

Study Commentary on Deuteronomy

A Study Commentary
on
Deuteronomy

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Glossary of linguistic terms

anaphora: the repetition of a word or phrase at the beginning of successive clauses

apodictic: clearly established or beyond dispute

apodosis: the main clause of a conditional sentence (see also protasis)

aposiopesis: the rhetorical device of suddenly breaking off in speech

asyndeton: the omission or absence of a conjunction between parts of a sentence

casus pendens — see extraposition

chiasmus (derivative **chiastic**): literary figure in which words, grammatical constructions, or concepts are repeated in reverse order, in the same or a modified form

epistrophe: the repetition of a word at the end of successive clauses or sentences

extraposition: the placing of a word or group of words outside, or at the end of, a clause, while retaining the sense

hapax legomenon: a term of which only one instance of use is recorded

hendiadys: the expression of a single idea by two words connected with 'and'

inclusio: a repeated theme which both introduces and concludes a passage, and thus encompasses the whole

merism: a pair of opposites that are all-inclusive

metonymy: the substitution of the name of an attribute or adjunct for that of the thing meant

parenesis: an exhortatory composition

protasis: the clause expressing the condition in a conditional sentence (see also 'apodosis')

synecdoche: a figure of speech in which a part is made to represent the whole, or vice versa

Introductory matters

Deuteronomy as an ancient Near-Eastern vassal treaty

It has long been recognized that the book of Deuteronomy is set up according to the structure of an ancient Near-Eastern suzerain/vassal treaty or covenant.¹ In the ancient Near East, there existed two types or forms of covenant: those governing relationships between *equal* parties and those specifying relationships between *unequal* parties. The second type of covenant was between an overlord (the superior, also called a suzerain) and a vassal (the inferior party). Many of these covenants were between a king and his subjects. Within this form, the suzerain, as the more powerful party, took on most of the responsibility for the stipulations of the covenant. Although the vassal also had some obligations, because of limited capabilities and resources, he was not held accountable to the same extent and degree as the suzerain.

Well over half the suzerain/vassal treaties uncovered through archaeology come from the Hittite Empire of the second millennium B.C. Some covenant documents are extant from the first millennium B.C. from the Hittites, Assyrians, Egyptians and others. But the book of Deuteronomy most closely resembles the second-millennium treaty documents

of the Hittites. I will suggest later that this fact is critical for a proper dating of Deuteronomy.

1. An example of a second-millennium Hittite treaty: Mursilis of Hatti and Duppi-Tessub of Amurru

Mursilis II was a powerful monarch of the Hittites during the last half of the fourteenth century B.C. When he ascended to the throne many states that had been vassals to Hatti were in rebellion. In particular, the powerful kingdom of Arzawa had asserted its independence. Mursilis II responded with military force. 'By a great campaign which lasted two years, and of which we have a very detailed account, Arzawa was completely crushed, its king was slain, and Hittite nominees were installed as rulers of the several kingdoms.'² During his reign, Mursilis II suppressed the revolts in almost all of the affected kingdoms. By the time he died and left the kingship to his successor, he had a firmly established empire surrounded by numerous vassal kingdoms.

One of the vassal kingdoms under full control of the Hittites was Amurru. This relationship is confirmed by the fact that Mursilis II installed a man named Duppi-Tessub as King of Amurru, and he bound that king and his population to him by an oath/treaty.³ A copy of that treaty document has been found, copied and translated.⁴ A comparison with other covenant agreements dating from the second millennium reveals that this oath has many features and elements in common with them. A brief review of these elements will be helpful at this point:

1. The treaty between Mursilis and Duppi-Tessub begins with a *preamble*, and this consists of words that are spoken by the suzerain. It begins: 'These are the words of the Sun Mursilis,

the great king, the king of the Hatti land, the valiant...'⁵ The purpose of a preamble in a covenant document is the identification, or self-identification, of the suzerain, or great king, and it is given in terms that are intended to inspire awe and fear in the vassal.

2. The preamble is followed by *a historical prologue*. This section is a survey of the previous relations of, or history between, the two parties. Mursilis reminds Duppi-Tessub of his vassal status, and that was the same position that his father and grandfather had in relation to the Hittite state. The Hittite king reminds him that his ancestors were loyal, true and enjoyed being under the leadership of the Hittite court.

3. The next feature of the covenant is the largest, and that consists of *the stipulations of the treaty*. These spell out the obligations that each party has under the terms of the oath. On the vassal side, Duppi-Tessub is required to be thoroughly committed to the treaty. Mursilis says in the text, 'So honour the oath [of loyalty] to the king and the king's kin!' In response, Mursilis offers reciprocity: 'And I, the king, will be loyal toward you.' Amurru is to pay tribute to the Hittites, and it consists of '300 shekels of good, refined first-class gold weighed with standard weights'. In return, Mursilis says that he will give Amurru military protection.

4. The next step is *a witness clause*. Here Mursilis calls on the gods to bear witness to the treaty between himself and Duppi-Tessub. He also invokes various parts of nature to testify to the oath: '... 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.'

5. *Sanctions* are then listed. These are the blessings and curses invoked on the vassal depending on whether or not he keeps the covenant. If he is disloyal, Mursilis calls on the gods to destroy everything that is owned by Duppi-Tessub, including his family, house and land. However, if he proves to be true to the oath, then the gods are called upon to protect all that belongs to him. No sanctions are mentioned in relation to the suzerain because it is assumed that he will keep his word.

6. This treaty includes *a statement of display*. This is mentioned in the last paragraph of the document, which states that this oath is inscribed on a tablet. Thus, there exists a tangible confirmation of the covenant that has been made.

7. Other treaties from the second millennium B.C. in our possession from Hatti include other elements not seen in the document concerning Mursilis and Duppi-Tessub. Such things as an oath of obedience on the part of the vassal, a solemn ceremony or covenant ratification ritual and a stated formal procedure against rebellious vassals are common features of these treaties.⁶

The book of Deuteronomy is structured according to a suzerain/vassal treaty of the second millennium B.C. The points of correspondence are obvious:

1. Deuteronomy 1:1-8 is a preamble. It begins with the same words as the Mursilis treaty: 'These are the words...' The section identifies Moses as the speaker of the words of the covenant document, and he is serving as the one who speaks for the suzerain, Yahweh.

2. Deuteronomy 1:9 – 4:43 is a review of the history of the relationship between Yahweh and

Israel from the time of the covenant promises to Abraham until their present position in the plains of Moab.

3. This is followed by the stipulations of the covenant that run from Deuteronomy 4:44 – 26:19. These constitute the longest section of the covenant document, which is a reiteration of the Decalogue from Mount Sinai and a detailed exposition of those laws. It deals primarily with the expectations that the suzerain has regarding the behaviour of the vassal.

4. The sanctions, or blessings and curses of the covenant, then appear. It is clear that if Israel obeys the stipulations of the covenant, then she will be blessed; if not, then she will be cursed. These sanctions are found in Deuteronomy 27:1 – 29:1.

5. A statement of display is found in Deuteronomy 27:1-4. When the Israelites cross the Jordan River into the promised land, then they are to erect a series of large stones, coat them with lime plaster and write on them the words of the covenant document that has been given to them. These are to serve as a symbol and a reminder of the covenant promises and duties.

6. Deuteronomy includes an oath of allegiance on the part of the vassal to the covenant (29:2 – 30:20), although this is not part of the Mursilis treaty.

7. The witnesses to the covenant are defined in Deuteronomy 31:1 – 32:47. There are three of them: the law itself is a witness; Moses and Joshua compose a song that serves as a witness and, finally, Moses calls for heaven and earth to be witnesses to the treaty.

Obviously, the form and structure of the book of Deuteronomy are the same as for the second-

millennium treaty documents of the ancient Near East. They do not look like the covenants of the first millennium B.C. Such parallels may have great force in regard to the question of the dating of the book of Deuteronomy.

The parallel also demonstrates that the book of Deuteronomy is an official document ratifying the formal covenant relationship between Yahweh as King and Israel as vassal. It is recognition of Yahweh as the sovereign King, and it shows him to be in a special relationship with his covenant people.

And, finally, the structure of Deuteronomy as a treaty document reflects a completeness and oneness as a single document. Its form underscores its homogeneity. It is uniformly a covenant document of the second millennium B.C., and it contains no, or very few, discordant elements. In my opinion, its overall form would argue against traditional source criticism which says that many divergent sources, authors and editors came together to create this document over hundreds and hundreds of years.

The form of Deuteronomy as a covenant treaty has determined the chapter divisions of this commentary. In other words, I comment on the text according to the features of a treaty document: for instance, chapter 1 of the commentary is an exposition of Deuteronomy 1:1-8, which is the preamble of the work. Chapter 2 of the commentary expounds Deuteronomy 1:9 – 4:43, which is the historical prologue of the text. And so we move through the text to the end.

The structure of Deuteronomic law

For many decades, scholarship has been almost unanimous in its appraisal of the laws of Deuteronomy. Many commentators see these laws as simply having been thrown together over the course of time; Deuteronomy is a random collection of laws with little rhyme or reason. A. C. Welch comments that nothing 'can be quite so bad as the order in which [the laws] appear in Deuteronomy today'.⁷ The reason that the book is poorly structured is because it is the consequence of many hundreds of years of writing, editing and literary evolution. E. W. Nicholson puts it this way: 'It has been generally agreed that the book of Deuteronomy in its present form is the final outcome of a long literary growth beginning with the so-called *Urdeuteronomium* and developing through successive stages of literary expansion until it assumed its present dimensions. This view is based upon the presence in Deuteronomy of separate and apparently quite independent introductions and conclusions as well as other doublets and repetitions.'⁸ Von Rad echoes these sentiments when he says, 'The account is extraordinarily discontinuous. At frequent intervals the reader comes across interruptions and gaps in the sense. When we consider the form too, we find the style of the speaker changing continually. We must conclude from all this that Deuteronomy and the individual sections of which it is composed must have had an unusually complicated previous history.'⁹

A few recent studies, however, have gone against the mainstream. Some have attempted to demonstrate that the book of Deuteronomy is not a literary mishmash of various laws haphazardly thrown together. On the contrary, Deuteronomy is a highly structured, well-formulated and symmetrical piece of work. In this regard, two works deserve to be mentioned: S. A. Kaufman's 'The Structure of the Deuteronomic Law'¹⁰ and J. H. Walton's 'Deuteronomy: An Exposition of the Spirit of the Law'.¹¹

The basic view is this: the laws of Deuteronomy are an expansion of the Ten Commandments with the intent of demonstrating the application of the Decalogue to the nation of Israel. In other words, the laws of Deuteronomy chapters 6-26 are descriptive laws for the nation of Israel based upon the prescriptive laws of the commandments given at Sinai (Deuteronomy 5). The various laws expounded in chapters 6-26 show the intent of the law by choosing exemplary cases, and these cases highlight the truth and application of the Decalogue. Thus the Ten Commandments stand as the foundational moral principles of Old Testament law, and the other laws are case laws that demonstrate the application of the moral law to Israelite society.

Kaufman believes, and I think he is correct, that the law of Deuteronomy is a highly structured composition arranged according to the order of the Decalogue found in Deuteronomy 5. This arrangement thus serves as a literary device that gives structure to the legal material of Deuteronomy. But that is not all that is here. Whereas Kaufman argues that the arrangement serves a merely literary function, this is not enough.¹² Walton comments, 'An examination of the correlations of the various sections of Deuteronomy with the decalogue suggests, however, that the arrangement served more than a literary function. Rather, by his choice and classification of the legal

material, Moses exemplified the “spirit” behind each of the ten basic laws, the decalogue.¹³

According to this thesis, the laws of Deuteronomy are structured in the following manner:

1. Deuteronomy 4:44 – 5:33

These verses give the setting and the proclamation of the Ten Commandments, that which was written on the stone tablets by Yahweh and given directly to Moses (5:22).

2. Deuteronomy 6:1 – 11:32

Scholars have observed for many centuries that these chapters constitute an expansion of, and a commentary on, the First Commandment of the Decalogue. These chapters convey the idea of God as mankind’s sole authority, and that only he is worthy of mankind’s worship and obedience. This section opens with the great statement of the Shema: ‘Hear, O Israel! Yahweh is our God, Yahweh is one!’ (6:4).

3. Deuteronomy 12:1-31

These verses are a commentary on the Second Commandment of the Decalogue. They call for the eradication of pagan cults and objects of veneration and worship: ‘You shall certainly destroy all the places where the nations, whom you are dispossessing, serve their gods, on the high mountains and on the hills and beneath every fertile tree’ (12:2).

4. Deuteronomy 12:32 – 14:21

The prohibition against taking God’s name in vain is the Third Commandment of the Decalogue. These verses comment on that moral law. The height of

speaking God's name vainly is disclosed in the first five verses of the section, in which false prophets are condemned for employing vain words that God has not revealed to them.

5. Deuteronomy 14:22 – 16:17

The Fourth Commandment is the law of the Sabbath. This section in the Deuteronomic law treats the entire festal calendar of Israel, and it is one that is based on the sabbatic principle.

6. Deuteronomy 16:18 – 18:22

The Fifth Commandment of the Decalogue deals with the specific issue of parental authority. However, it is not limited to parental authority, but it deals with all hierarchical authority structures that God has created. In this section of Deuteronomy, the authoritative positions of judges, kings, priests and prophets are treated in detail.

7. Deuteronomy 19:1 – 22:12

This is a commentary on the Sixth Commandment, which prohibits the killing of one human being by another. It treats the issues of warfare, unintentional homicide, untraceable homicide and the punishments for such crimes.

8. Deuteronomy 22:13 – 23:14

The Seventh Commandment prohibits the act of adultery. But, of course, it is meant to judge all forms of sexual impurity. This section of the law gives regulations concerning adultery and other illicit forms of sexual relations, such as incest.

9. Deuteronomy 23:15 – 24:7

This passage deals with issues of theft and other property violations. All of these are associated with the concept of stealing, and they are included as part of the prohibition against stealing in the Eighth Commandment.

10. Deuteronomy 24:8-16

This passage considers such matters as pledges and vows made to a neighbour. It deals with the idea of keeping one's word. It teaches that it is important to be upright and trustworthy when entering into agreements. As such, it is a commentary on the Ninth Commandment.

11. Deuteronomy 24:17 – 26:19

The Tenth Commandment is a law setting out the fundamental principle that admonishes covetousness. Deuteronomy here expands that idea by restricting any violation against the rights and privileges of others. The rights of others in all matters are to be preserved.

I must confess that not every passage in the law of Deuteronomy fits comfortably and perfectly into this structure. At times, one feels as if one is putting a square peg into a round hole. For example, how the laws of Deuteronomy 21:10-14 fit into the prohibition against murder is hard to see. These are laws treating the issue of women who are captured by Israel during times of war. I will make a suggestion regarding the appropriateness of this text in its context when I comment on the passage. But, in reality, there are only a few exceptions like this one. And these do not take away from the fact that the law of

Deuteronomy is a highly structured and stylized piece of literature.

It is also important to note that the arrangement of the law based on the Decalogue (Deut. 5) and its application (Deut. 6-26) is quite similar to ancient Near-Eastern documents of jurisprudence. Ancient Near-Eastern law documents contain four basic categories: general prohibitions against murder, adultery, theft and false witness. These general laws are then given teeth by the enumeration of various exemplary laws that demonstrate the application to society of the general prohibitions. In this regard, Deuteronomy fits well with ancient Near-Eastern legal practices; it does not fit well with later (e.g., post-exilic) periods in which such documents were not written.

In conclusion, Walton says, 'Based on this preliminary study, it is suggested that a working hypothesis may be established that views the deuteronomic law (chaps. 6-26) as an expansion of the decalogue with the intent of addressing the spirit of the law. That is, the decalogue has implications concerning conduct that far transcend the limited number of issues that it addresses directly. The author is accomplishing this task by choosing exemplary cases that are intended to highlight the attitudes implied by the initial commandment.'¹⁴ I wholly concur with these sentiments.

The concept of law in the ancient Near East

It may be obvious, but must not be left unsaid, that the Mosaic legislation is not the earliest law code in the ancient Near East. In Mesopotamia, for instance, there are law codes that antedate the Pentateuch by centuries. There are, indeed, some attributes that set apart the Mosaic legislation, but its early dating is not one of them. The best-known law document is the Code of Hammurabi, who was king during the Old Babylonian dynasty (c. 1728-1686 B.C.). That code pre-dates the Mosaic regulations by at least 300 years. Yet there are legal codes in Mesopotamia that are even earlier than the Code of Hammurabi: for example, the Lipit-Ishtar Law Code (from the first half of the nineteenth century B.C.) and the Laws of Eshnunna (at the turn of the nineteenth century B.C.). To view these two texts in translation, the reader should consult the commonly available books.¹⁵

Some authors argue that the Mosaic legislation owes much of its form and content to the earlier Mesopotamian law codes. In this introductory section, we shall test briefly this latter assumption or hypothesis. In this regard we need to consider the Code of Hammurabi because it is the most developed of the early law codes, and then we shall compare its composition, structure and content to the Mosaic legislation. Such a study can provide some important insights into the biblical text of Deuteronomy.

History of the Code of Hammurabi

This legal code was a series of royal decisions, duly recorded and collected together to be used as a reference by judges of future generations. It probably reflects the common law of Mesopotamia for centuries. Yet it was most likely merely an ideal law — that is, there is no evidence from contemporary legal documents that these laws were carried out to their full extent or degree. Thomas puts it this way: ‘One extraordinary fact is that, great as was his prestige as a ruler and his achievement in formulating the laws, the Code seems to have remained merely an ideal lacking practical application. There is no evidence in the contemporary legal documents that the provisions of the Hammurabi Code were ever carried out, and to all intents and purposes it might not have existed for them.’¹⁶

Hammurabi ordered that copies of the code should be carved on steles and placed at various locations throughout the land, in particular, in temple complexes. One of these was discovered at Susa at the beginning of the twentieth century; it evidently was used as a boundary stone or marker. Various fragments of the code have been found elsewhere in Mesopotamia. And these pieces are not only widespread, but they are spread over a long period of time: they date anywhere from the eighteenth century to the sixth century B.C. That, of course, reflects a widely distributed and long-lasting impact on the legislation of the history of Babylonia.

The stele from Susa is approximately eight feet (or just under two and a half metres) high. At the top of the stone is a carved scene of Hammurabi receiving a ring and a sceptre from Shamash, who is both the sun-god and the god of justice. Some believe that Shamash is giving the laws to Hammurabi, but that is probably not the case. It appears from the carving

that Shamash is merely commissioning Hammurabi to compose a law book. The text itself confirms the authorship of the code as belonging to Hammurabi: he calls the code ‘the laws of justice, which Hammurabi, the efficient king, set up, and by which he caused the land to take the right way and have good government’ (opening lines of epilogue).

The remainder of the stele is inscribed with the law code in three parts. It is written from top to bottom.

1. Prologue

This opening section explains the various purposes of the law. They are relatively humanistic and humanitarian, and they form a legal document that is primarily concerned with the operation of human society. The text says:

Me, Hammurabi, the devout, god-fearing prince,
to cause justice to prevail in the land,
to destroy the wicked and the evil,
that the strong might not oppress the weak ...

The remainder of the prologue focuses on the greatness and the great deeds of Hammurabi.

2. Laws

The bulk of the document provides 282 laws that treat a myriad of issues affecting society. These include general areas of crime, trade, marriage, family, property rights, wages, slavery and various other legal matters.

3. Epilogue

Again, the greatness of Hammurabi is spelled out in great detail. In addition, we read of sanctions — that is, divine punishments for anyone who defaces the monument containing the Code, or who alters ‘the laws of justice, which Hammurabi, the efficient king, set up...’

A brief comparison with the Mosaic legislation

This comparison between the Code of Hammurabi and the Pentateuch has been an area of study and reflection for a long time in biblical studies. There is no evidence that has surfaced from all of these works that would indicate that the Hebrews directly borrowed material, in any way, shape, or form, from the Code of Hammurabi. Yes, there are some similarities, as we shall see below, but ‘The explanation of the similarities is obvious: the limitation in the variety of crimes and in the possible forms of punishment. How much both owed to a *jus gentium* [i.e. “law of nations”] would be hard to determine. But perhaps both owe more to a *jus naturale* [i.e., “natural law”].’¹⁷

At this point I would like to deal with some of the obvious parallels that exist between the two codes. They deal with many of the same issues, and often they provide the same punishments for the same crimes. For example:

Law number 14 of the Code of Hammurabi says, ‘If a seignior has stolen the young son of a[nother] seignior, he shall be put to death.’

Exodus 21:16 says, ‘And the one who steals a man and sells him, or he is found in his hand, he shall certainly be put to death.’

For both codes, the crime of kidnapping deserves capital punishment. The only difference here is that the Code of Hammurabi prescribes the punishment for the perpetrator if the victim is the son of an aristocrat. The Bible makes no such distinction.

Law number 129 says, 'If the wife of a seignior has been caught while lying with another man, they shall bind them and throw them into the water. If the husband of the woman wishes to spare his wife, then the king in turn may spare his subject.'

Deuteronomy 22:22 says, 'If a man is found lying with the wife of another man, then they shall die: the man who lay with the woman and the woman. Thus, you shall purge the evil from Israel.'

In both societies the ultimate punishment required for the crime of adultery is death.

The principle of *lex talionis* ('the law of retaliation') is as foundational to the Code of Hammurabi as it is to the Mosaic legislation. *Lex talionis* is based on the principle that the punishment for the crime is found within the crime itself. It is a law of equivalency. The Bible puts it this way: 'But if there is harm, you shall give life for life, eye for eye, tooth for tooth, hand for hand, foot for foot, burn for burn, wound for wound, blow for blow' (Exod. 21:23-25). The law of retaliation is seen in the Code of Hammurabi in the following passage, for instance:

'If a son has struck his father, they shall cut off his hand' (Law no. 195).

'If a seignior has destroyed the eye of a member of the aristocracy, they shall destroy his eye' (Law no. 196).

‘If he has broken a[nother] seignior’s bone, they shall break his bone’ (Law no. 197).

Yet, even here, where the basic principle of the law — namely, *lex talionis* — does not differ as far as the letter is concerned, they nevertheless differ in spirit. In particular, the Babylonians had great regard for the status of the litigants, but that separation is rarely found in Hebrew law.

Some of the differences between the two codes are obvious from what has already been said. However, I would like briefly to point out a few more that are very important.

First, there is a decidedly inferior valuation on human life in the Mesopotamian Code in comparison to the Mosaic legislation. For example:

Laws numbers 6 and 22 say, ‘If a seignior stole the property of church or state, that seignior shall be put to death; also the one who received the stolen goods from his hand shall be put to death,’ and ‘If a seignior committed robbery and has been caught, that seignior shall be put to death.’

Exodus 22:1 says, ‘If a man steals an ox or a sheep, and he butchers it or sells it, he shall remit five oxen in place of the ox and four sheep in place of the sheep.’

In this instance of stealing, the Code of Hammurabi opts for capital punishment for theft, whereas the Bible holds to a saner position of restitution as over against retaliation.

It is clear from the Hammurabi legislation that the treatment of slaves was harsh and that emancipation was a rare thing (see, in particular, Laws nos. 280-282). That is not so in Israelite law (see Exod. 21:2-6; Deut. 15:12).

The Mosaic legislation also stresses the care of the poor, the widow, the orphan and the sojourner. These matters of welfare are not addressed in the Mesopotamian Code.

And, finally, there is a notable lack of treatment of ethical and spiritual matters in the Code of Hammurabi. It represents an extreme form of humanism. It is obvious that the Hebrew law system, on the other hand, is rooted in Yahweh, and that is confirmed by the fact that he gave it to them.

1. Preamble

(Deuteronomy 1:1-8)

Kline states that ‘Ancient suzerainty treaties began with a preamble in which the speaker, the one who was declaring his lordship and demanding the vassal’s allegiance, identified himself.’¹ The preamble of Deuteronomy identifies Moses as the speaker of the words of the covenant (1:1). He is the covenant mediator, and the words he speaks are the words of the sovereign Suzerain (1:3); as prophet of Yahweh (18:15), he is understood to be the one who pronounces the very words of God.

1:1-2. These are the words which Moses spoke to all Israel across the Jordan in the wilderness, in the Arabah opposite Suph between Paran and Tophel and Laban and Hazereth and Di-Zahab. It is eleven days from Horeb by the way of Mount Seir to Kadesh-barnea.

In the Masoretic Text the initial clause, ‘**These are the words**’, serves as the superscription or title of the book. And it also points to the nature of the document: the book of Deuteronomy records the words of Moses — he is the narrator of this document. The recipient of the narration is ‘**all Israel**’, and this is a common expression in Deuteronomy to describe the people in covenant (5:1; 31:30; 32:45).

These two verses not only define speaker and audience, but they provide the setting of the giving of

Deuteronomy in its historical and geographical contexts. Time and place are thus specified. First, this second giving of the law occurs in Transjordan in the land of Moab.² The specific locations of the sites listed are uncertain. The Jewish *Targum Onkelos* attempted to reconstruct history by translating and interpreting the site names in the following way: 'opposite Yam Suf in Paran where they slandered the manna, and in Hazeroth where they angered [God] concerning the meat and because they served the golden calf'. The place name Tophel is interpreted to mean 'slander', Laban as 'white' (a reference to the manna) and Di-Zahab as 'sufficiency of gold' (i.e. the golden calf). This understanding appears to be fanciful. The Septuagint is no more lucid than the Masoretic Text regarding specific locales.

Verse 2 is a time designation. The people have left Horeb (= Sinai) and the episode of unfaithfulness has already occurred at Kadesh-barnea (Num. 13). Thus the Israelites are at the end of the wilderness wanderings and they are poised to cross the Jordan River and to capture the promised land.

The eleven-day march from Horeb to Kadesh-barnea does not seem to fit with the itinerary of Numbers 33:16-36, which lists at least twenty campsites between the two places. One possibility is that the Hebrews doubled back after having initially arrived at Kadesh-barnea in eleven days. 'Such a suggestion need cause no surprise, since the Bible tells us of at least two distinct occasions (Num. 13:26 and 20:1) that the Israelites arrived at Kadesh-barnea during their 40 years of wandering and yet this name appears only once in Numbers 33.'³

1:3-4. And it came to pass in the fortieth year, on the first day of the eleventh month, that Moses spoke to the sons of Israel according to all that Yahweh had commanded him [to say] to them, after he had punished Sihon, the King of the Amorites

who was dwelling in Heshbon, and Og, the King of Bashan who was dwelling in Ashtoroth at Edrei.

The opening verse here provides the precise date of Moses' address to the people of Israel recorded in the book of Deuteronomy. It is the only exact date given in the book. His speech occurs near the close of the fortieth year — that is, at the very end of the wilderness wanderings. It is taking place just prior to Israel's conquest of the promised land.

The second verse provides a time designation in relation to recent events. The term **'after'** is a temporal particle that gives a *terminus post quem*, or earliest possible date, for Moses' address; in other words, his speeches recorded in Deuteronomy do not precede the events specified. The defeat of Sihon and Og is described in Numbers 21:21-35. All four geographical locations mentioned lay in Transjordan (i.e., east of the Jordan River). The Hebrews have generally secured this area and now they stand ready to invade and conquer Canaan. Perhaps these conquests of Sihon and Og are purposefully cited as precursors; in other words, they anticipate what is coming.

1:5-8. Across the Jordan in the land of Moab, Moses resolved to expound this law, saying, 'Yahweh our God spoke to us at Horeb, saying, "You have dwelt too long at this mountain. Turn and set out and enter the hill country of the Amorites and into all [the land of] their neighbours in the Arabah, in the hill country, and in the Shephelah, and in the Negev, and in the coast of the sea, the land of the Canaanites, and the Lebanon as far as the great river, the Euphrates River. See, I have set the land before you. Enter and possess the land that Yahweh swore to your fathers, to Abraham, to Isaac and to Jacob, to give [it] to them and their seed after them.'"

Here begins the first speech of Moses (1:5 – 4:40). Moses' purpose is to begin **'to expound'** upon the law. That Hebrew verb means to make something distinct, plain and clear.⁴ It is used in Habakkuk 2:2 of writing on tablets that may easily be read by a person who is running past them. The verb is later employed in Deuteronomy of God's command for Israel to write the law on standing stones 'very distinctly' (27:8). Moses is, therefore, not merely rehashing the laws of Sinai, but he is giving an exposition of them. That method plays out through the whole book as a law is stated and then an explanation of it is given, often accompanied by an example.

Moses begins his speech with the expression, **'Yahweh our God'**. This title is common in the book of Deuteronomy, but rare in the rest of the Pentateuch. God's covenant name is used here with a plural personal pronoun in order to underscore the close, personal relationship between God and his people. It is Yahweh's law that Moses is expounding (1:3).

The covenant mediator then explains that Israel's movement from Sinai to the brink of conquest has all been by the commands of God. Now they are to go into the land and take possession of it. The description of the land is comprehensive in scope — it includes all major regions in Syria and Palestine. But before they conquer it they are told to **'see'** it — that verb in Hebrew is a singular imperative, which is used to reflect the covenantal oneness of the people of God (cf. 1:21). In the ancient Near East, the legal transference of land was often concluded by means of presenting it in the sight of the new owner.⁵ One ancient text relates a Hittite king saying to a vassal: 'See, I gave you the Zippashla mountain land; occupy it.'⁶

Application

In the present passage, Moses reminds Israel of their having been forged into a covenanted people at Mount Sinai. They are to understand that that event was due to the elective will of God. And they are further to recall that God has been leading them and guiding them to the promised land. These events are all unfolding according to the plan and decree of God. It is important that Israel remember these things because they define who Israel is as a people. The very nature and being of Israel are rooted in their call and election by Yahweh.

The same is true for the church. Believers are summoned to remember the work that God has done that defines who we are and where we are going. Paul reminds the church of these things in many passages, such as in Ephesians 1:3-6, where he says, 'Blessed be the God and Father of our Lord Jesus Christ, who has blessed us with every spiritual blessing in the heavenly places in Christ, just as he chose us in him before the foundation of the world, that we would be holy and blameless before him. In love he predestined us to adoption as sons through Jesus Christ to himself, according to the kind intention of his will, to the praise of the glory of his grace, which he freely bestowed on us in the Beloved.' Let us not forget the work of God through Christ that has brought believers from death to life.

2. Historical prologue

(Deuteronomy 1:9 – 4:43)

The appointment of officials

(Deuteronomy 1:9-18)

In ancient Near-Eastern treaties between two leaders, or between a suzerain and a vassal, the preamble is immediately followed by a section that surveys the history of the relationship between the two parties of the covenant. For example, a covenant between Ramses II of Egypt and Hattusilis of Hatti opens with a preamble and then spells out in detail the former relations between the two kings and their countries.¹ The purpose of the historical review is to establish historical justification for a continuing covenantal arrangement between the two parties. Especially in a suzerain/vassal treaty, the benefits of the covenant to the vassal are often highlighted in order to evoke a sense of gratitude from him. 'All these formal features characterize Deuteronomy 1:6 – 4:49.'²

Here, just before the Israelites enter the promised land, Moses reminds them of the official appointments he has made for the authority structure of the people. He is generally referring to the episodes recorded in Exodus 18 and Numbers 11. It is likely that he is reviewing these incidents here in order to direct Israel that they must implement and continue

this authority structure in the land. These officials are to be part of Israel's daily life and existence.

1:9-12. 'And I spoke to you at that time, saying, "I am not able to bear the burden of you by myself. Yahweh your God has multiplied you and, behold, you are today as numerous as the stars of heaven. May Yahweh, the God of your fathers, increase you a thousand times and may he bless you as he spoke to you. How can I alone bear your burden and your load and your strife? ..."'

In his review of the history of the relationship between Yahweh and Israel, Moses first describes how Yahweh has increased Israel's numbers so that they are '**as numerous as the stars of heaven**'. This is a proverbial saying (the technical name is paroemia) that was first found in the covenant promises to Abraham in the book of Genesis (Gen. 15:5; 22:17; 26:4). Moses' use of the proverb indicates that the promise of Yahweh to Abraham is in the process of coming to pass in the multiplication of the people of Israel. Moses uses the proverb as foundational for a future blessing. The latter takes the form of his desire that Yahweh should multiply Israel a thousand times more.

Problems of organization naturally arise with the increase in numbers of people. At Sinai, Moses alone was not able to lead Israel and to deal with all the issues of such a vast number of people. Verse 12 highlights that point as it begins with the exclamatory question, '**How?**' This entire scene is referring to the incidents of Exodus 18 and Numbers 11, in which Moses appoints leaders in order to deal with the problem.

1:13-15. "... Choose for yourselves wise and discreet and knowledgeable men from your tribes and I will set them as your leaders." And you answered me and you said, "The

thing is good that you have said to do.” So I took the leaders of your tribes, wise and knowledgeable men, and I made them heads over you, officials of thousands and officials of hundreds and officials of fifties and officials of tens and officers for your tribes.’

Moses now recounts the process for selecting leaders for Israel. First, he directs the people to participate in the process — the part the people play in this incident is not mentioned in either Exodus 18 or Numbers 11. The people are to nominate leaders who have high qualities of character. The stress here is on wisdom, discernment, experience and knowledge. The emphasis in Exodus 18:21 is primarily on the moral virtue of the leaders: they are to be ‘men of truth’ and they are to hate ‘dishonest gain’.³ The qualifications set out in the two texts, although different, are not antithetical — rather, they complement one another and they are all qualities that mark a person of upright and sterling character.

Moses then appoints the elected leaders to positions of authority in Israel. Various kinds of authority are involved. The appointments are clearly of a military nature: the separation of the people into divisions according to numbers is a military enrolment.⁴ But these are also civil functionaries, as is confirmed by the duties enumerated in the subsequent verses (1:16-18).

1:16-18. ‘And I commanded your judges at that time, saying, “Hear [the disputes] between your brothers and judge righteously between a man and his brother or the sojourner with him. You shall not show partiality in judgement. You shall listen likewise to the small and to the great. You shall not be afraid of men because the judgement belongs to God. And the matter that is too difficult for you, you will bring to me and I will hear it.” So I commanded you at that time all the things that you ought to do.’

Some of the elected officials serve as **'judges'** in Israel. The judge has both military and civic duties, as is clear from the use of that term in the book of Judges. In the present text, Moses' commands to the judges concentrate on the judicial sphere of their duties as leaders in Israel. Moses begins with the infinitive absolute, **'Hear'** — it is used here as an imperative form indicating a legislative command.⁵ The judges are to listen to cases between **'brothers'**; this latter term refers to fellow Israelites.⁶ Then they are to judge fairly the cases brought before them.

The **'sojourner'** is included as one who is to be given a fair hearing. Throughout Deuteronomy, the alien, who is a non-Israelite living in Israel, receives legal protection. The reason for his inclusion is pointedly stated: 'So show your love for the alien, for you were aliens in the land of Egypt' (10:19). Israel is not to treat sojourners the way that Egypt had dealt with the Israelites — that is, they are not to enslave them and abuse them.

In legal cases, the judges are not to **'show partiality'**. The Hebrew literally says that the judges are not to 'recognize a face' in judgement. No social status is to have any bearing in a legal hearing. Justice must be even-handed. Normally we understand this to mean that a judge should not be partial to the rich and famous. While that is true, the Judaic text *Sifre* points out something else: 'You should not say: This is a poor man and his fellow [opponent] is rich, and is in any case bidden to support him; I will find in favour of the poor man, and he will consequently obtain some support in a respectable fashion.'⁷ Thus, judges are not to address apparent social inequities by pronouncing unfair and unjust verdicts.

Judges are not to fear men because they have been appointed to their positions and the law they are to uphold derives from God. God is the ultimate Judge, and so the earthly judges serve him first and

foremost. Rashi comments, 'You shall not hold back your words because of any man.'⁸

Application

The inclusion of a historical prologue in the covenant document underscores the fact that the people of God ought to have a sense of history. God is a God of history, and the Scriptures are clear that its recorded events took place in a historical context. This thought may appear simple, but it is not when one considers the day and age in which we live. Modern mankind's sense of history is appalling. As one historian put it, for many people today any sense of history does not precede breakfast! That, of course, is an exaggeration; yet, in a postmodern age, history is seen as having little meaning or significance.

The apostle Paul was well aware of the importance of our understanding that the events recorded in the Bible actually took place in history. He said about those who were claiming that there is no resurrection from the dead, 'But if there is no resurrection of the dead, not even Christ has been raised; and if Christ has not been raised then our preaching is vain, your faith also is vain. Moreover we are even found to be false witnesses of God, because we testified against God that he raised Christ, whom he did not raise, if in fact the dead are not raised. For if the dead are not raised, not even Christ has been raised; and if Christ has not been raised, your faith is worthless; you are still in your sins' (1 Cor. 15:13-17). Thus, the very faith and deliverance upon which the Christian life stands are based on the historical truth of the event of the resurrection of Christ. Apart from it there is no Christian life. And when a believer sees what God has done in history for the people of God, then there should flow great gratitude and thankfulness to God.

The spies and their report (Deuteronomy 1:19-33)

The next event that Moses considers is the journey of the Israelites from Mount Sinai to Kadesh-barnea. He goes on to describe how, once the people had arrived there, men were chosen to explore the land of Canaan. He then tells of the report that the spies brought back to the people from the land. It is all reported in a very positive light. The negative aspect of the account begins with the response of the people to the report of the scouts. The people proved to be unfaithful to the Lord.

1:19. 'Then we set out from Horeb and we went through all that great and awesome wilderness which you saw on the way to the highlands of the Amorites, just as Yahweh our God commanded us. Then we arrived at Kadesh-barnea.'

Here begins a lengthy section (1:19-46) that adds detail to the general statement made in verse 2 of the preamble. This passage recalls Israel's wilderness experience. The present verse briefly describes the travel of the Hebrews from Mount Sinai (Horeb) to Kadesh-barnea. It appears to have been a gruelling trip. Moses explains that the region they went through is **'awesome'** — that term in Hebrew derives from the verb 'to fear' and, thus, it can be used in the sense of something that is terrifying and dreadful.⁹ Deuteronomy 8:15 provides further information about the nature of the land when Moses says, 'He

led you through the great and awesome wilderness, with its fiery serpents and scorpions and thirsty ground where there was no water.’ Indeed, they traversed the desert of et-Tin in only eleven days (1:2), a distance of over 100 miles (160 km.).¹⁰ Certainly the reason that Moses mentions the difficult conditions is to remind the Israelites of God’s faithfulness in providing for them during the journey.¹¹

The Hebrews arrive at Kadesh-barnea. It lies in the ‘wilderness of Zin’ in the northern Sinai Desert (Num. 33:36). The precise location of the site is disputed, although various suggestions have been made. Numerous excavations in the region have not solved the problem of identification.¹²

1:20-21. ‘And I said to you, “You have come to the hill-country of the Amorites which Yahweh our God is giving to us. See, Yahweh your God has set before you the land. Go up, possess [it], as Yahweh the God of your fathers told you. Do not fear and do not be dismayed.”’

Moses now addresses the Hebrews directly. He explains that Israel’s journey is just about concluded; they are standing near the hill-country of the Amorites (1:7), and they need only to go in and capture it. In verse 20, the verb ‘to give’ is in a participial form that reflects a present tense: God is in the process of **‘giving’** Israel the land. Yet, in verse 21 that same verb is used (the phrase translated here **‘has set before you’** is literally ‘has given you’) in the past tense. Although Israel has not yet taken possession of the land, the reality is that it is a *fait accompli*; their tenure of it is an established fact. How can that be? It is certain because God has promised the land to the patriarchs and to the Hebrews (Exod. 3:8,17). What God promises comes to pass!

Oddly, there occurs a change from the second-person plural **‘you’** in verse 20 to the second-person

singular **'you'** in verse 21. Such an abrupt shift is called *numeruswechsel* by grammarians. The purpose of the sudden change is unknown, although many suggestions have been made. Some authors argue that it indicates that verse 21 is an addition to the original text.¹³ Others submit that it is for the rhythm, so that the text can be learned more easily.¹⁴ Perhaps the shift is simply a question of literary licence. It may be to stimulate the listeners' attention. It is difficult to know the answer.¹⁵

Moses then commands the Israelites to capture the promised land. He employs a double imperative without a conjunction: **'Go up, possess!'** That construction seems to underscore the sense of urgency and haste that Israel ought to have in taking possession of the land.

Finally, Moses orders the people not to fear or **'be dismayed'** when they enter the land to take it. The usual meaning of the Hebrew verb in the second of these expressions is that something is 'shattered'.¹⁶ *Targum Onkelos* and the *Genesis Apocryphon* both translate the word as 'broken', in the sense of being defeated. Fitzmyer, commenting on the *Genesis Apocryphon*, says, 'The expression undoubtedly refers to the scattering of troops.'¹⁷ Thus, the idea of our present text may be that Moses is ordering the Israelites not to be defeated or to lose heart in the looming battles.

1:22-23. 'Then all of you drew near to me, and you said, "Let us send men before us that they might explore the land for us and that they might return a report to us regarding the way in which we should enter." And the thing was good in my eyes. So I took twelve men from you, one man from each tribe.'

Moses reviews the occasion recorded in Numbers 13:1-20, when men were chosen to reconnoitre the

land before invasion. In Numbers the spies were sent out according to the command of Yahweh (Num. 13:1-2) whereas in the present account the idea appears to have been that of the Hebrew people. This apparent contradiction can easily be resolved by seeing that the Israelites put forward a plan that was subsequently sanctioned and ordered by Yahweh. Craigie comments that ‘... perhaps ... though the plan was initiated by the people, Moses first consulted with the Lord and received divine approval and injunction.’¹⁸

Some commentators argue that this plan reflects fear and a lack of faith on the part of Israel. In other words, they lacked confidence in God that he would lead them to victory; they simply lacked resolve. Christensen, for example, concludes, ‘Here the people initiate the action, which becomes part of their sin.’¹⁹ The translators of the NEB concur by translating the conjunction at the beginning of verse 22 as ‘but’ rather than **‘then’**; that wording helps to heighten the sense of a defiant attitude on Israel’s part.

On the other hand, reconnaissance is a common and prudent military practice (Judg. 18:7-10). And the text itself makes no negative judgement on the activity. Indeed, the request seems to have been a good one and the action to have been warranted — Moses approves of it and Yahweh sanctions it! Therefore, it is likely that the sin was not in the request but rather in the later response of the people to the report brought back by the spies (see 1:26-28).

1:24-25. ‘And they turned and they went up to the hill country. And they came to the Wadi of Eshcol and they spied it out. And they took in their hand some of the fruit of the land, and they brought it down to us. Then they reported to us. And they said, “The land is good that Yahweh our God is giving to us.”’

The twelve scouts leave Israel to reconnoitre the land. According to Numbers 13:21, these men explored the entire land of Canaan. In the present text Moses singles out the Wadi of Eshcol because of the momentous events that occurred there during the spy mission: it was there the scouts gathered grapes from the land and they also saw giants in the vicinity (Num. 13:22-23).

The specific area Moses mentions is the Wadi of Eshcol. A wadi is a seasonal stream. The precise location of this one is uncertain. It lies somewhere in what would later become southern Judah near the city of Hebron (Num. 13:22). The term '**Eshcol**' literally means in Hebrew 'clusters of ripened grapes'.²⁰ According to Numbers 13:24, it received this name because of the grapes the men brought back from there.

The spies provide a positive report, and they bring samples of the produce of the land. They call the area a '**good**' land, signifying that it is fertile and rich in produce. This is evidence that God's word is true; he is bringing them into a land flowing with milk and honey.

1:26-28. 'But you did not want to go up, and you rebelled against the voice of Yahweh your God. And you murmured in your tents, and you said, "Because Yahweh hates us, he brought us out of the land of Egypt to give us into the hand of the Amorites to exterminate us. Where can we go up? Our brothers melted our hearts, saying, 'The people are greater and taller than we; the cities are great and fortified into the heavens. And, also, we saw the sons of the Anakim there.'"

When the Israelites hear the detailed report of the spies (see Num. 13), they lose heart, are defiant and have no intention of going into the land.²¹ According to the account in Numbers, even most of the spies were disheartened because of the size of the inhabitants

and their cities (Num. 13:28-29). The Hebrews do not hold a public protest, however, but they murmur and grumble secretly inside their tents. Here they blame God for their present circumstances, and they accuse him of acting in the exact opposite way to what he had promised. In general, they are saying that because God hates them he had no intention of ever giving them the land of Canaan. It was all a ruse. This is seditious, rebellious and false language: Yahweh truly loves his people and will give them the promised land (see 7:8-16). The escape from Egypt is God's great act of deliverance in the Old Testament, and the people make it out to be an act of extermination!

The hyperbole used by the people — giants and cities with walls reaching to the heavens — echoes that of the spies in their report (Num. 13:28,32-33). Late Bronze Age Canaanite cities were fairly large and they were built on tells. A tell is 'a mound consisting of debris from cities built on top of one another on the same site'.²² Thus, they appear to have reached to quite a height, but certainly not to the very gates of heaven!

The **'sons of the Anakim'** were a people of gigantic stature (Num. 13:33; Deut. 2:10,21; 9:2) who were part of the population of ancient Canaan. According to Wright, their name appears in the Egyptian execration texts of the second millennium B.C.²³ They are also mentioned in the accounts of the conquest of the land (Josh. 11:21; 14:15), and they resided principally in the area of Hebron.

1:29-31. 'But I said to you, "Do not tremble and do not fear before them. Yahweh your God is going before you. He will fight for you, just as he did for you in Egypt before your eyes, and in the wilderness where you saw Yahweh your God carry you, as a man carries his son, all the way which you have gone until you came to this place."'

The Israelites have lost heart, and they do not want to invade the land of Canaan. Moses responds by encouraging them and assuring them. He tries to convince them that because God is on their side they are invincible. Moses argues from past history: ‘God has fought for you in Egypt and in the wilderness, and he has been victorious. How can you expect anything less in the present situation?’

God is a warrior, and he will fight for Israel. He has proved this in the past. At the Red Sea, Moses had proclaimed, ‘Yahweh will wage war for you, and you shall be quiet’ (Exod. 14:14). After God’s deliverance, Moses sang, ‘Yahweh is a man of war, Yahweh is his name’ (Exod. 15:3).

Yahweh acts this way because he is like a father to his son Israel. Israel is his firstborn child (Exod. 4:22), and God loves his son.²⁴ This use of the terminology of family relationships is reminiscent of the language of suzerain/vassal covenants;²⁵ similar language was used in ancient Near-Eastern covenants to demonstrate the covenantal love, fidelity and faithfulness that were essential to the treaty. The suzerain is compared to a father who cares for his child, and the vassal is like a son who obeys his parent. Yahweh has kept his side of the pact.

1:32-33. ‘But in regard to this matter you are not trusting in Yahweh your God, the one who goes before you on the way to search out a place for you to camp, in fire by night to show you the way you should go, and in a cloud by day.’

The phrase, ‘**But in regard to this matter**’, refers to Moses’ immediately preceding statements about God’s care for his people in Egypt and in the desert. Thus, despite the recent history and despite the appeal of Moses, the people ‘**are not trusting**’ Yahweh. Verse 32 is a strong statement of unbelief. And it applies not only to the generation in the wilderness, but also to

those very Israelites whom Moses is now addressing in the plains of Moab. To the point, the verb **'trusting'** is a participial form that reflects a present tense and application: Moses is confronting the people in Moab regarding their unbelief.

Moses is incredulous about Israel's lack of trust and belief in Yahweh. How can they act that way when Yahweh himself has been leading them? First, he has gone before them to search out places for them to camp.²⁶ This probably refers to Numbers 10:33, in which the ark of the covenant of Yahweh journeyed in front of Israel 'to seek out a resting place for them'. The use of the verb **'search out'** may also be ironic: that same verb is used in Numbers 13 – 14 of the spies exploring the land.²⁷ In reality, it is Yahweh who truly goes before his people and prepares their way.

The Israelites have also had evidence of the presence and work of God in the form of theophanies. He has led Israel all these years in the desert in a pillar of fire at night and in a cloud during the day. Normally in the Pentateuch, the cloud is mentioned before the fire (Exod. 13:21-22; Num. 14:14). Tigay comments, 'Perhaps Moses inverts the order because this incident took place at night (Num. 14:1) and the people could see the fire as he spoke.'²⁸ Even with God's presence in theophanic form, the people are hardened in their unbelief!

Application

The Israelites at Kadesh-barnea had experienced God's providential care when he brought them out of Egypt and led them safely through the wilderness. They had much evidence that all of it was God's work: he guided them through all these hostile places in theophanic form, as a pillar of fire by night and a glory cloud by day. Yet, at Kadesh-barnea, the Hebrews did not trust

or believe him when he said that he would care for them as they entered the promised land.

Moses' immediate audience is the Hebrew people as they stand in Moab ready to cross into the promised land. The message to them is that they should not falter and waver, as the previous generation did at Kadesh-barnea. The issue is the same in both incidents: will they trust in Yahweh to do what he promised? Will they believe in, and depend on, Yahweh or not?

These are questions for the church of all ages. When we are faced with difficult issues, such as severe persecution, how will we respond? As Krummacher says, 'Unbelief is the occasion of all sin, and the very bond of iniquity. It does nothing but darken and destroy. It makes the world a moral desert, where no divine footsteps are heard, where no angels ascend and descend, where no living hand adorns the fields, feeds the fowls of heaven or regulates events. Thus it makes nature, the garden of God, a mere automaton, and the history of Providence a fortuitous succession of events: a man, a creature of accidents, and prayer a useless ceremony. It annihilates even the vestiges of heaven that still remain upon the earth, and stops the way to every higher region.' When we face peril, or any apparently adverse circumstance, we need to be reminded of God's past work that demonstrates that he is providentially caring for us — and then we need to believe and trust in him!

Yahweh responds to rebellion (Deuteronomy 1:34-46)

Moses continues to review the dreadful incident at Kadesh-barnea in which Israel refuses to obey the Word of God and invade the hill-country of the Amorites. Because of their unwillingness to obey the command of God, the Lord determines that the present generation of Israelites will not be allowed to take possession of the promised land. That privilege will instead be given to the next generation (whom Moses is now addressing). The current generation is ordered to go back into the wilderness — but in a further act of rebellion, they refuse to do even that!

1:34-36. 'And Yahweh heard the sound of your words. And he was irate, and he swore, saying, "Not a man among these men of this evil generation shall see the good land which I swore to give to their fathers; except Caleb, the son of Jephunneh, he will see it. And I will give to him and his sons the land which he walked on, because he fully followed after Yahweh."

Yahweh responds to the Israelites' unbelief in judgement. The people had grumbled against God's redemptive work (1:27), and now God answers with an oath. The divine vow begins with a strong negative in Hebrew.²⁹ Thus the general principle of the oath is stated: **'Not a man'** of the Sinai generation will live to see or enter the promised land. This vow is in keeping with the punishments previously pronounced on

the Israelites if they refuse to obey God when they are in the promised land (Lev. 26:14-39). If they decry God when they are living in the land, they will be ousted from it. The Sinai generation is never even allowed to go into the land because of unbelief.

There is one stated exception to the general punishment: Caleb will enter the land because he was faithful (Num. 14:24). The Hebrew term used here for **'because'** has an oracular function and is one that is used either by God himself or by one of his covenant representatives.³⁰ This is, in other words, a divine promise — and it comes to pass as Caleb later enters the land and settles in the vicinity of Hebron (Josh. 15:13).

1:37-38. 'Yahweh was also angry with me on your account, saying, "You also will not enter there. Joshua, the son of Nun, who is standing before you, he will enter there. Strengthen him, because he will cause Israel to take possession of it."'

Moses is also included among those who are barred from entering the promised land. The construction of the opening sentence in Hebrew reflects the fact of God's wrath being directed against Moses. It literally reads: 'Also with me Yahweh was angry!' The *Targum Onkelos*³¹ renders the passage as 'Also there was anger from before the Lord with me...'³² This passive translation attempts to play down the idea of God's anger against Moses. But that interpretation is not right: God was so angry with Moses that he excluded him from entering Canaan.

According to Numbers 20:8-13, the reason that Moses was not allowed to enter the land was because of his unbelief and arrogance (v. 12). Instead of speaking to the rock as God had commanded him, he, out of anger, struck the rock twice with his rod! In our present text, Moses apparently puts the blame for his

exclusion on the Hebrews, saying it was **‘on your account’**. Who, then, was responsible for Moses’ disbarment from entering the land? Both parties were culpable. The Hebrews contended with Moses (Num. 20:2-5), and he responded to them in anger and frustration.

Because of the rejection of Moses, a new leader is to be appointed. It is Joshua the son of Nun. He is one **‘who is standing before’** Moses. This is idiomatic for someone who is a servant ministering to another (1 Kings 10:8). Other passages indicate that this was Joshua’s position in relation to Moses (see, in particular, Josh. 1:1).

1:39-40. “And your young ones, of whom you said they will become plunder, and your sons, who today do not know good or evil, they shall enter there. And I will give it to them, and they shall possess it. But you, turn yourselves and set out to the wilderness by the way of the Red Sea.”

Apparently the Hebrews had cited, as an excuse not to enter the promised land, the vulnerability of their children. The latter would, they claimed, certainly become **‘plunder’**, ‘booty’, or ‘spoil’.³³ Now, in an ironic statement, God promises that it is the younger generation, and not the present one, that will inherit the land of Canaan (cf. Num. 14:31-35). The young people were not morally responsible for the sinful decision of their elders not to enter the land. The generation who will enter the land is defined as those who at the time were twenty years old or younger.³⁴ It is this generation that Moses is now addressing on the plains of Moab.

Because of their unfaithfulness, God orders the Israelites to turn and go back into the wilderness. They are to travel in the opposite direction to the promised land. In fact, Israel is to return on the very **‘way’**, or ‘road’, by which she came from the Red Sea. They travel by that route, but they do not take it all

the way back to the Red Sea, which they originally crossed when leaving Egypt. Instead God takes them through the wilderness to Ezion-Geber (Num. 33:35) on the northern coast of the Gulf of Aqaba (a northern extension of the Red Sea).³⁵ In any event, this is a generation who desired to go back to Egypt (Num. 14:4), and God gets their attention by sending them into the wilderness on the very road that would, if followed all the way, take them back to Egypt!

1:41-42. 'Then you answered and you said to me, "We have sinned against Yahweh. We will go up and we will fight according to all that Yahweh our God has commanded us." So each man put on his weapons of war, and you thought it would be easy to go up to the hill country. But Yahweh said to me, "Say to them, 'Do not go up and do not fight because I am not in your midst, or you will be struck down before your enemies.'"

After Yahweh's rebuke of the people, we see the Hebrews make a confession of sin followed by a resolution to go up to fight in the highlands of Canaan. On the surface, they appear to express true contrition, but is it really genuine? Tigay properly concludes that Israel's response here is also rebellious: 'When commanded to "turn about and march" and "go up" to the land (vv. 7,21) they refused "to go up" (v. 26). Now that they are commanded to "turn about and march" away from the land they respond "we will go up" to the land.'³⁶ This belated attack is an act of presumption. It is an attempt to take the land without the presence of God. Without Yahweh it is doomed to failure.

The Israelites were duped by believing in their own invincibility. They thought '**it would be easy**' to invade the highlands of Canaan.³⁷ But they were about to learn that an attempt to take the land without Yahweh is futile.

1:43-46. 'Thus I spoke to you, but you did not listen. And you rebelled against the voice of Yahweh, and you acted proudly, and you went up to the hill country. And the Amorites who were dwelling in that hill country came out to confront you. And they pursued you as bees do, and they hammered you from Seir to Hormah. Then you returned and you wept before Yahweh. But Yahweh did not listen to your voice, and he did not give ear to you. So you dwelt in Kadesh for many days, according to the days you dwelt there.'

The Hebrews participated in an act of rebellion against Moses and Yahweh. A staccato list of verbs in verse 43 confirms their sinful behaviour: **'you did not listen ... you rebelled ... you acted proudly, and you went up'**. There is an irony in the contrast between this incident and what had occurred earlier, in verse 26 — on the earlier occasion the Israelites were not willing to 'go up', and they 'rebelled'; in the present verse they 'rebelled' and then 'went up'.³⁸ Both actions were wrong because they reflected a direct disobedience to God's commands.

They were acting **'proudly'**, 'insolently' or 'arrogantly'. As a result, the Amorites soundly defeated the Hebrews. In fact, they **'hammered'** the Israelites — that term is often used of a tool that crushes something into a fine powder.³⁹ Moses employs a simile to picture the extent of the Amorites' victory: they were like swarming bees. The *Targum of Rabbi Shesheth* understands the figure as referring to the time 'when the bees spring forth and fly in the heights of the world and collect honey from the herbage on the mountains'.⁴⁰ That interpretation, however, lacks the sense of enmity and hostility that the use of this imagery is intended to convey. Moses really means that it was as if the hive had been attacked and the bees responded with their own overwhelming and stinging assault.

The area in which the rout took place was **‘from Seir to Hormah’**. Seir is another name for Edom, and Hormah may be a reference to the site of Tell Masos, which lies a few miles east of Beersheba.⁴¹ Thus the rout seems to have been spread over a vast area of land. The Hebrews returned to Kadesh and they wept before Yahweh. But he did not listen to them. This is irony, or poetic justice: they had not listened to him (1:43). The Israelites then remained at Kadesh for an extended period of time (cf. 2:1).

Application

Part of the purpose of Moses in reviewing this sad episode is so that the people in the plains of Moab will not make the same mistake when they are commanded to go into the promised land. The second generation is not to act as the first generation did, but they are to obey the Word of God, be courageous and take possession of Canaan. Thus this survey of past history has a didactic thrust: it is not to shame them, but rather to teach them how to act in obedience. People ought to learn from their past mistakes.

As with Israel, the church needs to be reminded of her past sins, unbelief and errors. Such knowledge and understanding help to combat the recurrence of the problems. So, for example, the fervent antinomianism that is present in the church today is nothing new. One need only study Marcionism, which began in the second century A.D., to see the perversion of the position and the subsequent twisted results it brought. One needs to know history in order not to repeat it. This sense of history helps to make the church strong and healthy. This is also true for the individual Christian. As we look back over our lives and the many sins we have committed, we are to learn from our iniquity and mistakes. It is beneficial to have our past sins stare us in the face. Perhaps they will bring us to the right recollection of who we truly are, and to the fact that we are wholly dependent upon God and his grace for relief.

Israel and Edom in the wilderness (Deuteronomy 2:1-7)

Moses now recounts the wilderness wanderings in a very cursory manner. At the close of that period he tells how God directs the people to head north into the land of Edom. They are now to draw near to the promised land. The crossing through Edom is to be a peaceful journey — or, at least, that is the plan.

2:1-3. 'So we turned and set out to the wilderness by the way of the Red Sea as Yahweh had spoken to me. And we circled the hill country of Seir many days. Then Yahweh spoke to me, saying, "You have circled this hill country too long. Turn yourselves to the north."'

After many days at Kadesh, the Hebrews do what God had commanded in 1:40 — that is, they return to the wilderness. There they circle or skirt the highlands of Seir (= Edom) for a long time. In fact, this time of wandering is nearly thirty-eight years in length (cf. 2:14). This period is passed over here in almost complete silence — the Israelites are merely wandering and homeless. Moran calls this period the 'anti-Exodus'.⁴² We shall see later that he is justified in using this expression (see comments on 2:14-15). Yet it may also be appropriate to call this period the 'anti-Conquest' or 'anti-Settlement' time. The Hebrews are simply itinerant wanderers and vagrants — a situation that is the opposite of their promised settlement in the land of Canaan.

Now, as they are nearing the close of the period of wandering, God directs the Hebrews to change direction. They are to turn to the north, and they will soon enter the highlands of Edom — in other words, the region they have been skirting all these many years.

2:4-5. “And command the people, saying, ‘You will cross through the territory of your brothers, the sons of Esau who are dwelling in Seir. And they will be afraid of you. But you must guard yourselves carefully. Do not contend with him because I will not give their land to you, even so much as a footstep, because I have given the hill country of Seir as a possession to Esau.’”

Moses is then to order the people to traverse the land of Edom. The precise route is uncertain, although it appears that the Hebrews used a traditional route that the Egyptians had established during the Late Bronze Age.⁴³ The Israelites are not to **‘contend’** with the sons of Esau (i.e. the Edomites). That term in Hebrew bears the idea of ‘to engage another in conflict’.⁴⁴ The first reason for this is that the Edomites are **‘your brothers’** (see Gen. 36:1-9). Moses thus presents the Edomites in a positive light by recognizing their kinship to the Hebrews.

He is not naïve, however. He notes that there is some tension and enmity because the Edomites **‘will be afraid of you’**. Indeed, they have been terrified because of Yahweh’s wondrous works at the Red Sea (Exod. 15:14-16).

Israel is also not to contend with Edom because the land of Seir is not the promised land, but it belongs to the sons of Esau. Yahweh has given it as an inheritance to Edom (as he gave the lands to Moab and Ammon in 2:9,19). This point underscores the sovereignty of God regarding all the earth and all the nations. The apostle Paul comments in his sermon at the Areopagus: ‘The God who made the world

and all things in it... He himself gives to all people life and breath and all things; and he made from one man every nation of mankind to live on all the face of the earth, having determined their appointed times and the boundaries of their habitation' (Acts 17:24-26). The main point of our present passage is the same — that is, 'that each of the nations mentioned is entitled to its inheritance by God'.⁴⁵

2:6-7. 'You shall purchase food from them with silver so that you may eat and you shall also buy water from them with silver that you may drink. For Yahweh your God has blessed you in all that your hand has done. He has known your journey through this great wilderness. These forty years Yahweh your God has been with you. You have not lacked a thing.'

The point at which Yahweh ends speaking and Moses becomes the speaker is a matter of discussion among scholars. Many commentators agree that verse 6 is a continuation of God's words to Israel, and then conclude that verse 7 is an additional comment by Moses. The primary reason for seeing this shift in speakers is because in verse 7 God is spoken of in the third person singular, rather than being the speaker indicated by the use of the first person singular (as in 2:5).⁴⁶ In reality, the entire passage belongs to Yahweh, who often speaks of himself in the third person (see 1:8 as a shining example).

God tells the people to enter into peaceful trading relations with the Edomites. The term translated here as **'buy'** carries the idea of 'securing by trade', 'to barter' or 'to bargain for' (see Job 6:27; 41:6; Hosea 3:2).⁴⁷ They are not to plunder the Edomites (see the incident recorded in Num. 20:9). Israel has no justification for pillaging the land because God has given the land and its produce to the Edomites (2:5). In addition, Yahweh has blessed Israel by abundantly

providing for them — they **‘have not lacked a thing’** (cf. Ps. 23:1). Blessing in the Bible often includes prosperity (Gen. 24:35).

Application

The Israelites are commanded to be upright in their dealings with the Edomites. They are not to plunder or pillage the land: that region has been given to the Edomites as an inheritance from God. The Hebrews are not to desire what the Edomites have; rather, they are to be content with God’s provision for them. He has wonderfully provided for them in the wilderness. Indeed, as Bowes says, ‘They never wanted [i.e., ‘lacked’] bread from heaven, and their raiment waxed not old, neither did their foot swell, for forty years (Deut. 8:4).’

The apostle Paul tells us that Christians ought to be content with God’s provision for us: ‘If we have food and covering, with these we shall be content’ (1 Tim. 6:8). And so, let our daily bread be the ground of our contentment, as provided by him. Let us receive whatever God may send our way and let us be satisfied with that provision. May we not want and desire what does not belong to us and has not been given to us by God.