonical and sacred, from what I think some moderns have come to understand those terms to mean.

[30] So what are the special circumstances and concerns that guide Deuteronomy's revisions of tradition? One of the primary changes — you probably heard in section as well by now — is the emphasis on worship at a single, central shrine. That's going to represent a great change in Israel's religious practice. According to Deuteronomy the central sanctuary will be located in a place that God himself will choose — it's not named in Deuteronomy — or in a place where he will cause his name to dwell; that's the other phrase that's used. Jerusalem is never explicitly mentioned as the site in question but Jerusalem will later, in fact, fulfill this function, according to other biblical texts.

[31] Now there are striking similarities between Deuteronomy's religious program and the major religious reforms that were carried out in the eighth century by King Hezekiah, but even more so in the seventh century by King Josiah, around 622: King Josiah. This is a reform that's reported in the book of 2 Kings, in 2 Kings 22. This reform has long been noticed and provides

scholars with a basis for dating the core materials of Deuteronomy, dating them to the late seventh century. According to the story in 2 Kings, during temple repairs that were being done in the time of King Josiah, the scroll of the Torah — that's how it's phrased — the scroll of the Torah was found and when it was read the king was distressed because its requirements were not being upheld. Now this term, the scroll of the Torah, as I said, does not occur in Genesis through Numbers; it is a phrase that occurs in Deuteronomy, in Deuteronomy 17. Then continuing the account in 2 Kings, Josiah is said to take action. He assembles the people, he publicly reads the scroll, the people agree to its terms and then Josiah's reforms begin. We hear that he purges the temple of vessels that had been made for Baal and Asherah, that were in the Temple of Yahweh. He removes all foreign elements from the cult, he prohibits sacrifice to Yahweh anywhere but in the central sanctuary. He destroys all of the high places — this refers to sort of rural shrines that were scattered throughout the countryside where local priests and Levites might offer sacrifices for people — ritual shrines and pillars being used in the worship of Yahweh: these are deemed to be quite legitimate in the J and E sources. The patriarchs are doing this sort of thing all the time, building altars all around the country, but it's Deuteronomy that contains commandments to destroy the worship, first of all the worship of other gods but also the worship of Yahweh in high places or in rural shrines. So this is evidence again that what Josiah found to base his reforms on was something like the Book of Deuteronomy: it's Deuteronomy that contains the prohibitions of high places and so on.

[32] After these reforms it's reported that the Passover was celebrated. It was celebrated not as a family observance in individual homes; it was celebrated as a national pilgrimage festival, celebrated by everyone in Jerusalem. That's how its celebration is described in the Book of Deuteronomy. It's described as a family celebration in individual homes in the other books of the Bible. So again, this is another basis for the conclusion that the scroll of the law, found by Josiah and guiding his reforms, was something like the legal core of Deuteronomy. Scholars now think that that legal core of Deuteronomy was produced in the Northern Kingdom, the Northern Kingdom of

Israel which fell in 722, you'll recall. It was probably produced there in the eighth century, and that is supported by the fact that Deuteronomy has affinities with the writings of some prophets we'll be looking at later from the Northern Kingdom of the eighth century, such as the prophet Hosea, and we'll see this when we look at Hosea's writings. It also has affinities with the E source, which is also connected with the Northern Kingdom. In the ninth and eighth century, the Northern Kingdom was the site of a struggle, a struggle against Baal worship. It was also home to certain prophets such as Elijah and Elisha, who are known for their zealotry and their exclusive Yahwism.

[33] So some scholars think that was going on in the ninth/eighth century in the north, the sort of Yahweh-only party that was working hard and struggling against Baal worship. And they think that those Yahweh-only traditions were brought south; after the fall of the Northern Kingdom in 722, you have refugees coming south, they brought these traditions with them. Some of these written materials were put into the Temple and then about a century later, during Josiah's time, when the Temple was being refurbished, they were found. Possibly this material was then worked into a larger scroll, given its Mosaic introductions and so on, and that all contributed to Josiah's reform.

[34] So the centralization of the cult also needs to be understood against the larger political backdrop of the late seventh century. The Assyrian threat loomed large. You have to remember that the Northern Kingdom has already been completely destroyed: ten tribes exiled, deported, and essentially lost. The Southern Kingdom managed to escape destruction but only by paying tribute as a vassal to Assyria. So Judah, the Southern Kingdom, is a tribute-paying vassal state to the Assyrian overlord. And of course, there's a great deal of Assyrian cultural influence and religious influence in Judah as a result. So 2 Kings tells us that there were foreign forms of worship being introduced right into the Temple. Josiah's reforms have been interpreted by some as an attempt to assert the political and the cultural and religious autonomy of Judah. Unregulated worship throughout the land was no longer going to be acceptable; the people were going to be united around a central, standardized Yahweh cult, which would be

purged of any Assyrian influence or foreign influence. And this was deemed as necessary to stand up against or to survive the Assyrian threat. So it's in that context that we can look at the very strong parallels that exist between the Book of Deuteronomy and certain Assyrian treaties, from the seventh century.

[35] We already talked about the Hittite vassal treaties as a model for the Israelite covenant, when we were talking about Exodus. But Deuteronomy is clearly dependent on another model and that is the Assyrian vassal treaty. The best exemplars of these treaties are the treaties of the Assyrian emperor Esarhaddon. He was a seventh century ruler of Assyria, down to about 669. These treaties were discovered about 50 years ago, and Moshe Weinfeld is one of the people who's done a tremendous amount of work with these treaties. He's argued at great length that Deuteronomy reworks the second-millennium Hittite model in accordance with the covenantal patterns that are evident in the first-millennium vassal treaties of Esarhaddon. We see history being used as a motivational tool and we see laws being reinforced by curses; and it's fascinating, if you line up some of the curses in Esarhaddon's treaties with the curses in Deuteronomy, there's an amazing correspondence. Deuteronomy also includes blessings; the Assyrians didn't do that. Weinfeld notes that the Assyrian treaties are really loyalty oaths that are imposed upon vassals, rather than true covenants. And Deuteronomy is also something of a loyalty oath, except that the people are pledging their loyalty to a god rather than to a human king. So you have the exhortation to love the Lord your God — and think back to some of that language that we heard as I read Deuteronomy 30 — he exhortation to love the Lord your God, to go after God, to fear God, to listen to the voice of God: these are all typical of pledges of loyalty, and they are paralleled in the Assyrian treaties where the vassal has to love the crown prince, he has to listen to the voice of the crown prince. The same phraseologies are used. So it is a political literary form, but it's borrowed and it's referred to God. The Assyrian treaties also will warn against prophets or ecstasies or dream interpreters who will try to foment sedition. If you'll notice in Deuteronomy 13, we have something quite similar: a warning against false prophets who will try to foment sedition,

and lead the people to the worship of other gods. Some scholars refer to Deuteronomy as a kind of counter treaty, if you will, right? A subversive document that's trying to shift the people's loyalty from the Assyrian overlord to God, the true sovereign, and it's part of a national movement.

[36] Deuteronomy differs in style, in terminology, in outlook and in theological assumptions from the other books of the Torah. As a series of public speeches, it adopts a highly rhetorical tone, a very... sometimes an almost artificial style. It's a style of a very skilled preacher almost. It employs direct address: you, you; sometimes in the singular, sometimes in the plural, but Moses is constantly speaking in a very personal tone, direct address. And there are all sorts of hortatory phrases, phrases that exhort you: to do this with all your heart and soul, do this in order that it may go well with you. The land is described as a land where milk and honey flow, and if only you will obey the voice of Yahweh your God. This is the kind of language that's used here, and not so much in the other books.

4. Major Themes in Deuteronomy

[37] So let's isolate now some of the major themes of Deuteronomy, before we close our study of the Pentateuch. First of all, as I've mentioned, the centralization of the cult: that's a key theme in the book of Deuteronomy and it had very important effects. It brought Judean religion closer to monotheism because you have the insistence of worshiping one god in his one central sanctuary. Sacrifice was offered only on pilgrimage to Jerusalem, which meant that slaughter of animals for meat in the countryside no longer has a sacral component to it. It's just ordinary, common, profane slaughter. There's evidence that that wasn't true before this reform, that if you wanted to kill an animal for meat you had a kind of a makeshift altar out there in the field, and you would pour out the blood and give it back to God and so on. You might still pour out the blood, obviously, but there was previously a more sacral element to it. Now slaughter in the countryside was simply common, profane slaughter. As a result you have a lot of rural Levites who are out of business now, a lot of people who would have officiated at local shrines, and they're out of business: that probably explains the fact that

Deuteronomy makes special provision for the Levites and includes them in its... in legislation, sort of social welfare legislation. There are provisions that are made for the Levites, who are not going to be able to earn their income anymore at these local shrines. So many of them would have gone up to Jerusalem and a real tension is going to develop between the Jerusalem priests and this class of Levites who are newcomers; and we'll see some of that tension played out in some other texts.

[38] So [there's] centralization of the cult and that has some social ramifications. We also have a greater abstraction of the deity; this is something many people point to in the Book of Deuteronomy because Deuteronomy and books that are related to it — those that are going to follow — consistently refer to the sanctuary as the place where Yahweh chose to cause his name to dwell. God himself isn't said to dwell in the temple, nor is the temple described as a house of God. The temple is always the dwelling of his name. The house is built for his name. Weinfeld asserts that this is in order to combat the ancient popular belief that God actually dwells in the sanctuary. Likewise to eradicate or guard against the idea, which is implicit in earlier sources, that God sits enthroned on the cherubim, on the cherubim, who guard his ark, Deuteronomy emphasizes that the function of the ark is exclusively to house the tablets, the tablets of the covenant; that's its purpose. The ark cover isn't mentioned, the cherubim aren't mentioned. We don't have the image of this as a throne with the ark as God's footstool. So it seems to be a greater abstraction of the deity.

[39] Some abstraction is also apparent in the shift from visual to aural imagery in describing God's self-manifestations or theophanies. One hears God but one doesn't see God, in Deuteronomy. And that's very different from earlier texts where we're seeing a sort of a cloud encased fire and so on. So the sanctuary is understood to be a house of worship, as much as it is a cultic center, in which Israelites and foreigners alike may deliver prayers to God who dwells in heaven. So he is in heaven; this is a place of worship. That's not to say that sacrifice is abolished, it's not to say that sacrifice isn't important to Deuteronomy — very far from it, it's an essential part of God's service for Deuteronomy. But Deuteronomy is less interested in cultic matters and in any event

when it focuses on sacrifices it focuses on a different aspect of those sacrifices. The sacrifices it talks about consist primarily of offerings that are consumed by the offerer in the sanctuary, or are shared with the disenfranchised in some way: the Levite, the resident alien [correction: resident alien], the orphan, the widow — portions are given to them. So by emphasizing the obligation to share the sacrificial meal with disadvantaged members of society, Deuteronomy almost gives the impression that the primary purpose of the sacrifice is humanitarian, or at least personal — the fulfillment of a religious obligation or the expression of gratitude to God and so on. These are aspects of the sacrifices that are emphasized in Deuteronomy.

[40] Deuteronomy also emphasizes social justice and personal ethics and neighborly responsibility. God's own righteous behavior on behalf of the weak and the oppressed is a model for Israel's righteous behavior. God assists the orphan, the widow and the stranger, and that's the basis of Israel's injunction to assist them also. It's the basis for the humanitarianism that I mentioned earlier that seems to run through the laws of Deuteronomy 12 through 26.

[41] A further theme in Deuteronomy is the fact that the covenant concept entails the idea that each generation of Israelites understand itself as having been bound with God in the original covenant. So in Deuteronomy 5:2-3: "The Lord our God made a covenant with us at Horeb [Sinai]. It was not with our fathers that the Lord made this covenant but with us, the living, every one of us who is here today." Now this is interesting because remember the generation has died off, that saw the Exodus and Sinai, right? So these are the children now and they're saying, it was us, every one of us who is here today. So every generation of Israel is to view itself as standing at the sacred mountain to conclude a covenant with God, and that decisive moment has to be made ever-present. That's a process that's facilitated by the obligation to study, to study the laws, to recite them daily, to teach them to your children: these are instructions that are contained in Deuteronomy.

[42] Moreover Deuteronomy 31 proclaims that every seventh year the Torah is to be read publicly, the entire thing. And Weinfeld argues

that where many Ancient Near Eastern cultures direct the king to write the laws for himself, to read them, it's only in Israel — he's yet to find a parallel — it's only in Israel that the law is a manual for both the king and the people. It's to be proclaimed and read aloud to the people, on a regular basis, every seven years.

[43] A further theme of Deuteronomy is the emphasis on love. Weinfeld points out that the Assyrian treaties stress the vassal's love for the crown prince, but there's never a reciprocal love by the crown prince for the vassal. And Deuteronomy differs in this respect. Deuteronomy emphasizes God's gracious and undeserved love of Israel, and that's expressed in his mighty acts on Israel's behalf. The Deuteronomist makes it clear that God's great love should awaken a reciprocal love on Israel's part, love of God. Love of God here really means loyalty. The word that is used is a word that stresses loyalty. Love and loyalty are mere abstractions, however, without some sort of vehicle for their expression; and the vehicle for their expression then is God's Torah, the sum total of God's teachings and instructions and laws and guidelines, which are supposed to ensure long life and prosperity in the land.

[44] That idea is found in a very important passage known as the Shema. This is a passage that's really a central expression of the love of God in Israel, and it's been singled out as an essential part of the Jewish liturgy, at a very early, early stage, and continues to this day. It's so called because of the first word of the passage. It's in Deuteronomy 6, it begins in verse 4, and the first word is "hear," Shema.

[45] Hear, O Israel! Yahweh is our God, Yahweh alone. You shall love the Lord your God with all your heart and with all your soul and with all your might. Take to heart these instructions with which I charge you this day. Impress them upon your children. Recite them when you stay at home and when you are away, when you lie down and when you get up. Bind them as a sign on your hand and let them serve as a symbol on your forehead; inscribe them on the doorposts of your house and on your gates.

[46] So love and loyalty to God is the foundation of the Torah but Torah is the fulfillment of this

love and loyalty: studying it and observing it and teaching it and transmitting it.

- [47] Another key idea that occurs in Deuteronomy is the idea of Israel as the chosen people. We find it here for the first time. It's an expression of the particularity of Israel and its unique relationship with God, and that uniqueness is expressed by this term, *bachar*, which means "to elect" or "to choose." This is the first time we encounter this. Yahweh has chosen Israel in an act of freely bestowed grace and love to be his special property. Deuteronomy 10:14:
- [48] Mark, the heavens to their uttermost reaches belong to the Lord your God, the earth and all that is on it! Yet it was to your fathers that the Lord was drawn in His love for them, so that He chose you, their lineal descendents, from among all peoples — as is now the case.
- [49] This idea may be rooted in the Ancient Near Eastern political sphere in which sovereigns would single out vassals for the status of special property; and in fact the word used [for this special property] is a word we do find in Exodus.
- [50] But Deuteronomy contains statements of national pride, national exaltation, and unlike the Priestly materials which portray holiness as a future goal to be attained through the observance of God's Torah — you shall be holy to me by doing the following things — Deuteronomy speaks of Israel as holy now, and thus bound to the observance of God's Torah

because of their holiness: you are a holy people to me, therefore you should do... So to put it — and this is perhaps to put it too crudely — for P, for the Priestly source, holiness is a goal to be attained through obedience to God's Torah. For Deuteronomy, holiness is a status to be lost through disobedience to God's Torah.

- [51] When we come back, I just want to finish up with one or two last comments about a couple of key ideas or themes in Deuteronomy before we move on to the beginning of the Deuteronomistic history that starts in Joshua. This coming week you'll be having midterms as part of your section meeting and in addition at 6 p.m. tonight I'll be making the essay question available online and if it gets to 6:01 and there's nothing online, somebody call me real fast, okay? All right, good, thanks, and good luck with the exam.

[52] [end of transcript]

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[53] References

- [54] Unless otherwise noted, all biblical citations have been quoted from "Tanakh: The New JPS Translation According to the Traditional Hebrew Text." Copyright (c) 1985 by The Jewish Publication Society. Single copies of the JPS biblical citations cited within the transcripts can be reproduced for personal and non-commercial uses only.