Deuteronomy

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Introduction

The Legacy of Moses

The Book of Deuteronomy presents itself as a collection of Moses’ farewell speeches, delivered to Israel in the plains of Moab on the last day of his life (Deuteronomy 1—30), before he writes down “this torah” and hands it over to the Levites and the elders (31:9—13; “torah” means “teaching”). Moses entrusts his responsibility as Israel’s leader to Joshua (31:1—8); he proclaims, according to divine command, a song (31:15—32:43), blesses the tribes of Israel (Deuteronomy 33), and ascends Mount Nebo to view the land and then to die (Deuteronomy 34).

Moses’ legacy plays a profound and pervasive role in the history of Israel, which can be seen within Deuteronomy’s canonical contexts. In his farewell speeches, Moses reflects on Israel’s experience in the desert (Deuteronomy 1—3; cf. Exodus 18; Numbers 10—27), and especially at Horeb (Deuteronomy 4, 5; cf. Exodus 19—24; Deut 9:8—10:11; cf. Exodus 32—34). He presents “today” (Deut 11:32) the “statutes and ordinances” that Israel shall keep for “all the days” they will live in the promised land (12:1) that they are now to take into possession (9:1—3; 31:1—8; cf. the Book of Joshua). Moses envisions prophetically Israel’s dire future when the people will commit apostasy, break the covenant, and go into exile, from which they shall eventually be redeemed (Deut 4:25—31; 29:17—30:10). The prophecy is reinforced by a last theophany at the tent (31:14—21) and the Song of Moses (32:1—43), and takes effect according to the Books of Kings (cf. 2 Kings 17—25).

The last day of Moses’ life is thus presented as a day of intense reflection that looks back to the past as it had been narrated in Exodus to Numbers and looks forward to the future as it will be presented in the books that follow (Joshua to Kings), especially to the future catastrophe at the end of the history—the destruction of the Northern Kingdom of Israel by the Assyrians (2 Kings 17) and of Jerusalem by the Babylonians (2 Kings 25). Deuteronomy even presents the theological interpretive framework for the latter books (cf. Joshua and Kings), for which reason the composition of Deuteronomy to Kings has been called the Deuteronomistic History.

Deuteronomy is a book of transition. It is a book “between the eras” (zwischen den Zeiten, Eckhart Otto). It is liminal literature, staged at the border of the promised land, powerfully symbolized by the River Jordan (26 occurrences from 1:1, 5 to 32:47). Its Greek name hints at its reflective nature. “Deuteronomy” means “second law,” which is the LXX rendering of the “copy of this torah” that the future king is supposed to make for himself (17:18). “Second law,” however, subliminally characterizes Deuteronomy as an interpretation of law, which indeed it is (see p. 153).

Author, Historical Context, and Audience

While Deuteronomy explicitly claims to be the legacy of Moses, its historical authors and redactors are veiled. Moses is presented as the greatest of all prophets (Deut 34:10–12) and as a scribe (31:9) whose authority is grounded in divine revelation and in God’s own example (4:13; 5:22). The ultimate authority and authorship behind Moses’ torah is thus attributed to God himself—his revelation and his commissioning of Moses to teach at Mount Horeb (Sinai; cf. 4:14; 5:31; 6:1). Moses fulfills his duty of teaching in Deuteronomy and passes it on to the “Levitical priests.” In the future, they are supposed to carry the Mosaic torah together with the “ark of the covenant of YHWH” (31:9; au. trans.) with which they had been entrusted—together with the stone tablets that contain the “Ten Words”—already at Mount Horeb (10:1–8). The “Levitical priests” will keep the torah, from which the king will make a copy (17:18), and it is Levi’s responsibility to teach torah to Israel according to the blessing (33:10).

The Levites are thus so strongly related to, and made responsible for, the tradition of Deuteronomy according to the book itself that we have good reasons to assume that scribes who identified themselves as “Levitical priests” may well be the authors, redactors, and transmitters of Deuteronomy (Trägergruppe); they are likely to be responsible for the book’s literary growth and for handing it down in the decisive period of its formation. This assumption may be
corroborated by the fact that the Levites' precarious state without any ownership of land among the tribes of Israel (10:9; 12:12; 14:27, 29; 18:1–2), and their need for support (e.g., 14:27–29; 18:1–8) are emphasized so strongly in Deuteronomy.

When was Deuteronomy written? Most scholars assume that Deuteronomy developed in several redactional phases, roughly between the seventh and fourth centuries BCE. The earliest nucleus of Deuteronomy, which possibly included older legal material, should probably be imagined as a document that contained a shorter version of the curses in Deuteronomy 28 and an older version of Deuteronomy's law collection, including the centralization of the cult under King Josiah (cf. 2 Kings 22—23).

An important reason for this assumption is that Deuteronomy 28 contains a series of curses (vv. 26–31) that resembles closely a sequence in a treaty that King Esarhaddon of Assyria imposed on his officials and on vassals in 672 BCE to enforce the acceptance of his designated successor. It is likely that King Manasseh of Judah had to swear loyalty according to this treaty. If an early version of Deuteronomy indeed transformed the loyalty oath imposed by the much-hated Assyrians into a document that required loyalty to YHWH's commandments, this was a highly political statement that sought to ground Israelite identity in their obedience to their God YHWH alone.

Important reasons suggest that the main redactional phases of Deuteronomy in its canonical shape were strongly influenced by the Babylonian exile. Among these are the geographical setting of the book across the Jordan with a prospect of entry into the land, which is placed in parallel with the hope for return to the land (30:1–10); the reference to a complete destruction of the land (29:22 [MT 29:21]); the reference to exile, "as is the case today" (29:28 [MT 29:27]; au. trans.); and the final section of the curses of Deuteronomy 28, which may well reflect the siege of Jerusalem (vv. 49–58). Even the general silence on the physical structure of the temple and the veiled reference to the "place" that God will choose (22 occurrences in Deut 12:5—31:11) may presuppose the destruction of the temple by the Babylonians in 587 BCE.

The final chapters of Deuteronomy, especially, display many devices of literary closure for the Pentateuch, such as Moses' blessing of the twelve tribes (Deuteronomy 33) that mirrors Jacob's blessing of his twelve sons (Genesis 49), and Moses' undimmed eye (Deut 34:7) that contrasts with Isaac's dimmed eyes (Gen 27:1). Literary features such as these suggest that the final redactions of Deuteronomy are likely to coincide with the redaction of the entire Pentateuch, which most scholars date to the late fifth or fourth century BCE, possibly related to a figure such as Ezra.

Determining the audience of Deuteronomy is both simple and complex. It is simple in Deuteronomy's consistent emphasis on the people of Israel as the audience of Moses' speeches (1:1, 3; 4:44–45; 29:1, etc.) and on the subsequent generations who will hand down the Mosaic Torah (e.g. 6:20–25; 31:9–13). It becomes complex as soon as we ask historically who precisely the addressees were who were supposed to identify with "Israel"—an audience that went through radical historical changes during the centuries in which Deuteronomy grew into its canonical shape. While much of the historical reality of Deuteronomy's original audience(s) remains an object of historical imagination, it is also apparent that Deuteronomy was composed with the strong intention to shape the collective identity of its audience—and in many ways succeeded in doing so.

**LITERARY CHARACTERISTICS**

Classical legal language is found in the core of Deuteronomy, especially in the social laws of Deuteronomy 19—25. Casuistic laws are introduced by an "if"-clause (protasis, e.g., 22:13–14) that presents the case, which is followed by a main clause (apodosis) that requires specific action (e.g., 22:15–19). Deuteronomy extrapolates this figure of thought, as Jean-Pierre Sonnet has recently shown, to shape its overall message. If-clauses introduce the blessings and curses of Moses in Deuteronomy 28 as starkly contrasting options for Israel's future that require the people's choice between life and death (30:13–20).

The cultic and social regulations of Deuteronomy 12—26 are integrated into the collection of discourses that make up Deuteronomy 1—30, which is the most extensive set of speeches found in the Bible. Stylistically, these discourses can be characterized as artistic prose or, more specifically, "literary rhetoric." Moses employs a great wealth of rhetorical devices to persuade Israel to hear and obey the teaching presented in Deuteronomy (cf. Deuteronomy 4; 5—11; 28—30). Characteristic of this rhetorical style is the nearly omnipresent use of the second person (singular or plural), which has the potential to transcend the threshold of the narrative "stage" and entice readers to feel that they are being directly addressed. At decisive points, Moses even employs "we"-language to define Israel's collective identity (e.g. 5:3; 6:25).

Most prominently, Mosaic rhetoric employs the device of repetition. Recurring formulations emphasize the particular situation of Deuteronomy: the Exodus formula ("brought you out of the land of Egypt,"
e.g., 6:12, and variations) remembers Israel’s essential experience of the liberation from Egypt; “that I am commanding you (today)” (6:2 and frequently) presents Moses as authoritative teacher; “the land that you are about to enter and occupy” (4:5 and frequently) looks into the immediate future and represents the promised land as the space in which Deuteronomy’s torah must be kept (12:1).

Typical verbs express Israel’s devotion to God, such as “love,” “fear,” “serve” (10:12) and “cling” (4:4; 10:20; 11:22; 13:5; 30:20), and their attention to the torah in the sequence of “listen,” “keep,” and “do” (e.g., 5:1; 6:3). At times, Moses’ rhetoric employs direct imperatives, such as “Hear, O Israel!” (6:4), but in many cases more indirect modes of persuasion are employed, such as rhetorical questions (4:32; 10:12). Moses’ speeches thus display a pedagogical, hortatory style, especially in Deuteronomy 4 and 5—11, which has been called by the Greek term “paideia,” the respective genre being “exhortation.”

Deuteronomy employs highly sophisticated devices to bridge the distant narrated past of Moses’ last day and its importance for the book’s intended audience. Most prominently, the word “today” (75 occurrences) is employed to refer to various times. While it usually emphasizes the actual “day” of the narrated world of Deuteronomy, it may also refer to the past (at Horeb: 1:10; 5:24) or to the future in speeches quoted by Moses (in the land: 6:24; in exile: 29:28 [MT 29:27]). Moreover, even the narrator uses the word: no one knows Moses’ burial place “to this day” (34:6). Thus, Deuteronomy subliminally amalgamates the readers’ present day with the constitutive days of Moab and Horeb—as it blends the assembly of Israel at the Festival of Booths (31:12) with the assemblies in Moab (31:30) and at Horeb (4:10; 5:22; 9:10; 10:4; 18:16).

By way of analogy, the chain of scribal authority that is grounded in God’s writing at Horeb and Moses’ writing in Moab, and carried on by the Levitical priests (see pp. 147–48), will be further extended by “the words of this torah” written on stones in the promised land (27:3; au. trans.). Moreover, “these words” will be written “on the doorposts of your house and on your gates” (6:9; 11:20). Moses thus commands the transmission and representation of his torah in writing. This extraordinary combination of literary devices and active planning of reception, together with the prohibition of adding or subtracting (the “canon formula”: 4:2; 13:1), has clearly played out in Deuteronomy’s actual reception and even in the development of the phenomenon of “canonical” writings.

The Book of Deuteronomy contains two poetic texts whose style starkly contrasts with everything described so far: the Song (32:1–43) and Blessing of Moses (ch. 33). As is typical for Hebrew poetry, these texts are extremely condensed; they employ rare words, many of which occur nowhere else in Deuteronomy. This stylistic contrast is clearly deliberate and puts a strong emphasis on these last major speeches of Moses.

Despite the largely rhetorical (and exception-ally poetical) style found in Deuteronomy, attention should be paid to the fact that all its speeches form part of a narrative framework that is (canonically) embedded in the grand narrative of the Pentateuch, which is continued in the Former Prophets (Joshua, Judges, Samuel, Kings). Although dramatic action is presented nearly exclusively in Deuteronomy 31—34, the narrative situation of Moses’ farewell speeches remains fundamental to understanding them. Deuteronomy’s literary tension plays out between the book’s emphasis on its narrative setting at the border of the promised land and the performative force by which it projects Moses’ message into the “here” and “now” of “you” listeners and readers.

**THEOLOGY**

Deuteronomy’s message has been famously summarized under the three headings “one God—one cult—one nation.” Although this slogan captures important concerns in Deuteronomy, its abstract formulation runs the risk of slighting the dynamic force of the book’s vision. To bring out the dynamism, we shall outline some salient features of Deuteronomy’s theology that are tightly interwoven with its social concerns. Deuteronomy mirrors the development from monolatry (worship of one god without denying the existence of other gods) to monotheism (belief that there is only one god); it conceives a people of brothers and sisters who show love to foreigners; it speaks about human and divine violence; but it seeks to overcome traumatic historical violence through the gift of the torah. Deuteronomy’s ultimate end and aim is seen in Moses’ call to choose life.

**FROM THE “GOD OF GODS” TO “THERE IS NO OTHER BESEIDES HIM”**

Deuteronomy reflects a most important development in the history of religion—from monolatry to monotheism. In a rare hymnal series of divine titles, Moses refers to the “LORD your God” as “God of gods and Lord of Lords” (10:17). These two exalted titles may well be influenced by Neo-Babylonian religion, especially the theology of Nabonidus, the last king of the Babylonian Empire (556–539 BCE) who applied them to the moon god Sin to exalt him as the highest god of the Babylonian pantheon. Just
like this Babylonian counterpart, Moses’ words also presuppose the concept of a pantheon headed by the LORD. Moses continues by calling God “the great El [NRSV ‘God’], mighty and awesome,” which applies the name of the supreme Canaanite deity El to the God of Israel. The expression, “who is not partial and takes no bribe, who executes justice for the orphan and the widow, and who loves the strangers, providing them food and clothing” (10:17–18), show how intimately theology and social concerns are interrelated in Deuteronomy (see below).

Within the omnipresent polytheistic framework from which Israel’s theology grew, the exclusive worship of God at the “place that the LORD your God will choose out of all your tribes as his habitation to put his name there” (12:5), which is demanded and systematically developed in the cultic regulations of Deuteronomy 12—18; 26, as well as the repression of cultic images (e.g., 5:8), show that the authors of Deuteronomy promoted the exclusive worship of the LORD with great energy. Iconographic evidence suggests that this development took place in the late seventh century BCE, and may thus coincide with Josiah’s reform (related in 2 Kings 22—23).

Such monolatry by no means necessarily implies a negation of the existence of other gods. The latter view, “monotheism,” most probably did not develop before the catastrophic experience of the Babylonian exile. After the destruction of the temple of Jerusalem and the encounter with the highly developed religious culture of the Babylonians, and probably in the context of universalist attitudes of Persian culture (after 539 BCE), Judean theologians reformed their theology in a radically universalized form, God, the Creator of humanity (4:32), who has rescued Israel from Egypt with great signs and wonders (4:34, 37) and revealed himself at Mount Horeb (4:33, 36) made Israel know that “the LORD, he is the God, there is no other besides him” (4:35; au. trans., cf. 4:39). These rare “monotheistic” expressions, found at the final culmination of Moses’ speech of 4:1–40, are closely related to similar statements, worded as divine speech, in Deutero-Isaiah (45:5–6, 14, 18, 21–22)—a text that clearly presupposes the Persian era (cf. the explicit reference to King Cyrus in Isa 45:1). This is a strong indication that Deuteronomy 4 is one of the latest theological highpoints in the Book of Deuteronomy.

The intriguing integration of both polytheistic and monotheistic ideas is similarly visible in the Song of Moses—in poetic form. The Song claims, according to the standard Hebrew text, that God fixed the boundaries of the peoples “according to the number of the children of Israel” (32:8; au. trans.), while the Greek version reads “according to the number of the angels of God” and a Hebrew manuscript from Qumran arrests the reading “according to the number of the sons of God/the gods.” This latter version may be original and seems to have been replaced by a more acceptable reading in the Hebrew standard text. The Song thus probably expressed at some point a view compatible with the theory of a pantheon, but toward its end it emphasizes again God’s uniqueness in divine speech:

See now that I, even I, am he;
there is no god besides me.
I kill and I make alive;
I wound and I heal;
and no one can deliver from my hand
(32:39)

Starting from the image of the burning mountain in the Horeb theophany (4:11), Moses characterizes God himself as a “devouring fire, a jealous God” (4:24), who may cause dire consequences for Israel (4:25–28); but the changing face of history (4:30) will also show that “the LORD your God is a merciful God” (4:31). Thus, in the dynamics of their historical experience, Israel will become aware of various aspects of God’s character. Finally, it should be underlined that Deuteronomy is the first book in the biblical canon to speak explicitly about God’s love (7:8, and, in verbal formulations, 4:37; 7:13; 10:15, 18), which motivates Israel’s love for God (6:5; 10:12, 19; 11:1, 13, 22; 13:4; 19:9; 30:6, 16, 20).

THE PEOPLE OF GOD: BROTHERS, SISTERS, AND THE LOVE OF FOREIGNERS

Israel is omnipresent in Deuteronomy—from the very first verse, in which the people are introduced as the audience of Moses’ speeches, to the last words of the book, in which Moses is remembered as having performed signs and wonders before the eyes “of all Israel” (34:12). It is Deuteronomy’s primary concern to form “Israel” as the people of God (see pp. 153–54); it is a performative book. While Deuteronomy’s frameworks (esp. Deuteronomy 5—11; 27—33) are predominantly concerned with Israel’s foundational relationship with God, its central law code (Deuteronomy 12—26) to a large extent spells out the nitty-gritty of Israel’s social relationships. The literary structure of Deuteronomy thus presents Israel’s relationship with God as the fundamental framework for its social integrity.

Deuteronomy strongly emphasizes the relationship between God and Israel in continuous repetitions of the expressions “the LORD your God” (234x singu-
lar; 46x plural) or "the LORD our God" (23x). This is part of Deuteronomy's covenant theology, which has a clearly legal and constitutional dimension (see pp. 153–54). The language of family relations is also applied to God in the expressions "God carried you, just as one carries a child" (1:31), "as a man educates his son, so the LORD, your God, educates you" (8:5; au. trans.), "You are children of the LORD your God" (14:1), "Is not he your father, who created you, who made you and established you?" (32:6; on the theology of the Song, see p. 191).

Deuteronomy's social vision is to establish an egalitarian society of "brothers (and sisters)" (the inclusion of women is obvious in 15:12). This becomes clear in an exemplary way when even a prospective king elected "from the midst of your brothers" (17:15; au. trans.) must not "exalt his heart above his brothers" (17:20; au. trans.). Because of this vision, Deuteronomy establishes a system to protect vulnerable members of society. The orphan, the widow, and the stranger—who are protected by God himself (10:18; on the Levites see pp. 147–48)—especially form a triad to be supported economically (14:29; 24:19–21; 26:12–13) and generously integrated into joyful religious feasts (16:11, 14). Their rights must be protected (24:17; 27:19).

In the same vein, slaves receive special attention in Deuteronomy. Israel's liberation in the Exodus is the foundation of all divine commandments in the prologue to the Decalogue (5:6). "Remember that you were a slave in Egypt" is repeated (5:15; 15:15; 16:12; 24:18, 22) to motivate the implementation of Deuteronomy's social legislation. Slaves must be released in the seventh year (15:12), unless they "love" their master and wish to stay with him (15:16–17). It is on the year of remission, when slaves are granted freedom, that Israel will assemble at the Festival of Booths to listen to "this torah" to learn to fear the LORD (31:10–13). In restoring social equality, Israel can return to its original religious identity as it was instituted at Horeb and in Moab.

Deuteronomy's idealistic aim is that there should be no poor in Israelite society (15:4). There is enough realism, however, for it to affirm that "there will never cease to be some in need in the midst of the land" (15:11; au. trans.). Therefore, Deuteronomy institutes a year of remission of debts every seven years (15:1–11) and encourages generosity to the poor, unveiling possible hidden thoughts:

Be careful that you do not entertain a mean thought, thinking, "The seventh year, the year of remission, is near," and therefore view your needy neighbor with hostility and give nothing; your neighbor might cry to the LORD against you, and you would incur guilt. Give liberally and be ungrudging when you do so, for on this account the LORD your God will bless you in all your work and in all that you undertake. (15:9–10)

Other examples of ethical sensitivity include the demand to care for a "brother's" donkey or ox that falls on the road (22:4) and to leave some part of the harvest in the field for the needy (24:19).

Deuteronomy continually emphasizes the promised land as God's great gift to his people, a beautiful and blessed land (11:10–15). The theme of the land serves in Deuteronomy to build up a great literary tension. The desirable land, the last thing that Moses sees before his death (34:1–4) and which Israel is about to possess (e.g., 9:1–3; 31:1–8), this land may be lost in the future if Israel is disobedient (e.g., 4:25–27; 6:15; 11:16–17; 28:15–68). Indeed, in the end, God declares that this fate will come upon Israel (31:20–21), and Deuteronomy's vision of entering the land is transformed into the prospect of re-entering it on the return from exile (30:1–10). Despite the land's prominence, Deuteronomy makes it clear that Israel's identity does not ultimately depend on the possession of the land. Israel's foundational experiences are the exodus and the revelation at Horeb (Deuteronomy 4:5); and, even if the people be dispersed "to the ends of the skies" (30:4; au. trans.), it is the proximity of the word "in your mouth and in your heart" (30:14) and the proximity of God himself "whenever we call to him" (4:7) that constitute Israel as the people of God.

**VIOLENCE AND RELIGION: "UTTER DESTRUCTION" AND "CURSE"

We cannot ignore the issue of violence in Deuteronomy, especially at times when religious reasons are claimed to justify horrific crimes—which has happened, sadly, far too often in history. There are three major themes that concern violence in Deuteronomy, in a problematic and even shockingly brutal manner.

First, Moses commands Israel to exterminate the seven Canaanite nations who live in the promised land prior to Israel's arrival (Deut 7:1–6, 16–23); he even calls this a divine commandment (20:17). The Hebrew root _ḥrm_, usually translated "to destroy utterly" (NRSV, KJV), has a cultic connotation and might therefore better be translated "to ban." Such destruction is already presumed for the Transjordanian towns (2:34; 3:6) and is later narrated in the Book of Joshua, starting with the famous example of Jericho (Joshua 6). The reason given for this radical command is religious: Israel must not learn the religious practices of these nations. Israel's warfare with
other nations is supposed to be less violent: an offer of peace must precede any attack (20:10); women and children must be left alive (20:14).

But how should we understand the destruction of the Canaanite nations? We have learned from archaeology that, in fact, Jericho was not inhabited during the time when Israel should have conquered and destroyed the town according to the biblical account. The occupation of the land was gradual. To a great extent, formerly uninhabited territory was newly settled. This suggests that the biblical story of the occupation of the land is to be read on a symbolic rather than historical level. The religious message behind the idea of the complete destruction of Canaanite nations mostly concerns the “Abominations” practiced by these peoples, including the sacrifice of children (18:9–10). It should also be noted that no violence is mentioned in relation to the prospective return of Israel to the land after exile (30:1–10; cf. Braulik, “Destruction”). These aspects may mitigate the idea of total destruction, but they do not really resolve the issue of the religiously motivated command for violence.

Second, Moses demands merciless killing of Israelites, even the closest family members, in the case of seduction to apostasy (13:1–12)—again the motivation for violence is religious. In the same vein, a town that has committed apostasy must be destroyed (13:13–19). These disturbing ideas need to be seen in the context of Israel’s historical fate, as we shall see below.

Moses’ curses, third, threaten the people of Israel with the most terrifying violence if they disobey the divine commandments (28:15–68). God will, according to Moses, even take delight in Israel’s destruction (28:63)! It is clear, however, that this terrifying hyperbole is part of a theological interpretation of the trauma of destruction and exile that Israel had already suffered from the Assyrians and the Babylonians (cf. 2 Kings 17:25). In the same way, the demand to destroy apostasizing towns utterly (13:13–19) may be part of the explanation given for the destruction of towns in Israel and Judah at the hands of enemies.

The motif of divine violence against both the Canaanite nations and against a god’s own people is part of a common ancient Near Eastern thought pattern, according to which divine wrath is the real reason behind the destructions caused by human warfare. Deuteronomy and the Deuteronomistic History applied this idea in an elaborate and literally powerful manner to the historical catastrophes of Israel and Judah. Their overall perspective and message are, as we shall see below, positive and life oriented. The portrayal of God as approving and even commanding human violence is far too open to interpretations to justify actual violence in the name of religion. This is a potential way of reading Deuteronomy that we must resist in the strongest terms.

Moses’ Torah—Israel’s Life

Deuteronomy’s central content is Moses’ teaching of the divine commandments. They are referred to as the “torah” (4:44), or the “decrees and the statutes and ordinances” (4:45; cf. 6:1; 12:1), but in the end, they are solemnly summarized in the singular: “this commandment” (30:11), “the word” (30:14; cf. 32:47). The torah is praised as wise and just; indeed the peoples will hear all these statutes, will say, “Surely this great nation is a wise and discerning people!” (Deut 4:6).

Deuteronomy institutes a chain of teaching and learning of these commandments: God, the ultimate author of the torah, commands Moses to teach (4:14; 5:1; 6:1); Moses passes on this duty, especially to the Levites (31:9–13; see pp. 147–48) but also to all Israelites, who are supposed to teach their children (11:19). This “teaching” corresponds to the duty of “learning” on the part of the children (31:12–13) and of the king (17:19), who is a paradigmatic Israelite. In Hebrew, both verbs are formed from the same root and thus immediately show that they are two sides of the same coin.

Deuteronomy’s “teaching” (a translation of “torah”) is shown at the end of the book to be the essence of Israel’s life and in the closest proximity to God himself. With ingenuous ambiguity, Moses says at the very end of his sequence of long speeches: “Choose life so that you and your descendants may live, loving the LORD your God, obeying him, and holding fast to him; for that he is your life and the length of your days” (30:19–20; au. trans.). The Hebrew formulation is—most probably deliberately—open to both readings: Israel’s love and obedience to God mean life for the people and, even more, God himself is their life.

Moses’ final brief speech, which concludes all the “words” of Deuteronomy (1:1; cf. 32:45–47), repeats this point with a new emphasis: “For not an empty word is this for you, but this is your life” (32:47; au. trans.). In the end, it is the “word”—the medium and mediator of the divine—that means life (an idea that may well have influenced John 1:3–4). Moses’ discourse ends with the optimistic prospect of life in the land: “in this word you will make long the days in the land that you are crossing over the Jordan to possess” (Deut 32:47; au. trans.; compare 30:20). Thus, Deuteronomy expresses the hope that, through obedience to the torah, Israel may finally overcome the traumatic experience of the violent loss of the land and will come to live in it.
THE MOAB COVENANT: A RENEWED CONSTITUTION

Moses’ proclamation of divine commandments in Deuteronomy is framed by the concept of the covenant. While Moses at first simply seems to declare the validity of the Horeb covenant for “all of us here alive today” (5:3), at the end of the book, readers are surprised to find that Moses is now making another covenant “that the Lord commanded Moses to make with the Israelites in the land of Moab, in addition to the covenant that he had made with them at Horeb” (29:1 [MT 28:69]). The keyword “covenant” is taken up several times in the following speech (29:9, 12, 14, 21 [MT 29:8, 11, 13, 20]) so that there cannot be any doubt that Deuteronomy 29—30 is the discourse by which Moses establishes the covenant.

As its introduction explicitly states, this speech presupposes the covenant made at Horeb, so that its basic conception needs to be considered at the outset (cf. Exodus 19—24). At Sinai, God offered the covenant to Israel (Exod 19:3–6), which the people accepted “as one” (19:8). In a majestic theophany, God proclaimed the Ten Commandments (20:1–17). The people asked for Moses’ mediation (20:19), so that the further laws (20:22–23:33) that he proclaimed to them (24:3) and wrote down (24:4)—the “Book of the Covenant” (24:7)—would be revealed to him alone. Twice the people agreed and promised obedience to all the laws “with one voice” (24:3, 7).

Thus, the making of the Sinai Covenant is presented as a great dialogue between God and Israel, mediated by Moses, during which the people proclaimed their consent to the legislation three times. This could be seen as the earliest historical presentation of the idea of the “constitutional consensus,” that is, according to modern constitutional theory, the reason for the validity of the legal constitutions of democratic states: the (idealististically presumed) consensus of the people in approval of the state’s legal constitution is the reason for its validity.

We should be surprised, therefore, that Deuteronomy does not report any consent from Israel, although Moses urges them to make a choice (Deut 30:15–20). One reason for this may be that the people’s declared consent was quickly forgotten at Sinai (cf. Exodus 32). Perhaps, Israel’s consent is reported through their actions: “doing as the Lord had commanded Moses” (Deut 34:9). But there may be yet another reason for Israel’s silence at the Moab Covenant. Moses digresses to talk about the future, referring to the horrible consequences of any false oath to the covenant, which would finally lead to exile (29:18–28 [MT 29:17–27]). He then announces a possible return from exile in a rhetorical style that can be heard by either exilic or postexilic readers as involving them directly. Thus, it is Moses’ future readers, who have experienced the catastrophe, who are finally expected to declare their consent to the stipulations of the covenant by choosing life (30:19).

The Moab Covenant, solemnly established through the covenant speech (Deuteronomy 29—30) also includes most of the preceding speeches in Deuteronomy: blessing and curse (Deut 27:11—28:68; cf. 29:27 [MT 29:26]; 30:1) and the “commandments, decrees and ordinances” (Deuteronomy 5—26; cf. 30:16). In its core content, Deuteronomy can thus be viewed as a covenant document. While this can be established from the internal rationale of Deuteronomy and the conception of covenant in the Pentateuch, additional evidence from ancient Near Eastern treaty culture can shed more light on the matter. Formal elements that are frequently found in international treaties include a historical prologue (cf. Deuteronomy 1—4), stipulations (cf. chs. 5—26), and blessing and curse (cf. ch. 28).

Just as in the Sinai Covenant, the legal sections of Deuteronomy are introduced by the Decalogue (Exod 20:1—17; cf. Deut 5:6—21) and followed by a more detailed code (Exodus 21—23; cf. Deuteronomy 12—26). Since Moses claims to teach through the laws of Deuteronomy what God had commanded him to teach immediately after the revelation of the Decalogue (5:22—31), the laws of Deuteronomy seem to replace the Code of the Sinai Covenant (Exodus 21—23). It can be demonstrated, in detail, that some of Deuteronomy’s laws are erudite interpretations and, indeed, reformulations of laws from the more ancient Covenant Code (cf. Levinson, Deuteronomy).

Similarly, even Moses’ quotation of the Ten Commandments that were solemnly proclaimed by God at Mount Horeb (Deut 5:6–21) and written by God on tablets of stone (Deut 5:22) contains quite significant changes compared with the version of the Ten Commandments found in the Book of Exodus (Exod 20:2—17). Legal reform and innovation are thus established as a principle even regarding the most holy and most direct form of divine revelation. By integrating different and, at times, even contradictory law codes into a narrative presentation of history, the Pentateuch shows that the change of time and circumstances requires legal reform and innovation—even in the case of divinely revealed law.

Deuteronomy implements the rule of divinely authorized law as a concrete (if utopian) draft constitution (Deut 16:18—18:22), according to which all public offices—even that of the king (17:18–20)—are subject to the Deuteronomic torah (Levinson, “Constitution”; Lohfink, “Distribution”). The judiciary
depends on independent judges and priests (16:18; 17:8–13), and further authoritative divine revelation may be given through a prophet (18:15–22). This conception implies the introduction of the principles of the supremacy of the law and of the separation of powers for the first time in history. Deuteronomy thus plays a prominent role in the development of political thought no less than that of religious thought.

**OUTLINE**

Important indications for Deuteronomy's structure are provided in “headings” or, rather, formal introductions that name the “genre” of the material that follows. Four such introductions are given by the narrator: “These are the words” (1:1); “This is the torah/these are the decrees and the statutes and ordinances” (4:44–45; au. trans.); “These are the words of the covenant” (29:1 [MT 28:69]); “This is the blessing” (33:1). Rather than simply dividing the book into four sections (as some scholars have suggested), these introductions need to be supplemented by further structural markers and criteria.

Moses himself twice introduces his subsequent speeches: “This is the commandment—the statutes and the ordinances” (6:1); “These are the statutes and ordinances” (12:1). Furthermore, the “blessings and curses” in Deut 27:11–26 and Deuteronomy 28 form a “genre” of their own (cf. 11:26, 29; 30:1, 19). The same holds for the “Song” of Deut 32:1–43 (cf. 31:19–22, 30; 32:44). Finally, narrative criteria must be taken into consideration to determine the structure of Deuteronomy 31—34. God’s command to Moses to ascend Mount Nebo, see the land, and die (32:48–52) is the opening section of the narrative of its fulfillment in Deuteronomy 34, thus including Moses’ Blessing (ch. 33).

The “words” introduced at the beginning of the book (1:1) are solemnly concluded by Moses’ final speech in 32:45–47, setting apart the Blessing (ch. 33). Clearly identifiable are Moses’ first discourse in Deut 1:6–4:40 and his second, and longest, torah discourse in Deuteronomy 5—26. One should note that the frequent designation of Deuteronomy 5—28 as the “second discourse of Moses” is incorrect and misleading, since Deuteronomy 27—28 contain newly introduced speeches (27:1, 9, 11), the first two of which even include additional speakers: the elders (27:1) and the Levitical priests (27:9)—and the blessings and curses in Deut 27:11—28:68 are a different genre altogether.

Based on the criteria outlined so far, a practical overview of the structure and content of Deuteronomy can be proposed as follows:

- **The First Discourse of Moses (1—4)**
  - Lessons from the Journey through the Wilderness (1—3)
  - Theological Lessons from the Theophany at Horeb (4:1–40)

- **The Second Discourse of Moses (5—26)**
  - Re-enactment of the Horeb Covenant (5)
  - The Decalogue (5:6–21)
  - Exhortations on the First Commandment (6—11)
  - The “Statutes and Ordinances” (12—26)
  - Regulations Related to the Chosen Place (12—18)
  - Criminal and Civil Law (19—25)
  - Culic Acts to Be Performed at the Chosen Place (26)

- **Discourses Related to the Mosaic Covenant (27—30)**
  - Covenant Rituals at Mount Gerizim and Mount Ebal (27)
  - Moses’ Blessings and Curses (28)
  - Moses’ Moab Covenant Discourse (29—30)

- **Moses’ Delegation of Leadership to Joshua and Death (31—34)**
  - Moses Handling Over His Office and the Torah; a Theophany (31:1—32:47)
  - The Song of Moses (poetry) (32:1—43)
  - Moses’ Ascent to Mount Nebo, Vision of the Land, Death, and Burial (32:48—34:12)
  - The Blessing of Moses (poetry) (33:1—29)

While this scheme may help us to understand the basic outline of Deuteronomy, further structural indications are needed for the parenesis (exhortatory composition) of Deuteronomy 6—11 and the laws of Deuteronomy 12—26 (see commentary).

**SELECT BIBLIOGRAPHY**


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Deuteronomy


**COMMENTARY**

**THE FIRST DISCOURSE OF MOSES (1–4)**

**LESSONS FROM THE JOURNEY THROUGH THE WILDERNESS (1–3)**

Words of Moses in Moab (1:1–5). Moses’ “words” are, as Deuteronomy’s opening indicates, the principal matter of this book. They are introduced here (v. 1) and formally concluded toward the end of the book (32:45–47); they thus refer to all the Mosaic discourses within this framework. "Moses began to expound this torah" (1:5; au. trans.), in contrast, has a more limited scope and introduces just the first major discourse (1:6–4:40; "torah" means “teaching”; see p. 160).

From the very beginning, the *incipit* points out that the authority behind Moses’ words is divine: “according to all that the LORD had commanded him” (1:3; au. trans.)—a prolepsis of what Moses himself will recount in greater detail about his commission at Horeb (cf. 4:5–14; 5:31; 6:1). The addressees of this divine teaching, however, are the people of Israel (1:1, 3). The narrative arc of the book comes to an end only after Moses’ death, when the Israelites, indeed, act “according to what the LORD had commanded Moses” (34:9; au. trans.: Jean-Pierre Sonnet).

The communicative framework having been established (1:1, 3, 5), the *incipit* expounds in its fine palindromic structure on Deuteronomy’s spatial and temporal situation. The spatial setting is highly symbolic: “beyond the Jordan” (vv. 1, 5), with its deep valley symbolizing Deuteronomy’s liminal situation just before the final entry into the promised land. The full relevance of the location of Moab (v. 5) will become evident only at the end of the book, when Moses ascends Mount Nebo to enjoy the full view of the promised land. The setting of Deuteronomy is determined by this final scene.

The eleven days from Horeb to Kadesh-barnea (v. 2) are in stark contrast to the fortieth year in which Deuteronomy is staged (v. 3), containing, in *nucleus*, the narrative tension of the story of the failed conquest and the forty years in the wilderness told by Moses in Deuteronomy 1–3. The solemn, precise date, “on the first day of the eleventh month,” emphasizes the importance of this day, which will turn out to be the last day of Moses’ life (cf. 32:48–52; 34).

From Horeb to Moab (1:6–3:29). Before really starting his torah exhortations (introduced by “now, therefore” in 4:1), Moses gives a quite extensive account of Israel’s journey from Horeb—starting with God’s command to depart (1:6–8)—to their arrival “in the valley opposite Beth-peor” (3:29; cf. 4:46; 34:6). Immediately after beginning and just before concluding this account, Moses inserts subplots recounting events that happened “at that time”: the appointment of judges at Horeb (1:9–18) and the episodes relating to the conquest of the land after the journey through the desert (3:18–28). The central part of the account falls into two halves of similar length: the failed conquest that leads
to the death of the Horeb generation (1:19—2:15) and the successful conquest of the territories east of the Jordan (2:16—3:17).

God’s command to depart from Horeb (1:6—8). This first brief scene in Moses’ account of Israel’s past is programmatic in three ways. First, it reports a divine speech, indicating that Moses is principally concerned with transmitting divine commands to Israel. “The LORD our God” are Moses’ first words in Deuteronomy, expressing his focus on Israel’s communal relationship with God. Second, it refers to Horeb as the location of the divine command. Horeb is the origin of divine revelation in Deuteronomy (chs. 4:5); it is the point of reference for the Moab covenant (29:1 [MT 28:69]) and appears as “Sinai” at the beginning of Moses’ blessing (33:2); moreover, Horeb is the starting point of Israel’s journey now to be told by Moses (Deut 1:6—3:29).

Third, the divine command to conquer the land (1:8) sets the tone for the immediately urgent matter of Moses’ speeches. Since Israel failed to fulfill this divine command at the first attempt, and a complete generation had to die in the desert (1:19—2:15), it is “today” that Moses must encourage the new generation to take the land into possession (cf. esp. 7:17—21; 9:1—3; 11:22—25; 31:2—8). Since Moses himself cannot lead Israel into the land, he will have to hand this task over to Joshua (3:26—28; 31:1—8). The divine command reported by Moses (1:6—8; cf. 10:11) is not found in these words at Israel’s departure from Sinai as related in Num 10:1—13. The land, envisioned in God’s words in a maximal extension up to “the river Euphrates” (1:7; cf. Gen 15:18), will be shown to Moses with more realistic dimensions at the end of the book (Deut 34:1—3). God’s promise to the patriarchs (1:8) is also the concern of the last divine words in this book (34:4).

Moses’ appointment of judges at Horeb (1:9—18). Although it may be surprising at first sight that Moses inserts his account of the appointment of leaders before telling the story of Israel’s departure from Horeb (1:19), this scene is also programmatic for Deuteronomy. First, Moses refers to a previous occasion when he had to state that his inability to bear his responsibilities required a change in the governance of the people. A similar process will now be necessary with his handover to Joshua (cf. “I am unable by myself” in 1:9 and “I am no longer able” in 31:2). At Horeb, the organization of the people had become necessary because of the fulfillment of God’s promise that they should become “as numerous as the stars of heaven” (1:10; cf. Gen 15:5; 22:17; 26:4), while the fulfillment of the promise of the land (Deut 1:8) is still in the future (cf. Josh 21:43—44).

Second, as Moses was then concerned with God’s blessing on the people (1:11), blessing will be his last act for them “before his death” (33:1). Third, the men then chosen as leaders were required to be “wise, discerning, and reputable” (1:13) and Moses commanded the people “at that time” (framing vv. 9, 18) with “all the things that you should do” (v. 18). “Now” (4:1) Moses will teach the people the Torah, which will make them all “wise and discerning” in the eyes of other nations (4:6). Fourth, the idea of judgment without partiality—a fundamental prerequisite for justice in society—connects Moses’ former institution of judges with his legal teaching in Deuteronomy (the respective expression is the same in 1:17 and in 16:19, otherwise found only in Prov 24:23). Similarly, equal treatment for an Israelite “brother” and a “resident alien” (Deut 1:16) is a recurring theme in Deuteronomy (cf. esp. 24:14). “You shall not be intimidated by anyone, for the judgment is God’s” (1:17) formulates the principle that judicial matters must not be influenced by human power, which are therefore protected by God as the supreme power of the universe. The judges and leaders appointed will be followed by holders of the same offices in the land (cf. 1:15—16; 16:18). Moses’ role as supreme judge will be taken on by officials at the place chosen by God in the land (1:17—18; cf. 17:8—9).

The main equivalent story in the preceding narrative of the Pentateuch is found in Exodus 18, which is especially clear in the choice of “commanders of thousands,” hundreds, fifties, and tens (the same Hebrew expressions are used in Exod 18:21, 25; Deut 1:15, but not rendered consistently in RSV). The appointment of seventy elders after Israel’s departure from Sinai according to Num 11:10—30 is quite different in substance, but Moses’ opening statement has a strong parallel there: “I am not able to carry all this people alone” (Num 11:14; cf. Deut 1:9).

Moses’ account in Deut 1:9—18 shows significant differences from Exodus 18. While in Exodus 18 Moses’ father-in-law, Jethro, advises Moses to appoint leaders, Moses makes this proposal to the people on his own account according to Deut 1:9—18; Jethro is never mentioned in the Book of Deuteronomy. While Jethro reprimands Moses—“not good is the thing that you are doing” (Exod 18:17; au. trans.—Moses claims that the people, who have no say in Exodus 18, approved of his idea ("good is the thing that you have said to do": Deut 1:14; au. trans.). Did the author of Deut 1:6—18 know the story of Exodus 18? For readers of both texts, Moses here seems to present himself in a considerably more prominent role.

Disobedience leads to failure and death (1:19—2:15). This first major part of Moses’ account relates
to Israel's sin and failure in the past (another major reflection on sin will follow in 9:1—10:11). The narrative is highly pedagogical, highlighting the gravity of Israel's disobedience and its disastrous consequences. After Israel's departure from Horeb "as the LORD our God had ordered us" (1:19; cf. 1:7) and their arrival at Kadesh-barnea, Moses told them to take the land into possession, precisely according to the divine command (1:20—21, cf. 1:8). The incipient resistance (or lack of trust) is unobtrusive. The people proposed sending spies into the land to gather strategic information on the route they should take and the cities that would need to be conquered (1:22). Moses was happy with the idea and sent out twelve spies, one from each tribe (1:23). They did their job and brought good news (1:24—25). But here, the resistance becomes openly visible: "you were unwilling" (1:26). Among themselves ("in your tents") they surmised that God's "hated" was the motive of the exodus (1:27; cf. 9:28) and discussed rumors about the spies' reports of dangers in the land (1:28). Even Moses' speech of encouragement (1:29—31; cf. 9:1—3) did not convince them to have "trust in the LORD" (1:32; cf. 9:23).

As a result, God's anger broke out fiercely, so that he swore that none of the present generation would see the land except Caleb (1:34—36). God was enraged even against Moses ("on your account," says Moses, 1:37; cf. 3:26), commanding him to appoint Joshua (1:38). The children of the generation of the exodus would receive the land—those "who today do not yet know good from evil" (1:39; au. trans.). This is a subtle pre-allusion to what is supposed to be happening in Deuteronomy (the phrase is not found in the parallel passage Num 14:31): "today," forty years later, these children are grown up and Moses will lay before them "good" and "evil" (30:15; NRSV "prosperity" and "adversity"). For now, the exodus generation had to go into the desert (1:40).

Yet, once again, they acted against God's will, though they pretended to have understood their sin and to be willing to fulfill his command (1:41). God's warning (1:42), mediated through Moses, did not help: "you would not listen" (1:43). Once again, "you rebelled against the command of the LORD" (1:43; cf. 1:26), making war on the Amorites. A disastrous defeat was inevitable (1:44—45) and God did not even listen to their weeping (1:46). What follows is a long sojourn in Kadesh (1:47; completing a circle started in 1:19).

Another lengthy period of wandering, around Mount Seir (2:1), was concluded by a divine command to move on through the territory of Edom without attempting any conquest (2:2—6). They passed by "your kindred, the descendants of Esau" (2:7; cf. 23:7 [MT 23:8]) peacefully. Only after reporting the crossing of Wadi Zered (a deep valley in present-day Jordan, whose waters flow into the Dead Sea), does Moses summarize the journey from Kadesh-barnea (1:19, in the northern Sinai) to this point (roughly 75 miles/120 km) taking thirty-eight years (2:14). By then, the whole generation of warriors had died "as the LORD had sworn" (cf. 1:34—36), and with God even actively helping to finish the task "until all had perished" (2:15). Moses is now speaking to the second generation (but cf. 5:3).

Comments by the narrator (2:1—12, 30—23; 3:9, 11, 13b—14). In 2:9—13, the divine command to move on is interrupted by historical explanations given by the book's narrator (2:10—12). Similarly, the divine speech in 2:17—25 is interrupted (2:20—23) and the narrator's voice inserts itself again, interrupting Moses' account, in 3:9, 11, 13b—14. These passages provide background information as to how Moses' narration relates to the present reality of the implied readers (cf. esp. "to this day" in 2:22; 3:14). Og's huge iron bed can still be admired in Rabbah, the city of the Ammonites (3:11), and the village of Hawoth-jair is still known (3:14; cf. Num 32:41).

Theologically more significant than these curiosities, however, are the first two interpolations into Moses' quotations of divine speeches. They explain a historiographical scheme according to which God drove out ancient nations of giants before the inhabitants of Ar, the Ammonites and the Edomites (2:10—12, 20—23), just as the LORD drove out the Canaanite nations before Israel (2:12). This scheme is interesting in that it emphasizes that Israel's conquest of the promised land is not a unique case, but part of a larger "program" realized by the LORD for several peoples (2:21—22). These legends concerning the giants who were thought formerly to have inhabited these lands may have been inspired by monumental archaeological remains from the bronze age (second millennium BCE).

The conquest of the territories east of the Jordan (2:16—3:17). After the death of all the warriors of the exodus generation (once again emphasized in 2:16), Israel can finally move on more smoothly. Moses has two military success stories to tell: the conquests of the territories of King Sihon (2:17—37) and of King Og (3:1—7; both victories are summarized in 3:8, 10). These are followed by Moses' account of the distribution of the territories (3:12—17) to the tribes of Reuben, Gad (3:12, 16—17), and Manasseh (3:13, 15; Machir is a son of Manasseh, cf. Gen 50:23).

The two successful conquests are based on the second generation's perfect obedience—in contrast to Israel's previous disobedience—to the relevant divine commands (2:17—19, 24—25; 3:2). Moses' offer
of peaceful transition (2:26–29) is rejected by King Sihon “for the LORD your God had hardened his spirit and made his heart defiant” (2:30; cf. the "hardening" of the "heart" of the pharaoh in Exod 7:3). The towns of Sihon and Og are devoted to utter destruction (2:34; 3:6), as will be commanded regarding the rest of the promised land (7:2; 26; 20:17). Moses will refer to these success stories in his final encouragement of Israel to take possession of the land (31:4).

Comparison with Numbers. The spy story (Numbers 13—14; cf. the shorter version in Deut 1:19–46), the victories over Sihon and Og (Num 21:21–35; longer in Deut 2:16–3:11) and the distribution of the territories east of the Jordan (Num 32:33–42; cf. Deut 3:12–17) follow the same chronological sequence (unlike the following episodes) as the narratives in Numbers, but they differ both in length and in many significant details. Several differences in Moses’ version clearly serve his rhetorical purposes. The initiative to send out spies, for instance, is God’s according to Numbers (13:1–3), while Moses claims that it was the people’s idea (Deut 1:22), potentially suggesting that Israel’s lack of trust was already present in this request. While Numbers finishes its account of the subsequent defeat and persecution with the words “as far as Hormah” (Num 14:45; cf. Deut 1:44), Moses adds the dramatic motif of Israel’s weeping that remains unheeded by God (1:45).

Three episodes relating to the conquest of the western territories (3:18–28). As at the beginning of his account (1:19–18), Moses inserts here, at the end, subplots chronologically related to the time after the desert wanderings. “At that time” (3:18, 21, 23) Moses made three interventions about the conquest of the land: in a first speech, he commanded the men of the east Jordanian tribes to fight along with their brothers to conquer the territories west of the Jordan and then to return (vv. 18–20; cf. Num 32:1–32). Second, Moses commissioned Joshua (Deut 3:21–22; cf. Num 27:18–23; Deut 1:38; 31:7–8). Third, Moses implored the LORD to be allowed to cross over to this “good land” in person (Deut 3:23–25), and God refused (vv. 26–28). Instead, Moses was told to go up to Mount Pisgah to see the land (v. 27; cf. Num 27:12; Deut 32:49, 52; 34:1–3), and to install Joshua (3:28; cf. 31:7–8). Thus, these three communications (their sequence rearranged relative to Numbers) summarize themes that will be taken up and acted upon at the end of the book (Deuteronomy 31—34), while the actual handover to Joshua is now interrupted by a series of lengthy discourses in which Moses teaches Israel in preparation for their life in the land and establishes the Moab covenant (Deuteronomy 4; 5—26; 27—28; 29—30).

Theological Lessons from the Theophany at Horeb (4:1–40)

Against the background of his lengthy account of the consequences of disobedience versus obedience (Deut 1:6—3:29), Moses introduces his first exhortatory teaching: “Now, therefore, Israel, listen to the statutes and ordinances” (4:1; au. trans.). The preceding stories are thus told not as historical curiosities but to motivate obedience, and all the weight of Israel’s “experience,” as represented by Moses, is placed on “now, therefore.” For the first time in Deuteronomy, Moses addresses “Israel” by name, indicating that their very identity is at stake when it comes to the “statutes and ordinances that I am teaching you to observe.” “So that you may live” programmatically announces the end and aim of all the laws of Israel: the people’s life (cf. 5:33; 8:1, 3; 16:20; 30:19; 32:47).

The main thrust of this opening speech concerns matters of fundamental importance for Moses’ teaching in Deuteronomy: the value of his teaching for Israel’s life and honor (4:1—4, 5–8); the origin of his teaching in divine revelation at Horeb (vv. 9–14); and the Horeb theophany’s relevance for Israel’s obligation to refrain from images (vv. 15–22), neglect of which would lead to exile (vv. 23–31; cf. the similar introductions in vv. 9, 15, 23). The speech culminates in a powerful proclamation of God’s uniqueness (vv. 32–40), but it is framed by the general exhortation to obey the statutes and ordinances (vv. 1, 40) that will dominate the central discourse of Deuteronomy (chs. 5—26).

Do not add nor take away—a matter of life and death (4:1–4). Moses introduces his speech by highlighting the extreme importance of his teaching. Israel must not add to or take away from “the word” (v. 2; au. trans.). This singular (not rendered in NRSV) is a solemn expression for Moses’ teaching that reappears at the end of his discourses (30:14; 32:47). The “canon formula” (4:2, cf. 12:32 [MT 13:1]) is inspired by similar phrases in Neo-Assyrian texts. It presupposes the general cultural habit of adding and subtracting in ancient Near Eastern textual production, a practice without which the Pentateuch would never have grown into its present form.

The example of Israel’s idolatry of the deity Baal (“Lord”) of Peor and its deadly consequences (4:3–4; cf. Numbers 25) should make the people aware of the life-relevance (cf. Deut 4:1) of Moses’ teaching. Only those who “held fast to the LORD” (cf. 10:20; 11:22; 13:4 [MT 13:5]; 30:20) are “all alive today” (cf. 5:3). Obedience as a matter of life and death frames Moses’ great Torah-related discourses (4:2–3; 30:15–20). The example of Baal of Peor introduces the theme of idolatry, which will be a central concern of this speech.
Torah—Israel’s wisdom before the nations (4:5–8). Moses now proclaims what Deuteronomy is fundamentally about: his teaching of statutes and ordinances (v. 5) to be kept in the land (cf. 12:1). His teaching is authorized by the divine commission at Horeb (cf. 4:9–14 and the inclusio of vv. 5, 14; see also p. 154 on 5:31 and 6:1). First, however, Moses focuses on another motivation for obedience: Israel’s honor in the international arena (vv. 6–8). For “this is your wisdom and discernment to the peoples” (v. 6; au. trans.). Their presumed reaction to hearing the statutes—what a wise and discerning people is this great nation?” (au. trans.)—stands in stark contrast with the reaction of “all the nations” about Israel found later in Deuteronomy, namely their explanation of Israel’s future disaster (29:25–28 [MT 29:24–27]), and it is painfully inverted in the Song of Moses: “O foolish and senseless people” (32:6).

Here, however, Moses continues to unfold what “greatness” means for Israel: God’s proximity (cf. the nearness of “the word” in 30:14) in Israel’s prayer (4:7) and the justice of the statutes and ordinances (v. 8). For the first time in Deuteronomy, Moses calls his teaching “torah.” Israel’s honorable role, if they are obedient, will be unfolded at the end of the torah discourse (26:19). Moses expresses his praise in two rhetorical questions (4:7–8); his last words will also be a rhetorical question about Israel’s uniqueness: “Who is like you, a people saved by the LORD?” (33:29).

At Horeb, God commissioned Moses to teach Israel (4:9–14). Moses’ first urgent warning not to forget (v. 9; cf. vv. 15, 23) and to teach subsequent generations precedes his account of the “day, when you stood before the LORD your God” (v. 10; au. trans.). This implies the people’s official presence at a ceremony (cf. 29:14) and corresponds with the “day of the assembly” at Horeb (9:10; 10:4; 18:16) and—at the same time—with Deuteronomy’s “today” (e.g. 5:3; 29:10–15 [MT 29:9–14]). Only here in this chapter, Moses quotes a speech in which God commands him to assemble the people, to whom “my words” shall be revealed, so that they will learn to fear God and teach their children to do the same. The same dynamics will be reenacted at the torah reading in the land (cf. 31:12–13). The “words” heard in a fiery theophany are the “ten words” (4:13; NRSV “commandments”) written on the two tablets of stone (cf. 5:22; 10:4). While the people hear only these, Moses is also charged to teach Israel statutes and ordinances (4:14; cf., more elaborately, 5:23–31).

You saw no form at Horeb—do not make any idols (4:15–22)! The theophany, which has already been described with a sense of awe (vv. 11–12) now becomes the focus of attention (v. 15) to inculcate one of the “ten words”—the prohibition of images (5:8–10). Since the people had not seen any “form” at Horeb (4:15), no such thing may be made (v. 16), whether in the shape of any living thing (vv. 16–18), or related to the celestial bodies (v. 19). Moses not only freely admits that these are generally worshipped by the surrounding peoples, but even claims that the LORD has allotted them “to all the peoples everywhere under heaven” (v. 19). But Israel was taken by the LORD “out of the iron-smelter” (cf. 1 Kgs 8:51; Jer 11:4), “out of Egypt, to become his treasured people, as you are today” (v. 20; au. trans.). The exodus motif, which naturally introduces the theme of taking possession of the promised land (v. 22), makes it unavoidable for Moses to repeat his lament about his own fate not to be able to enter the land (vv. 21–22). This explains why everything depends on Israel now, and why Moses is conveying such a powerful sense of urgency: this is his last chance to transmit his teaching.

Idolatry will lead to exile; still God is merciful (4:23–31). A theological climax is shaped here with the greatest literary refinement. The passage is framed by a double contrast: the demand not to forget God’s covenant (v. 23), as opposed to the promise that God will not forget his covenant with the fathers (v. 31; outer frame), connected with parallel statements about God’s “jealousy” (or “passion,” v. 23) versus his mercy (v. 31; inner frame). Between these contrasting extremes, a historical drama is outlined. Based on the prohibition of images (the concern of the previous section taken up again in summarized form [v. 23] combined with the characterization of God as a passionate, jealous lover from the theological reasoning found in the Decalogue; v. 24; cf. 5:9), Moses draws a picture of what would happen if Israel’s descendants were indeed to fall prey to this sin and to “provoke” God (4:25; cf. 9:18; 31:29; 32:16, 21). Moses solemnly invokes heaven and earth to witness that the people would perish (4:26; cf. 30:18–19). God would scatter them among the nations (4:27; cf. 28:64; 30:3); only a few would be left (cf. 28:62) where God would “lead” them (cf. 28:37). There they would serve “other gods,” “wood and stone” (4:28; cf. 28:36, 64).

But there, in exile, Israel would search for God “with all your heart and all your soul” (4:29; au. trans.; cf. 30:2, 10). When “all these things” had overtaken Israel (4:30; cf. 30:1) “in the latter days” (KJV; NRSV “in time to come”; 4:30; cf. 31:29), they would return to God (cf. 30:2, 8, 10) “because the LORD your God is a merciful God” (4:31). This brief passage thus forms the point of origin for a dramatic scenario of the future that will be refracted as though through a prism toward the end of the book into a spectrum of speeches (Deuteronomy 28:29—30; 31—32).
Theologically, Moses characterizes God with the powerful metaphor of a "devouring fire" (v. 24). "Fire" occurs seven times in this discourse (4:11, 12, 15, 24, 33, 36 [twice]). The fire of the theophany (vv. 11, 36) is the source of God's verbal revelation (vv. 12, 15, 33, 36), but according to the fourth occurrence—the central usage of the word—it is an essential image for his innermost character: the passionate, jealous lover (4:24; 5:9; 6:15). God's mercy (4:31) does not contradict this image, but is just the other side of the same coin, another reflection of this deeply emotional character.

The Lord is God—there is no other (4:32–40)! After this climax, there follows yet another theological high point. In contrast to the "latter days" (v. 30; au. trans.), Israel shall now ask about the "former days" (v. 32, NRSV "former ages"), whether any such great thing has ever happened. Twice, Moses leads his audience the same way: from the unique experience of the Horeb theophany (vv. 33, 36) and the wonders of the exodus (vv. 34, 37–38) to the insight that "the Lord is God; there is no other besides him" (v. 35, cf. 39). The first reference to the Horeb theophany focuses on the miracle of Israel's survival (v. 33; cf. 5:24–26), the second on God's self-revelation from heaven and on earth (4:36, cf. v. 39). The first mention of the signs of the exodus (v. 34) is then widened to include the entire process that stretches from God's "love" for the fathers (v. 37) to the gift of the land "as it is...today" (v. 38; "still" in NRSV is a misleading addition, since this "today" looks out to the immediate future; cf. 9:1).

The climactic theological statements of 4:35, 39 are among the very few passages in the Hebrew Bible that explicitly deny the existence of other gods, a thought that leads toward the belief in only one God. Most similar passages are to be found in Second Isaiah (Isa 45:5, 6, 14, 18, 21, 22; 46:9).

Cities of refuge for the Transjordan territories (4:41–43). This is the only place in Deuteronomy 1–30 where the narrator reports an action of Moses other than speaking. He sets apart three cities in the freshly conquered territory east of the Jordan (v. 41) as places of asylum for persons who have killed unpunishedly (v. 42), thus beginning a process that will be continued in the west according to his teaching (cf. 19:1–13) and, in fact, will be continued by Joshua (Josh 20:7). The three tribes who benefit from this action (Deut 4:43) connect this report with Moses' account of the distribution of the land to them (3:12–17). This short report shows Moses, in one of his last deeds, actively engaged in establishing the juridical infrastructure with which he will be concerned at the center of his torah discourse. Moses has taken the appropriate measures in the east; what follows in the torah speech is meant to be dispatched to the west.

Moses' torah discourse solemnly introduced (4:44–49). "This is the torah" (v. 44; NRSV "law") begins the introduction to the central discourse of Deuteronomy (chs. 5–26), using the key term "torah," the meaning of which goes far beyond "law." Most literally, it means "teaching, instruction," and it comprises ethical, legal, and religious norms that are grounded in the covenant with God and related to "historical" considerations—reflections on the past and prospects of the future. Torah thus implies a holistic conception of normativity that connects the collective memory of Israel and its religious commitments with ethical foundations that are spelled out in legal norms. This way of reasoning about normativity goes beyond the restricted functions of law in modernity and may be inspiring for reflections on normativity—the relationship between historical experience, ethical values and law—in contemporary societies.

"These are the decrees and the statutes and ordinances" (v. 45) shows that "torah" (v. 44) implies various categories of normative regulations, although it is difficult to identify any systematic application of these terms to different types of regulations. Providing the temporal and geographical coordinates of Moses' central speech, the narrator reminds readers of the conquest of the territories east of the Jordan (vv. 46–49; cf. the setting in 1:1–5) that Moses had narrated before (2:16–3:11). This theme will be continued by Moses' command to cross the Jordan and conquer the land to the west (cf. 31:1–8 and the Book of Joshua).

The Second Discourse of Moses (5–26)

Re-enactment of the Horeb Covenant (5)

The opening chapter of Moses' torah discourse (Deuteronomy 5–26) is crucial to the hermeneutics of law in Deuteronomy. The chapter is framed by exhortations to obedience (5:1, 32–33). Its central matter is Moses' account of the covenant made at Horeb (vv. 2–31), including God's proclamation of the Decalogue (vv. 6–21).

Moses' account differs greatly from its counterpart, the making of the Sinai covenant in Exodus 19–24. First, the theophany and the making of the covenant, both elaborately unfolded there, are concisely summarized here (Deut 5:2–5, 22). Second, the people's request for Moses' mediation, short and succinct there (Exod 20:19), is solemnly expanded here (Deut 5:23–27). Third, while the Book of the Covenant is revealed and written down subsequently there (Exod 20:22–23:33; 24:4), Moses does not mention the Book of
the Covenant in Deuteronomy. Instead, he reports that God accepted the peoples’ request (Deut 5:28–30), while he himself was commissioned to teach the people: “But you, stand here by me, and I will tell you all the commandments [NRSV, imprecisely, plural ‘commandments’]—the statutes and the ordinances, that you shall teach them...in the land” (5:31), which is precisely what he will be doing in the rest of his torah discourse (Deuteronomy 6–26; cf. “Now this is the commandment—the statutes and the ordinances—that the LORD your God charged me to teach you to observe in the land,” Deut 6:1).

While the Book of the Covenant (written down according to Exod 24:4) remains unmentioned, it is replaced in Deuteronomy by Moses’ teaching, which he writes down at the end (Deut 31:9). In contrast, Moses is very clear in reporting that the two stone tablets handed over to him by God contain the Ten Words and nothing else (5:22), a matter far less clear in Exodus (cf. Exod 24:12; 31:18).

The framing exhortations (5:1, 32–33). These refer at the beginning to the “statutes and ordinances” communicated “today” by Moses (5:1) and at the end to what “the LORD your God has commanded you” (twice in vv. 32, 33, meaning the Decalogue). “Hear, O Israel” (v. 1), solemnly opens the great torah discourse, but another rhetorical opening has superseded this verse in prominence (cf. 6:4). The sequence of “hearing,” “learning,” “keeping,” and “doing” (v. 1, cf. esp. 31:12–13) expresses a theory of pedagogy. “Learning” is an essential step that presupposes openness and attention, and it is oriented toward practical application. Deuteronomy’s emphasis on learning is the main source for the high culture of learning for which Judaism has become renowned. The exhortation at the end of the chapter employs the image of the “path” (v. 33; cf. Psalm 1) from which Israel “shall not turn to the right or to the left” (Deut 5:32; cf. 2:27; 17:11, 20; 28:14).

With all of us here alive today (5:2–5). “The LORD our God made a covenant with us at Horeb” (v. 2) is Moses’ programmatic opening statement that links everything that follows in his torah discourse with Horeb (on the mountain’s role in Deuteronomy cf. p. 156 on 1:6–8). “The LORD our God” (cf. Moses’ first words in 1:6) already indicates that Moses is wholly concerned with Israel’s present relationship with God, a point explicitly emphasized in the following verse. “Not with our ancestors did the LORD make this covenant” (5:3) is a blatant contradiction of Moses’ lengthy account of the death of the Horeb generation (1:19–2:15). Of course, God had made his covenant with the “fathers” of the present generation. Rather than lying, however, Moses is using a rhetorical effect to emphasize his following point: “but with us, who are all of us here alive today” (v. 3; for “alive” cf. 4:4). Rather than being a matter of the past, God’s covenant directly affects Moses’ present audience. Moreover, his rhetoric of reenactment is applicable to any future performance of his speech (e.g., in public teaching, cf. 31:9–13).

God “spoke with you face to face” (5:4). In the Hebrew Bible, the expression “face to face” is found exclusively in direct encounters with God or his messengers (cf. Jacob in Peniel, Gen 32:30; Moses in Exod 33:11; Deut 34:10; Gideon in Judg 6:22; God as a judge in Ezek 20:35). God was speaking “out of the fire” (Deut 5:4; on the importance of this motif see p. 160). The awe-inspiring direct communication of God (v. 4) and Moses’ mediation because of Israel’s fear (v. 5) introduce themes that will be elaborately developed (vv. 22–31) after the quotation of the Decalogue.

The Decalogue (5:6–21).

Moses quotes the “ten words” (as they are called literally in 4:13; 10:4; the term Decalogue is derived from the Greek translation of this expression). Three times, Moses reminds his audience that he is quoting God’s words, inserting the phrase “as the LORD your God commanded you” (vv. 12, 16; cf. “therefore the LORD your God commanded you,” v. 15). Beyond these insertions, there are other significant differences from the Decalogue in Exod 20:2–17. Most prominently, the reason that Moses gives for keeping the Sabbath—the seven days of creation according to Exod 20:11 (cf. Gen 1:1–2:3)—is replaced by the deliverance experienced of the exodus (Deut 5:15).

Furthermore, Moses includes “your ox” and “your donkey” in the Sabbath rest and emphasizes “so that your male and female slave may rest as well as you” (Deut 5:14; lacking in Exod 20:10). Finally, Moses separately prohibits coveting one’s neighbor’s wife, thus elevating her distinct role (Deut 5:21), while she is no more than a part of the neighbor’s “house” in Exod 20:17. There are several more minor differences between the two versions, but the ones already mentioned suffice to show that even the most sacred text “written with the finger of God” (Exod 31:18; Deut 10:10), may be and may have to be interpreted to gain a deeper understanding of ethical matters.

In literary terms, the Decalogue falls into three main parts. The first, including the prologue (Deut 5:6) and the prohibitions against the veneration of other deities or images and against the abuse of the divine name (vv. 7–11), is concerned with protecting the integrity of Israel’s exclusive relationship with the LORD. The second comprises the only two positive commands of the Decalogue—keeping the Sabbath (vv. 12–15) and honoring parents (v. 16)—which both include social
and theological concerns. The remaining prohibitions purely relate to the social realm (vv. 17–21). The Decalogue thus sees the faithful covenant relationship with God as the foundation of ethical behavior that is meant to “trickle down” into the human sphere.

God delivered Israel from Egypt, he proclaims in the very beginning (v. 6). This is the foundational experience from which Israel’s religious and ethical life derives. Based on the rescue from Egypt, the Lord became for Israel “your God” (an expression of affection, comparable to “your husband”) in the covenant relationship. Based on the experience of liberation, Israel must create a space of freedom for any dependent worker (and even for animals) on the Sabbath (v. 15). God’s commands for Israel are meant to preserve the freedom gained through the exodus.

God’s second self-characterization in the Decalogue is of equal importance. “I am a jealous/passionate God” (v. 9; NRSV “jealous” is too narrow; cf. 4:24; 6:15), which implies both God’s zeal for retribution, “visiting the iniquity of the fathers upon the children unto the third and fourth generation of them that hate me” (KJV; NRSV “punishing” is too narrow), and God’s abundant faithfulness, “showing steadfast love to the thousandth generation of those who love me and keep my commandments” (v. 10). The idea that God persecutes guilt in subsequent generations (v. 9) may have been of special significance for the generations in exile, who felt that they were suffering from the “iniquities of their ancestors” (cf. Lev 26:39–40). This idea, however, is put into question in Deuteronomy itself (cf. Deut 7:9–10).

Tremendum et fascinansum—Israel’s request for mediation (5:22–31). God proclaimed precisely these words (“and he added no more”; cf. the prohibition to add in 4:2), wrote them down, and handed them over to Moses (5:22; cf. Moses’ writing and handing over in 31:9). These words were spoken “with a loud voice to your whole assembly” (5:22), in contrast to those spoken only to Moses after the people’s request for mediation (cf. v. 31).

While the people’s request is very brief, and answered by Moses according to the Book of Exodus (Exod 20:19, 20), Moses here reports a rhetorically refined speech by the people’s representatives (for the “heads of your tribes” cf. 1:15; 29:9), followed by a response from God himself, but addressed to Moses in private (Deut 5:24–27, 28–31). This dialogue, therefore, has far greater weight and importance for Moses’ account than for the narrative of Exodus 20. First, Israel’s reaction to the theophany (5:24–27) is not just an expression of fear (cf. Exod 20:19), but an astonished appreciation of the experience that “the Lord our God has shown us his glory and greatness” (Deut 5:24) and of the possibility that humans can survive a direct encounter with God (v. 24, emphasized once again in the rhetorical question of v. 26; cf. 4:33). This presupposes the idea that direct encounter with God is highly dangerous for humans (cf., e.g., the precautionary measures taken by God in Exod 19:12–13, 21, 24). Being further exposed to the divine voice would threaten their lives (Deut 5:25), so they request Moses to transmit God’s further revelation to them, solemnly assuring their loyalty: “we will listen and do it” (v. 27).

As solemn as the representatives’ request is the Lord’s response (vv. 28–31). Fully approving of their words (v. 28), God expresses his deep wish that they will always remain committed to reverence for him and to keeping his commandments for the sake of their own well-being (v. 29). Moses will send them back to their tents (v. 30), but will stand ready himself at the mountain to receive further statutes and ordinances “that you shall teach them” (v. 31). This is Moses’ authorization for the extensive teaching that now follows in Deuteronomy 6–26.

Exhortations on the First Commandment (6–11)

“Now this is the commandment— the statutes and the ordinances” (6:1–3). Thus, Moses introduces (in formal analogy with the narrator’s introductions, esp. in 4:44; 33:1) his entire teaching in Deuteronomy 6–26, which realizes God’s commission to teach at Horeb (5:31). Although Moses announces “statutes and ordinances” here, his teaching will revolve around the one main commandment in the following lengthy speeches (Deuteronomy 6–11), before he introduces the “statutes and ordinances” again (12:1) and unfolds them in the following chapters (Deuteronomy 12–25; 26). It might be best, then, to understand Deuteronomy 6–11 as a long teaching on “the commandment,” while the “statutes and ordinances” really follow in Deuteronomy 12–26.

Just as the Horeb covenant still matters for the descendants of those with whom it was originally established (5:3), the relevance of Moses’ teaching goes far beyond the present generation and concerns “you and your children and your children’s children” (6:2)—a formulation that succinctly refers to a potentially infinite sequence of generations (cf. the “children and children’s children” in 4:25, who will live in a very distant future, in exile, according to 4:27). “Well-being” is besides “life” (cf. on 4:1)—an aim and motivation for keeping the commandments (6:3; cf. 4:40; 5:16).
Do not forget the Lord and keep his torah! (6:4—11:32). This set of exhortations focuses on Israel’s exclusive relationship with the Lord and on keeping his torah. Three prominent rhetorical introductions that employ the vocative “Israel” (“Hear, O Israel” in 6:4; 9:1; “So now, O Israel” in 10:12; cf. 4:1) mark the beginnings of three major sections. Although they all involve reflections on Israel’s earlier history, only the central part contains an extensive account of past events—Moses’ last narrative treatment of the Horeb events (the golden calf story: 9:7—10:11).

The first part (6:4—8:20) can be further analyzed according to the chapter divisions, but the main themes evolve in a complex manner. While faithfulness to God and his commands is a continuous thematic thread in 6:4—25, the framing passages (6:4—9, 20—25) look especially at transmission to subsequent generations, while the central passage, with its historical scheme (6:10—19), provides thematic anchors for what follows in the two following chapters: while Israel will take over the secular goods of the Canaanite nations (6:10—11), they will destroy the Canaanites’ cult objects (ch. 7); and the warning not to forget the Lord because they are sated (6:10—12) will become even more urgent when the people have themselves acquired wealth in the land (ch. 8; for further links see below). The three rhetorical units of Deuteronomy 7; 8:1—10:11 employ a common expression to highlight central theological messages: “Know, then” (7:9; 8:5; 9:3; 6; cf. 4:39).

Shema Yisrael, the Lord is our God, the Lord is one (6:4—9)? This is one of the possible translations of the well-known “Hear, O Israel,” which may have originally implied that there are not different “manifestations” of the Lord such as “the Lord of Samaria” or “the Lord of Jerusalem.” NRSV proposes the Lord alone,” which emphasizes the exclusivity of Israel’s covenantal relationship with the Lord. Most important, however, the uniqueness attributed to the Lord evokes the language of love (cf. Song 6:8—9). “Israel” is principally defined by their relationship with “our God.” The Shema represents a positive reformation of what is expressed negatively in the first commandment “You shall have no other God” (there is a play on Hebrew “other,” šērēm, versus “one,” ēḥad).

Only at a later stage in the development of Deuteronomy were these words interpreted as a creedal statement of monotheism (cf. 4:35, 39; Zech 14:9) and became an iconic expression of the essence of Judaism. In obedience to the following command (vv. 6—7), the Shema became a core element of daily prayer in Judaism. Objects inscribed with these words have been worn by Jews as a talisman since antiquity. (For example, archaeologists have discovered an amulet in the grave of a young girl from the third century CE in Halaburn, Austria, containing a gold scroll inscribed with the Shema in Greek letters).

“You shall love the Lord your God with all your heart, and with all your soul, and with all your might” (v. 5) is the first invitation to “love” God in the Pentateuch. “Love” for the suzerain is a requirement of faithfulness in Neo-Assyrian treaties. Deuteronomy transforms this motif by requiring love not for the king, but for God; by emphasizing that Israel’s love for God is just a response to God’s love (7:8); and by affirming that love for God requires all human capacities. The “heart” implies not only emotions, but also thinking and courage. “Soul” refers to the existential desires, the essence of life. “Might,” a very rare noun, could also be rendered “strength, energy, intensity.” Jesus saw this verse, together with the injunction to love one’s neighbor (Lev 19:18) as the principle commandment (Mark 12:28—31), which demonstrates Jesus’ deeply Jewish faith.

“And these words that I am commanding you today, shall be in your heart” (Deut 6:6; au. trans.), suggests that the “heart,” the principal “organ” for loving God (v. 5), should also be the “treasury” for “these words,” that is, everything that Moses is commanding in Deuteronomy. Loving God and safeguarding the words of Moses’ torah are thus intimately linked with each other (cf. in varying formulations 10:12; 11:1, 13, 22; 19:9; 30:16, 20).

Repeating these words to one’s children and continuously reciting them (5:6) secures their transgenerational preservation, while writing them down (6:8—9) makes them visually present in the physical body (v. 8) and in individual and collective living spaces (cf. “door” and “[city]gates,” v. 9), and at the thresholds of private and public life. One goes through doors and gates to pass from sitting “at home” to going “away” (v. 7). Moving between these spaces and repeating these words acts as powerful reminders of their meaning. Most likely the instructions to “bind” the words “as a sign on your hand” and “fix them as an emblem on your forehead” (v. 8) were originally understood in a concrete, material sense (and not just metaphorically, as v. 6), since the practice of using written amulets in Egypt goes back to the second millennium BCE. Jews have applied these regulations in a literal sense since antiquity using tefillin during prayer (capsules containing strips of parchment inscribed with passages from the Pentateuch; cf. the “phylacteries” in Matt 23:5) and mezuzot (similar capsules applied to door frames).

Do not forget the Lord and keep the commandments (6:10—19). Just as the preceding Shema Yisrael (“Hear O Israel”) moved from Israel’s relationship with
the LORD (vv. 4–5) to their life with “these words” (vv. 6–9), the double exhortation that follows admonishes Israel not to forget the LORD (vv. 10–15) and to keep his commandments (vv. 16–19). In contrast to the preceding passage, however, the exhortations are now presented in a “historical” line of thought. After the conquest of the land and in Israel’s well-being (vv. 10–11), when “you have eaten your fill” (v. 11; cf. 8:10, 12; 11:15; 14:29; 31:20), Israel must be careful not to “forget” the LORD (6:12; cf. 8:11, 14, 19) and not to “follow other gods” (6:14; cf. 8:19; 11:28; 13:3, 5, 7, 14; 17:3; 28:14; 29:25). Otherwise, the “jealous/passionate” (6:15; cf. 4:24; 5:9) God’s “anger” would be “kindled,” leading to death and the loss of the land (6:15; cf. 7:4; 11:17; 29:26; 31:17).

This passage thus introduces succinctly a central Deuteronomistic thought pattern that will be elaborately developed in several further exhortations and visions of the future (esp. in Deuteronomy 8; 11; 28; 29; 31). Israel will be given “fine, large cities” (6:10), whereas “large cities” are elsewhere considered a threat (cf. 1:28; 9:1; Josh 10:2; 14:12). The people will now receive houses and vineyards built and planted by others (6:11), but houses and vineyards built and planted by Israel will be enjoyed by others in the case of Israel’s disobedience (28:30).

The following exhortation to keep God’s commandments (6:16–19) starts with the negative example of Israel’s “testing” God at Massa (6:16; cf. 9:22; 33:8; Exod 17:7), preparing the way for the demand to act according to God’s will as a prerequisite for taking the land into possession (6:17–19). This does not refer, therefore, to the “statutes and ordinances” that shall be observed in the land (12:1), but to “his decrees, and his statutes that he” (himself) “has commanded you” (6:17), that is, the Decalogue.

The children’s question (6:20–25). Moses is now concerned with how the next generation can be motivated to obey the commandments, anticipating a child’s question (v. 20) and providing a model catechesis as the parent’s response (vv. 21–25). The catechesis, entirely in “we” form, starts from “We were Pharaoh’s slaves in Egypt” (a profession that keeps Israel’s humble origins alive as collective memory: v. 21; cf. 5:15; 15:15; 16:12; 24:18, 22) and connects the experience of being rescued by God in the exodus (6:21–23) with God’s giving of the commandments (v. 24), concluding that “it will be justice for us, if we diligently observe this entire commandment before the LORD our God” (v. 25; au. trans.).

This passage is an example of Deuteronomy’s pedagogical skill. The child would ask about the commandments that God “commanded you” (v. 20), not feeling included in the group addressed by God. The answer does not directly demand obedience, but it is up to the child to decide if he or she belongs to the “we,” for whom it will mean justice to observe the commandments (v. 25). If the child wishes to belong to Israel’s “we” group and if it wishes to act according to justice, it will keep the commandment.

Another remarkable aspect of the parent’s response is that it speaks about the land as God’s promise (v. 23), but not as a presently experienced reality. The commandments will be kept “for our lasting good, so as to make us live, as it is the case today.” Any reference to the land is conspicuously lacking here: all the emphasis is laid on mere life as God’s present gift. This teaching can thus be easily applied by parents in exile and diaspora, in which case “this entire commandment” (v. 25) would most probably refer to the Decalogue. Applied to a situation within the land, the reference would be expanded to the entire Torah of Deuteronomy. Different potential groups of recipients might be taken into consideration in Deuteronomy.

_Utter destruction of the Canaanite nations—God’s love for Israel_ (7). This chapter is thematically united by the demand utterly to destroy the Canaanite nations (cf. the inclusio vv. 2, 26) and their cultic objects (vv. 5, 25). The LORD “gives them over to you” (literally “before your face”: vv. 2, 23; cf. 2:33, 36; 31:5). The reason for this requirement is that “you are a people holy to the LORD your God” (7:6; holy in the sense of “set apart”: cf. 14:2, 21; 26:19; 28:9) and “has chosen you out of all the peoples on earth to be his people, his treasured possession.” The last expression could simply be rendered “his jewel” or “his treasure.” The ideology found in this chapter is extremely dangerous if naively applied to modern military conflicts, for example, to the claims of the modern state of Israel.

Deuteronomy 7 relates to 6:10–19 by a very similar introduction (cf. 6:10; 7:1) and several other elements. First, Moses had considered the architectural and the agricultural goods in the land to be taken over by Israel (6:10–11). Now he speaks about the people and cultic objects to be destroyed. The theological reasoning regarding the threat of God’s wrath (6:15) is now taking a positive turn with the emphasis of Israel’s special role (7:7–8) and God’s faithfulness to his covenant (vv. 9–10). This passage is special in its emphasis on God’s love. “Set his heart on you” (v. 7, cf. 10:15) refers to strong emotional attachment (the same verb is applied to a beautiful, desirable woman in Gen 34:8; Deut 21:11). Divine love reveals a misconception anticipated by Moses, namely that Israel’s greatness consists in numbers, which inspires Moses to call Israel hyperbolically “the fewest of all peoples” (7:7; cf., in contrast, “as the stars of heaven,” 1:10; 10:22; 28:62; for other anticipated misconceptions cf. 7:17; 8:17; 9:4).
The affirmation that God’s faithfulness lasts to “a thousand generations” (7:9) enters into dialogue with the Decalogue (cf. 5:10), but Moses adds here, surprisingly, and repeated for emphasis, that God “repays in their own person those who reject him. He does not delay but repays in their own person those who reject him” (7:10). This contrasts starkly with the transgenerational consequences of iniquity affirmed in the Decalogue (5:9). Within Deuteronomy, this antithesis remains dialectically open and may result from an attempt to integrate diverse standpoints in (exilic) discussions on the matter into Mosaic teaching.

God’s faithfulness is again a reason for keeping the commandments (7:11). If Israel will indeed keep them, God will also keep the covenant (7:12), and his love will be expressed in manifold blessings (vv. 13–15; cf. 28:1–15). The command to “deavor all the peoples” (7:16; cf., in contrast, 31:17; Israel will be “devoured” [NRSV “easy prey”]) is followed by an exhortation against mistaken fear (7:17–21), motivated by the experience of the exodus (vv. 18–19), the promise of divine action (v. 20) and the presence of the LORD in Israel’s midst, “a great and awesome God” (v. 21; cf. 10:17). The extinction of the nations will only be gradual (v. 22), but it will be certain and final (vv. 23–24), and specifically include the material remains of their cult (v. 25), which are “abhorrent to the LORD” and would bring their own fate on Israel if not destroyed (v. 26).

Not by bread alone (8). Having instructed Israel about the conquest of the land (Deuteronomy 7), Moses now turns to the people’s keeping of the commandments (8:1) and faithfulness to the Lord (vv. 11, 19) in the land. He does so by contrasting the forty years in the desert as a time of divine teaching (vv. 2–6, 15–16) with the “good land” and the danger of faithlessness caused by prosperity (vv. 7–14, 17–20), which would inevitably lead to the loss of the land (vv. 19–20). In the desert, God fed Israel with manna (vv. 3, 16), teaching them dependence on everything that comes from the mouth of the LORD (v. 3). In the land, Israel would “eat their fill” (cf. vv. 10, 12), running the risk of forgetting the LORD your God” (vv. 11, 14).

Like the preceding chapter, Deuteronomy 8 is also closely linked to 6:10–19. While Moses had warned Israel there not to “test” God as they had in Massa (6:16; Exod 17:7), he now reminds Israel how they themselves were “tested” by God in connection with the manna (8:2–3; cf. Exod 16:4). Having first imagined the houses taken over from the Canaanite nations (Deut 6:11), Moses now moves on to a time when Israel will build their own houses (8:12; cf. in contrast 28:30). Both passages warn Israel not to forget the LORD to follow other deities (6:12–14; 8:19).

While the “blessing” in the land was presented because of Israel’s obedience in the preceding chapter (7:13–15; cf. 11:13–15), the land is now praised for its qualities as a divine gift that inspires Israel to “bless” the LORD (8:7–10; cf. 11:10–12). Both exhortations end with the rhetorically effective scenario of the loss of the land—through the lack of obedience to the terms of annihilation (7:25–26) or through forgetting the LORD and following other gods (8:19–20).

A core message of the chapter is found in the proverbial “to make you understand that humans do not live by bread alone, but by everything that comes from the mouth of the LORD live humans” (8:3; au. trans.). The wording of this phrase employs poetical refinement in Hebrew: “the LORD” and “live” stand next to each other and form a rhyme (in the Tetragrammaton’s original pronunciation Yahveh, cf. jyleyeh), showing thus how human life flows out of the divine name; and “everything that comes out of (the mouth)” sounds similar in Hebrew to “entire commandment,” which introduces the chapter (8:1; cf. kol-hammiswah / kol-mōsā). Remarkably, the wilderness story in its entirety (the “way” for “forty years,” v. 2) is interpreted as a period of religious learning here, comparing God to a “man who disciplines his son” (v. 5; au. trans.; cf. 4:36).

The skeptical look at prosperity (8:13–14) has a parallel in Deuteronomy’s law on the king. Just as the latter should refrain from accumulating wealth (17:16–17) and not exalt his heart above his brothers (17:20), wealth measured in animals, silver, and gold (8:13) might tempt any Israelite to exalt his heart (8:14). Although the richness of the land and blessing that lead to wealth are divine gifts, the temptation inherent in prosperity becomes a topic for reflection here. This corresponds to the virtue of humility acquired from the experience of material scarcity (8:2, 3, 16). It is a curious phenomenon that material wealth frequently leads to crippling overindulgence, while some people live up to their greatest capacities in times of scarcity. It should be noted, though, that extreme poverty is not portrayed as an ideal here; even in the desert God was providing for all the basic needs of Israel (8:3–4).

A stubborn people—rescued through Moses’ intercession (9:1–10:11). Having inspired Israel with humility regarding their modest numbers (7:7, 17) and their “power and might” to acquire wealth (8:17), Moses now goes to a deeper level, admonishing the people not to assume their own justice (9:4), but to remember their sins against the LORD since the time of the exodus (v. 7). The prime example of Israel’s rebellion is the golden calf. Moses had summarized the making of the Holub covenant quite concisely (5:2–31), but he now gives a relatively lengthy account of the golden
calf incident (9:8—10:11). Its explicit purpose is to show that Israel is a "stubborn people" (9:6, 13, as a background for 10:16; cf. Exod 32:9; 33:3, 5; 34:9).

Along the way, however, Moses integrates other rhetorical purposes, enhancing his authority through an account of his intercession for Israel (9:25—29) and providing an explanation for the Levites’ responsibilities (10:8—9). The overall rhetorical purpose of 9:1—10:11 is especially complex regarding the tension between Moses’ instigation of the conquest at the beginning (9:1–3) and the moral humiliation implied in the subsequent discourse. But in the center and at the very end of his account of the Horeb events, Moses returns to the theme of the conquest of the land by quoting God’s command respecting it (9:23; 10:11), which brings him back to the starting point of all his discourses in Deuteronomy (1:6–8).

*Inspiring courage and humility (9:1–6).* Solemnly beginning with encouragement for the impending conquest in the form of war rhetoric (9:1–3; cf. 20:3–4), against the background of the first, failed attempt (1:6–2:15), Moses suddenly turns to a theological matter. He anticipates that military success might tempt Israel to religious haughtiness. It is not Israel’s justice that motivates God to drive out the Canaanite nations, but those Israelites’ "wickedness" (9:4–5). Indeed, Israel itself is a "stubborn people" (v. 6)—a keyword that points forward to the account of the sin with the golden calf.

*The broken and the renewed tablets (9:7—10:11).* "Remember and do not forget how you provoked the Lord your God to wrath in the wilderness; you have been rebellious against the Lord from the day you came out of the land of Egypt until you came to this place” (v. 7) is an anticipatory summary of the account of the golden calf incident that follows in 9:8—10:11. This account is interrupted by a list of other sins (9:22–24), most importantly disobedience to the command to take the land (9:23; cf. 1:6–8, 26), which indicates lack of trust (cf. 1:32). Moses concludes this list with another summary statement, "You have been rebellious against the Lord as long as I have known you” (9:24; au. trans.; cf. 31:27).

The golden calf account is held together by the prominent motif of the forty days and forty nights of Moses’ sojourns on the mountain (9:9, 11, 18, 25; 10:10) and framed by the parallel scenes of the conveyance of the tablets (9:10; 10:4; cf. 5:22) and Moses’ subsequent descent from the mountain (9:15; 10:5). The first major part of the account (9:8–21) falls into two halves: first, the solemn conveyance of the tablets (vv. 9–11) and God’s command to descend because of Israel’s sin (vv. 12–13); and second, Moses’ descent and reactions to Israel’s sin, from the smashing of the tablets to the calf’s ultimate destruction (vv. 14–21).

While the first major movement (vv. 8–21) is a story of sin and destruction, the second (9:25—10:11) is dominated by renewal and building. It is framed by the motif of the forty days and forty nights (9:25; 10:10). It also falls into two major narrative units: first, Moses’ intercessory prayer (9:25—29; already mentioned in 9:18); and second, God’s command to prepare a second pair of tablets and an ark, which is subsequently executed and concluded by the deposition of the tablets in the ark (10:1–2, 3–5). The latter motif is taken up in the commissioning of the Levites “at that time” (10:8; cf. 31:9, 25). The verses in between (10:6–7) do not seem to be part of Moses’ speech, but another intrusion of the voice of the narrator (cf. 2:10–12; 3:11, 13b–14; 11:29). It provides background information related to the Levites, about Aaron’s death and Eleazar’s succession (10:6), which is expanded by an itinerary (v. 7). With another reference to his intercessory prayer, Moses reports its ultimate success (cf. 9:26, “do not destroy” with 10:10, “the Lord was unwilling to destroy you”)—the prerequisite for God’s command to take the land into their possession (10:11).

Compared to the golden calf story in the Book of Exodus (chs. 32—34), the plot and the narrative presentation are significantly different in Moses’ account. The temporal framework of three days (cf. Exod 32:30; 34:4b) is not found here. Whereas Exodus reports Moses’ prayer in direct response to God’s accusatory speech (Exod 32:11–13), immediately followed by the divine change of mind (Exod 32:14), Moses in Deuteronomy reports his own prayer after his descent and smashing of the tablets (Deut 9:18) and relates it to another stay of forty days and nights on the mountain (Deut 9:25—29), which in Exod 34:28 comes after the divine reconciliation. While the narrative in Exodus abounds in direct speeches by both God and Moses, Moses’ account limits these to divine accusatory speeches (Deut 9:12, 13–14), his own intercession (9:26–29), and God’s command to prepare the tablets and the ark (10:1–2; the ark is not mentioned in Exodus 32—34, for it is only later made by Bezalel according to Exod 37:1). Most prominently, there is no trace of God’s proclamation of his mercy and further regulations (Exod 34:6–7, 10–26) in Moses’ account (cf. the concentration on the Decalogue and the absence of the Book of the Covenant in Deuteronomy 5). Moses’ account highlights Israel’s sin, his own intercession, and God’s positive reaction to it.

Israel’s sin with the golden calf and reconciliation to God through Moses’ prayer are of paradigmatic importance for Israel’s history—which is the reason
Deuteronomy

for their extensive treatment here. Moses will appeal to God’s wrath and his desire to “blot out” Israel’s “name from under heaven” (9:14) to potential transgressors of the Moab covenant (cf. 29:20 [MT 29:19] and the double expression “anger and fury” [au. trans.] in 9:19; 29:23, 28 [MT 29:22, 27]). As Moses “knows” Israel and their rebellious character (9:24), he will know by divine revelation about their future rebellion (31:27). Since Moses’ intercession was successful at Horeb, his prophecy may provide hope for the future in exile (cf. chs. 30; 32). Indeed, the sin with the golden calf is of typological significance, since Jeroboam’s sin with his golden calves (1 Kgs 12:28–33) plays a crucial role in the Deuteronomic etiology of the fall of the Northern Kingdom (cf. 2 Kgs 17:21–22).

The destruction of the “tablets of the covenant” (cf. 9:9, 11, 15, 17) and their renewal (10:3–4) symbolize the breaking and re-establishment of God’s covenant with Israel. It may be read, on another symphonic level, as a prefiguration of the destruction of the temple of Jerusalem in 587 BCE (Eckart Otto), itself renewed in the Persian period. Moreover, the renewed tablets with the “ten words” (10:4; au. trans.) represent the core of divine revelation, to which will be added Moses’ written torah and the Song; they will be carried in the ark of the covenant into the land by the Levitical priests (31:9, 24–26). Moses’ account of the past conveys lessons for the present to shape the future.

_Love the God of gods and inherit the land (10:12—11:32)_! Having instilled humility into Israel by reminding the people of their past sins, Moses sets out to expound solemnly, in positive terms, what is expected of them in the future. “So now, O Israel” (10:12) parallels uniquely 4:1, which likewise formed a transition between Moses’ account of Israel’s sin in the past (1:6—3:29) and his present exhortation (4:1–40). The former account had been introduced by God’s command to leave Horeb (1:6–7), and the latter was concluded by the same motif (10:11).

The opening rhetorical question, “What does the LORD, your God, request from you?” indicates the parenetical (exhortatory) genre (v. 12; au. trans.). God does not command, but politely invites, even kindly entreats, his people: “Only to fear the LORD your God, to walk in all his ways, to love him, to serve the LORD your God with all your heart and with all your soul,” summarizes Moses’ exhortations. Two basic attitudes toward God—reverence (“fear”) and love—are each followed by their practical consequences in daily life—“to walk in all his ways” and “to serve” him. The following speech develops in two major (10:12—11:1; 11:2–17) and two smaller (11:18–25, 26–32) rhetorical movements. All these rhetorical units motivate obedience to God’s commandments, but the first two employ elaborate theological reflection, while the latter two mainly convey a sense of urgency.

_The God of gods, who loves the stranger (10:12—11:1)_ Framed by the general exhortation to love God and to keep his commandments (10:12–13; 11:1), this passage develops into a theological climax. An inner frame is formed by the motifs of God, to whom the “heavens” belong, but who has loved Israel’s ancestors alone (10:14–15), and Israel’s humble exodus from Egypt with seventy persons (cf. Gen 46:27; Exod 1:5), who have now become like the stars of the “heavens” in number (10:22, cf. 1:10).

The central passage starts with the command to circumcise the heart (cf. 30:6) and not to stiffen the neck (cf. 9:6, 13; 31:27), two images that promote inner sensitivity and openness in contrast to self-reliance through a superficial display of strength. This inner attitude is necessary to perceive God in all his greatness, the “God of gods and Lord of Lords,” who is incorruptible and therefore especially close to the disadventaged and the marginalized (10:17–18). These verses show that the most exalted theology still insists on God’s nearness to the lowliest (cf. Psalm 113): this insistence implies ethical consequences.

God does not take bribes. Thus, the prohibition of bribery (16:19; cf. 27:25)—a basic requirement for the realization of social justice—is no less than an imitation of God. The same reasoning underlies the concrete exemplification of God’s protection of just juridical procedures for orphans and widows (10:18; 24:17; 27:19). This becomes even more explicit regarding God’s “love” for strangers, to whom he gives “bread and clothing.” In this matter, imitation of God is required immediately: “So shall you love the stranger,” and an additional reason is given, “for you were strangers in the land of Egypt” (cf. Exod 23:9).

Loving the stranger (Deut 10:19) is intimately connected with fearing God (v. 20). “He is your praise” employs a rare motif in the Pentateuch (cf. Exod 15:11; Deut 26:19), but typical of the Psalms (e.g. 110:4; 147:1; 149:1) and of postexilic portions of Isaiah (eleven occurrences in Isa 42:8—63:7).

_From the exodus to a rich land (11:2–17)_ As the previous section focused on inner openness to God’s greatness and its ethical implications, so the next one emphasizes the importance of Israel’s experience of God’s goodness in the past, at the exodus (vv. 2–7), which prompts an obedience (vv. 8–9) that will allow Israel to enjoy the good land in the future (vv. 10–12). This, however, is linked to an alternative that would lead either to the enjoyment (vv. 13–15) or to the loss of the land (vv. 16–17). While presented as an exhortation, this section follows a temporal rationale that outlines the drama of Israel’s history (as it is unfolded from
Exodus to Kings) from the perspective of its temporal center—the "today" of Deuteronomy (vv. 2, 4, 8, 13).

The beginning of the passage is exceptionally elliptical (often smoothed over in modern translations). "And you shall know today—for not your children, who did not know and who did not see the teaching of the LORD your God" (au. trans.), after which Moses continues his account of God's impressive deeds, forgetting (as may happen to an orator fascinated by the images he is invoking) to conclude his sentence. The rhetorical emphasis on direct experience is repeated at the end: "For your eyes are the ones seeing all this great work of the LORD that he has done" (v. 7; au. trans.). But since Moses is speaking to the second generation of the exodus, the supposed immediacy is a rhetorical device (cf., similarly, 4:9, 12, 15). The ellipsis following "not your children" is left open as a stumbling block for readers of Deuteronomy. They, in fact, are the (grand-) children of the Moab generation that Moses is addressing. They are, even more, required to adopt all this experience as if seeing it with their own eyes.

The praise of the promised land (vv. 10–12) exalts its qualities as compared to Egypt. An ironic tone seems to resonate in the concrete image of the legwork necessary to irrigate the fields of Egypt (v. 10). The promised land, in contrast, is a "land of mountains and valleys, it drinks water from the rain of the heavens" (v. 11; au. trans.; the heavens belong to God: 10:14). God's constant attention to this land is portrayed as its natural disposition (11:12), which contrasts with the conditionality expressed subsequently (vv. 13–15, 16–17).

In formulating the blessing of the land that would follow Israel's obedience (10:13–15), Moses lets himself go into another rhetorical adventure. His phrases, "Then I will give rain" (v. 14; au. trans.) and "I will give grass" (v. 15; au. trans.) allow the voice of God to shine through the voice of Moses. No doubt, Moses is speaking continuously here, but it is his vocation to allow God to use his voice. Though LXX did not approve of this apparent inconsistency and changed it into the third person ("he will give"), Jerome went faithfully back to the first person in the Vulgate (deho, "I will give," v. 14).

In case Israel engages in idolatry, God's anger will be kindled (11:16–17, cf. 6:14–15), the "heavens" will be closed, leading to the infertility of the "land," and Israel will "perish," just as God had made the forces of Egypt perish (11:4). The repeated motifs and patterns of this chapter make it flow effectively and enhance its rhetorical force; the sharp contrasts Moses is drawing seem inevitable.

*My words in your heart* (11:18–25). "You shall put these words of mine in your heart and soul" introduces, with unique wording, the command to keep physically and spiritually close to Moses' commandments and to teach them to the children (vv. 18–20), which parallels closely 6:6–9 (see notes there) and prepares for the closure of the discourses of Deuteronomy 6–11. Here, this exhortation relates to the promise that obedience will lead to the successful conquest of the land, over "nations larger and mightier than yourselves" (cf. 4:38; 9:1). The territory outlined by Moses—including the Lebanon, and territory from the Euphrates in the east to the Mediterranean (11:24, cf. 1:7)—is a bold exaggeration, an infinite-seeming empire of which ancient Near Eastern kings liked to boast, but which was never in the possession of any Israelite king.

*Blessings and curses announced* (11:26–32). "See, I am setting before you today" solemnly introduces a proclamation that is supposed to make Israel tremble (cf. 30:15). The blessings and curses (vv. 26–29) are now merely announced; only after the legal code will they be spelled out (27:11—28:68; on their function see there). The blessings and curses that Moses is going to announce (11:26–27) are the ones found in Deut 28:1–15, 16–68, while those to be presented on Mount Gerizim and Mount Ebal (11:28) are treated earlier (27:11–26), so that the announcements and their fulfillment form an A-B-B-A pattern. The anticipation of the blessings and curses and their pronouncement frame the "statutes and ordinances" (chs. 12–26). The central laws are meant to be heard in hope and fear.

The geographical excurssus concerning the location of Gerizim and Ebal (11:29) may be uttered by Moses, but seems more like the narrator's voice, giving background information (cf. 2:10–12; 3:11, 13b–14; 10:6–7). The conquest of the land is about to begin (11:31) and immediately connected with the requirement to obey the commandments (v. 32).

**The "Statutes and Ordinances" (12–26)**

Deuteronomy's law code consists of two main parts. The first (chs. 12–18) is organized around matters concerning the "chosen place"; the second (chs. 19–25) is mainly concerned with criminal and civil laws. (On the organization of each part see the respective introductions pp. 169–70, 177; on the special function of Deuteronomy 26 see also p. 183.) Several important matters, specifically religious, are found in the first part (and not in the second): the chosen place (cf. p. 169), regulations against "other gods" (13:3, 7, 14; 17:3, 18:20), the role of prophets (13:1–5 [MT 13:2–6]; 18:15–22), "sacrifice/slaughter" (13 times in 12:6—18:3) and "eating" in cultic contexts (frequent from 12:7 to 18:8; cf. profane "eating" in 20:14, 19; 23:25).
The two main sections of the Deuteronomic laws are both introduced by matters relating to blood as the seat of life: the blood of animals (cf. 12:16, 23, 27) and the blood of humans (19:6, 10, 12, 13). Local profane slaughter and cities of refuge are both necessary because of Israel’s large territory and the distance of many towns or villages from the chosen place (12:20–21; 19:6). The fundamental role of the blood of both animals and humans can also be seen in the Noahic covenant (cf. Gen 9:4–6), which is presented as relevant for all humanity.

While the two main parts of the Deuteronomic laws each display specific characteristics, they are also connected through common themes and formal features. The “you shall purge” formula (13:6; 17:7, 12; 19:19; 21:21; 22:21, 22, 24:7) indicates that Deuteronomy’s laws require Israel to strive to eliminate “evil” from the people. The formula “they shall hear and be afraid” (13:12; 17:13; 19:20; 21:21) always relates to the death penalty and shows the preventive intention of Deuteronomy’s laws: it should be enough to hear them and be fearful to avoid acting wrongly. Deuteronomy’s didactic character is also seen in motivation clauses such as the formula “remember that you were a slave in the land of Egypt” (15:15; 16:12; 24:18, 22).

The concern for persons and groups who are in danger of becoming socially and economically marginalized is visible throughout the laws of Deuteronomy: strangers, orphans, and widows (14:29; 16:11, 14; 24:17, 19–21; 26:12–13); the Levites (12:12, 18, 19, etc.); the poor and needy (15:4, 7, 9, 11; 24:12, 14, 15); and slaves (12:12, 18; 15:12–18; 16:11, 14; 23:16–17). Both parts refer to the teaching role of the Levites (cf. “instruct” in 17:9–11; 24:8) and each part contains regulations concerning the role of witnesses in legal proceedings (17:6–7; 19:15–21).

Several scholars have suggested the Decalogue served as a structuring matrix for the Deuteronomic Code at some stage of its redaction. This hypothesis, attractive though it is, has not been successfully proven in my view. It requires too many auxiliary hypotheses and must concede too many exceptions. Had the redactors of the Deuteronomic Code had the Decalogue in mind as a structuring principle, they could have done a more systematic job.

Only very general similarities should be pointed out: both the Decalogue and the laws of Deuteronomy are programmatically introduced by cultic issues concerning Israel’s relationship with the LORD, which is considered of prime importance for Israel’s well-being. Social matters (including family, sexuality, and homicide) predominate in the latter part of each collection. It is therefore more advisable to understand the Decalogue as a short abstraction of some important ethical concerns treated in biblical collections of laws rather than as a structuring principle of the laws of Deuteronomy.

It is difficult to know if and with what rigor these laws were applied. Interpretive procedures regarding written laws changed over the centuries and the character of the laws varied greatly. Some of the cultic regulations probably were widespread practice in certain periods (e.g., the tithe in 14:22–27), and some passages seem to allow realistic glimpses into ancient legal customs (e.g., the process to prove virginity in 22:13–19). Other demands seem utterly harsh, such as chapter 13 or the death penalty for a son in 21:18–21, which according to rabbinic tradition was never applied. Still others seem quite idealistic, for example, the year of remission in 15:1–6, or the exemption of fearful men from war in 20:8. Most probably, the written laws were conceived as study material for people bearing public responsibility (cf. 17:19).

Modern readers may find the cultural background of many of these laws foreign, distant, and barely comprehensible, but we can still find inspiration from them: Deuteronomy’s integral view of the religious and social sphere; in the political realm, the common responsibility of all the people and the subsidiary role of offices and administration; sensitivity to the situation of marginalized and socially endangered persons (cf. 15:1–18; 24:10–21). Communal responsibility (22:1–4), ecological sustainability (22:6–7), and asylum for refugees (23:16) are greatly needed in our contemporary societies.

Regulations Related to the Chosen Place (12—18)

The “place that the LORD your God will choose” (the “centralization formula”: 12:5, 11, 14, 18, 21, 26; 14:23–25; 15:20; 16:2, 6, 7, 11, 15, 16, 17:8, 10; 18:6; 26:2) is the main organizing principle of the first half of Deuteronomy’s laws. The “place” is uniquely important, since the LORD will choose it “as a dwelling for his name” (cf. 12:11; 14:23; 16:2, 6, 11). This veiled allusion to the temple of Jerusalem may have had a special role after the temple’s destruction by the Babylonians (587 BCE), since it allowed for understanding the “place” rather than the physical temple to be chosen.

The regulations in Deuteronomy 12—18 evolve in three main phases. The chosen place as divine habitation and as a locus for sacrificial meals (ch. 12) is associated with the people’s faithfulness to God (ch. 13) and their general eating habits (14:1–21; cf. the Leitwort “to eat” in ch. 12; 14). The second phase relates to practices that are to be performed with periodic regularity (14:22—16:17), which is signified by the key word “year” (14:22, 28; 15:1, 9, 12, 18, 20; 16:16)
both at the chosen place (14:22–27; 15:19–20; 16:1–17) and in Israel’s towns and homes (14:28–29; 15:1–15, 21–23). The third phase mainly concerns specific offices in Israel: officials with jurisdictional responsibility (16:18—17:13), the king (17:14–20), and bearers of specifically religious responsibilities (ch. 18). Among these, the supreme judiciary (17:8–13) and the Levitical priests (18:1–8) are situated at the chosen place, but the king is also implicitly related to it via the Levitical priests (17:18).

It would be an overstatement, however, to call these three phases a tripartite structure, since they are tightly interwoven with each other. The sequence of burnt offerings, tithes, and firstlings being brought to the chosen place, introduced in a list (12:6), is systematically laid out in 12:13–16; 14:22–29; 15:19–23, as is suggested by eating “in the presence of the LORD” in 12:7, 18; 14:23, 26; 15:20. The theme of cultic rejoicing culminates in the pilgrimage festivals (cf. 12:7, 12, 18; 14:26; 16:11, 14, 15).

On the social level, it is fascinating to see concern for the poor and needy, and for slaves (15:1–18), treated before the holders of authoritative offices (16:18—18:22). The unity of the people with special concern for those in danger of marginalization created in the community of the cult (chs. 12–16) precedes the institution of offices. The social cohesion of the people of God is first and foremost the responsibility of all its members (and especially those who are economically privileged). The offices have a subsidiary role and must not undermine the egalitarian conception of the people as children of God (14:1), as is illustrated by the king’s humility demanded in 17:20.

“These are the statutes and ordinances” (12:1). This formula introduces the laws found in Deuteronomy 12—26 (cf. p. 162 on 6:1–3). They are to be kept in the land that Israel is about to conquer. “All the days that you live on the earth” refers (notwithstanding the universal implication of NRSV) specifically to the life in the promised land and implies that these laws are not (immediately) applicable in exile or diaspora. Indeed, many laws are closely tied to the promised land, especially all those relating to the chosen place. (On the prohibition of adding to or subtracting from Moses’ words in 12:32 [MT 13:1], cf. 4:2.)

The place chosen by the LORD (12:2–32 [MT 12:2—13:1]). The main concern of Deuteronomy 12 is to institute a single place of sacrificial worship for the LORD in the promised land. This contrasts with the historical fact that sacrifice was practiced in Israel for a long time, as it was by all neighboring peoples in the Levant, in many local sanctuaries. At the beginning of divine lawgiving in the Pentateuch, sacrificial slaughter was originally introduced “in every place” (Exod 20:24). In Deuteronomy, however, the law of chosen place requires that sacrifice not take place “at any place” (Deut 12:13), though profane slaughter is allowed “within your towns” (12:21).

The Deuteronomistic History attributes the abolition of cult places to Hezekiah (2 Kgs 18:1–6) and Josiah (2 Kings 23). Historically, such initiatives were probably related to the latter (639–609 BCE). Such reforms seem to have been motivated by economic and political considerations: the requirement to bring all offerings to Jerusalem (comparable to the modern tax system) naturally led to an accumulation of enormous wealth in the capital, which strengthened the central government.

The idea that the LORD’s “name” will “dwell” at the chosen place (12:5, 11; 14:23; 16:2, 6, 11; 26:2) transforms the common ancient Near Eastern conception of temples as the houses of deities whose physical presence was seen in the cult statues. In Jerusalem’s temple, no image or statue (cf. 4:15–22; 5:8) but God’s “name” will dwell. This idea was further developed in Jewish tradition in the theological motif of the Shekina (“indwelling”).

The crucial importance of animal sacrifice. Animal sacrifice is alien to modern societies, but presupposed in the religions of the Levant and Greece, though not in Egypt or Mesopotamia. Animals were considered creatures ultimately of divine origin, and domestic animals a sign of divine blessing. Sacrifice symbolized returning this gift to the deity.

Usually, only certain valuable parts such as the fat (rich in much-needed energy) were burned for the gods, while the meat was consumed in ritual meals by the priests or the cultic assembly. Sacrifice thus combined religious worship with the social dimension of a communitarian feast. (This basic conception is still preserved in a transformed manner in the Christian Eucharist, insofar as the gift of Christ’s body and blood is in line with the traditional idea of sacrifice and the shared meal spiritually unites the assembly.) While it may seem strange from a modern point of view that animals should be killed for God, the concept of sacrifice as giving back to God a precious animal implies high esteem for and religious valuing of the animal, and may have something to teach us in a time when the food industry considers animals nothing but objects of production for human needs and pleasure.

Abolish the cults of Canaan (12:2–3, 29–31)! The cultic instructions of Deuteronomy 12 are framed by two passages that refer to the conquest of the land. Moses demands the destruction of cult places (v. 2) and their equipment (v. 3; cf. 7:5, 25), and discourages any interest in the cult practices of the previous inhabitants after the conquest of the land (12:29–31).
In both contexts, the prohibition applies: “You must not do the same for the LORD your God” (v. 31, in cf. v. 4; Hebrew, unlike NRSV, the phrase is almost identical in both verses). Child sacrifice, the extremity of the “abhorrent things” (v. 31; cf. 7:25) committed by the Canaanite nations, is taken up again later (cf. 18:10).

Cultic worship only at the chosen place (12:4–7, 8–12). These two passages inculcate the same principal message, namely, that all sacrifices and offerings must be brought to the place chosen by the LORD (vv. 5–6, 11) where these goods shall be joyfully consumed (v. 7, 12). The idea is developed through antitheses. First, the one “place” (v. 5) contrasts with the many cult “places” of the Canaanite nations (v. 2). Second, future practice in the land contrasts with the way “we are acting here today, all of us according to our own desires” (v. 8). While the Horeb covenant, spelled out in the Ten Commandments, is valid for “us, who are all of us here alive today” (5:3), the core of the Deuteronomic law will require changes in the people’s behavior. This applies to Israel in Moab in the narrated world of Deuteronomy, but it is also true for those among Deuteronomy’s audience who are invited to go back to the land from exile or diaspora (cf. 30:1–10).

All offerings are to be brought to the chosen place (12:13–19). This principle is introduced twice in summary manner before it is spelled out in the following two units regarding “burnt offerings” (vv. 13–16), as well as all other offerings, including the tithe, the firstlings, votive gifts, “freewill offerings,” and donations (vv. 17–18). The first must not be offered “at any place you happen to see” (v. 13), referring to former cult places (cf. 2) or any place seeming apt for cultic worship. The rest must not be eaten “within your towns” (v. 17), but everything must be brought to the chosen place (vv. 14, 18).

At the end, earlier formulations are combined (v. 18, cf. vv. 7, 12), thus preparing a conclusion to the first major section (12:2–19). Yet the Levites, already mentioned twice (v. 12, 18), receive additional attention, with special emphasis at the end of this section (v. 19): “Take care that you do not neglect the Levite as long as you live in your land” (cf. also 14:27; 29; 16:11, 14). Three times, the regulations concerning the chosen place are concluded by the command to be joyful “in the presence of the LORD” (vv. 7, 12, 18), a motif central to the pilgrimage festivals (cf. 16:11, 14, 15).

Profane slaughter in distant places conceded (12:20–28). This section deals with an issue resulting from the centralization of animal sacrifice (vv. 13–16), which presumed that any slaughter of animals suitable for sacrifice should be sacrificial. But when the LORD enlarges Israel’s territory (v. 20) and the chosen place is too far away (v. 21), profane slaughter of such animals is allowed. In verse 21, “enlarge,” “choose,” and “be far” create a play on words in Hebrew: ḫbb/bbh/rbh. Such animals can be slaughtered and eaten like gazelle or deer (v. 22), that is, animals considered clean (14:5), but not used for sacrifice. The pouring out of the blood (12:23, 27, cf. already v. 16) is based on the idea that “the blood is the life” (v. 23; on the significance of human blood cf. 19:1–13). This important idea is part of the Noah covenant rules that are considered valid for all humanity (cf. Gen 9:4), and its practice was continued by early Christians (cf. Acts 15:29). Traditional Jewish (and Muslim) slaughter respects this idea up to the present day. Since it is an expression of respect for life, it should not be simplistically denounced as cruelty to animals.

Suppression of the worship of other gods (13:1–18 [MT 13:2–19]). The danger of Israel’s curiosity about the cult of the Canaanite nations (12:29–31) provides the immediate thematic transition to chapter 13, a passage concerned with the danger of the worship of “other gods” (vv. 3, 7, 14) in Israel. This is one of the troubling chapters of Deuteronomy, and it can only be understood against the backdrop of the horrific consequences that the authors behind Deuteronomy attributed to worshipping gods other than the LORD. The text is merciless (v. 9) toward anybody who seduces others to worship other gods.

The chapter evolves in three sections, proceeding from the seduction by prophets or diviners (vv. 1–5), via seduction within close relationships (vv. 6–11), to the apostasy of a whole town (vv. 12–18). Each section contains a quotation of the words of seduction: “Let us follow other gods...and let us serve” (v. 2, and with varying word order vv. 6, 13), “Whom you have not known” in each of these verses (cf. also 11:28; 28:64; 29:26 [MT 29:25]) emphasizes the absurdity of (literally) “going behind” other gods, when it was the LORD who redeemed Israel from Egypt (13:6, 11) and has been “going before” the people (cf. 1:30, 33; 31:8).

A key verb in each section is “to turn away/to lead astray” (13:5, 10, 13; cf., in similar contexts, 4:19; 30:17), in the first occurrence explicitly connected with the metaphor of the “way in which the LORD your God commanded you to walk” (13:5; cf. 5:33; 9:12, 16; 11:28; 31:29). A consequence of apostasy—a sin of faithlessness in itself—is the abandonment of the torah. Therefore, the urgency of Israel’s faithfulness to God is reinforced by the need to protect ethics and law for the people.

The question as to whether prophets should be obeyed and under what circumstances (13:1–5) is taken up again later (18:15–22). The second section is closely connected with the final curses of chapter 28. The “wife
you embrace” (13:6) reappears only in the most horror-rible social disaster during the hardships of siege (cf. 28:54). The worship of other deities “from one end of the earth to the other” (13:7) will be realized in exile (cf. 28:64, and the contrasting motif in 30:4). The apostasy committed by a town would be a “horrible thing” (13:14) and would require—like the towns of the Canaanite nations—its total cultural destruction (13:15, 17; cf. 7:2, 26, and “perpetual ruin” in 13:16 applied to Ai in Josh 8:28). The dynamics of divine wrath and mercy (Deut 13:17) may well allude to Israel’s future destiny. God’s wrath, caused by apostasy, will bring about exile (29:20–28 [MT 29:19–27]), and only the LORD’s mercy will lead to the people’s return (30:3). Indirectly, the injunction on the apostate town (13:12–18) may thus help explain the destruction of Jerusalem, even if not inflicted by Israelites but by foreigners (cf. 28:52).

Restrictions for a holy people (14:1–21). Moses had spoken about Israel’s holiness (cf. 7:6) in the context of the people’s complete separation from the cult of the Canaanite nations. Here this motif frames several more restrictions (14:2, 21; for “treasured possession” cf. also 26:18). The great bulk of these relates to the distinction between clean and unclean animals (14:3–20), but the first prohibition concerns rituals “for the dead” (v. 1) and the last concerns the prohibition of consuming the flesh of carcases (v. 21). The introduction to the whole section, “you are children of the LORD your God” (v. 1), implies that the entire people is one intimate family, with God as their father (cf. 32:6), and contrasts with the possibility that a “brother” or a “son” or “daughter” would seduce another Israelite to follow other gods (cf. 13:6 [MT 13:7]).

Clean and unclean animals (14:3–20). Though matters related to cleanliness and uncleanness receive extensive attention in other sections of the Pentateuch (cf. Leviticus 11—15; 18; 22; Numbers 5; 19), this theme plays a minor role in Deuteronomy (cf. also the formula in 12:15, 22; 15:22 and 21:23; 24:4; 26:14). The distinction between clean and unclean implies a difference between Israel and other peoples, since certain animals are not “naturally” unclean, but just “for you” (cf. 14:7, 8, 10, 19; and the explicit difference between Israelites and others in 14:21). The edible animals mentioned at the beginning, “the ox, the sheep, the goat” (14:4), connect these regulations with the ones on the firstlings “of your herd and flock” (14:23).

The list of clean and unclean animals has a close, but expanded, parallel in Leviticus 11 (cf. esp. Lev 11:2–21 with Deut 14:4–20, the theme of Israel’s holiness in Lev 11:44–45; Deut 14:21, and the extensive expansion in Lev 11:22–43). As in Leviticus 11, the animals are arranged in Deuteronomy 14 according to their habitat—on the land (vv. 4–8), in the water (vv. 9–10), and in the air (vv. 11–20)—but only the colophon in Lev 11:46–47 connects this differentiation closely with the priestly creation account (cf. Gen 1:21, 24, 30). Orthodox Jews have applied the rules on clean animals found in the Pentateuch in kashrut regulations (suitability of food; fitness of objects for ritual use) over the centuries. Christians, in contrast, have believed since the first century that Jesus “declared all foods clean” (Mark 7:19).

Tithing (14:21–29). The annual (vv. 21–27) and triennial tithes (vv. 28–29) form a transition in the structure and development of the regulations related to the chosen place. On the one hand, they provide a concretization of the rules presented already in Deuteronomy 12 (cf. “tithe” in 12:6, 11, 17) and maintain the concern for those who live too great a distance from the chosen place (14:24; cf. 12:21). On the other hand, these are the first regulations on duties to be performed periodically (cf. “year” in 14:22, 28), which is a leitmotif of the following two chapters (cf. 15:1, 9, 12, 18, 20; 16:16).

The annual tithe (14:22–27). The tithe of agricultural produce shall be brought to the chosen place together with the firstlings of cattle and flocks, and (part of it) shall serve for a feast (vv. 22–23). In case the distance from the chosen place is great and the produce abundant because of God’s blessing (v. 24), these goods can be sold for silver (the currency at the time), from which the food and drink needed for the feast can be bought at the chosen place (vv. 25–26). This regulation is both practical for pilgrims and of great benefit to the food market in Jerusalem. The concluding reminder not to neglect the Levites (v. 27), who do not have agricultural produce because they have not been allotted land, corresponds to 12:19 (see pp. 147–48).

The triennial tithe (14:28–29). Every third year, the tithe shall not be brought to the chosen place, but stored “within your towns” (v. 28). This tithe is meant in its entirety for Levites, strangers, orphans, and widows, that is, groups who are in danger of suffering from a lack of food. While they live in accord with the Torah, God will bless “you,” that is, the land-owning Israelites, whose agricultural produce depends on divine blessing. The special importance of this law is seen in the profession that should be made of its fulfillment every three years, which correspondingly ends in a prayer for God’s blessing (26:12–15).

The concern for the poor and for slaves (15). This is an outstanding example of socio-psychological and ethical sensitivity. Three units on the year of remission (vv. 1–6), on lending to the poor (vv. 7–11), and on the release of Israelite slaves (vv. 12–18) are closely connected through the motif of the seventh
year (cf. vv. 1, 9, 12), the concern for persons in social and economic difficulty, and the leitmotif of divine blessing, which is both the reason why Israelites can be generous (vv. 4, 6) and the consequence of generosity (vv. 10, 14, 18). Furthermore, these passages systematically employ family language: the Israelite debtor (v. 3), the poor person (vv. 7, 9, 11), and the slave (v. 12) are called "your brother" (which NRSV renders "member of your community" or "your neighbor"), to define Israel as a community of brothers and sisters, which must not be compromised by economic differences (cf. 1 Cor 11:22). The basis of this idea is found in the previous chapter: "You are children of the LORD your God" (14:1).

While these regulations (15:1–18) must be performed in the economic realm of each citizen, namely in Israelite towns (vv. 7) and houses (vv. 16–17), the last unit—on the firstlings (vv. 19–23)—comes back to a duty to be performed at the chosen place (vv. 19–20) or in the towns (vv. 21–23), and thus creates a strong thematic link with previous regulations (cf. 14:22–27 [chosen place], 14:28–29 [towns], and 12:4–28).

The remission of debts every seventh year (15:1–6). This is a regulation unique to Deuteronomy, but it has a related antecedent in the year of the land's rest (Exod 23:10–11), further developed in the "Sabbath year" (Leviticus 25). Like the immediately preceding law (the triennial tithe, Deut 14:28–29, cf. 26:12–15), the year of remission also receives specific attention and an outstanding hermeneutical role later in Deuteronomy, since it will be the future setting for the teaching performance of the Mosaic Torah in the land (cf. 31:10).

The idealistic aim "so that there be no poor among you" (15:4; au. trans.; cf. Acts 4:34) will be realistically revised in the following section: "the poor shall never cease out of the land" (15:11, KJV). Here, however, the perspective of wealth caused by divine blessing (v. 4) relates to perfect obedience to the LORD, anticipating Moses' great blessings after his torah speech (15:5; cf. 28:1, and the prospect of lending to great nations in 15:6, cf. 28:12). The idea of debt remission as a weapon in the battle against poverty should be seriously considered today, since the debts of entire nations have created dynamics of dependence that are unjust and produce different social classes on a global level.

**Generosity to the poor (15:7–11).** Encouraging an ethic of generosity toward people in need, Moses employs a mixture of psychological insight and concrete pragmatism, which is manifest in the alternating use of the motifs of "heart," "hand," and "eye." Neither should the heart be hardened nor the hand tightened (v. 7). No mean thought must be in the "heart" (v. 9, not rendered in NRSV) that calculates the potential loss in the near year of remission—a prudent anticipation of the collateral consequences of the previous injunction. Neither must the "eye" (v. 9, NRSV "view") lit. "be evil," preventing the giving of a gift, nor must the "heart" feel evil (v. 10, NRSV "ungrudging") when giving. The emotional values associated both with perceptions and attitudes are ethically relevant. While we cannot prevent spontaneous negative emotional reactions, Deuteronomic ethical reasoning enables us to reflect and develop new dispositions for similar situations in the future.

In a contrary direction, there are positive injunctions: "you really must give" (v. 10; au. trans.) and "you really must open your hand" (vv. 8, 11; au. trans.). God will correspondingly bless every "undertaking of your hand" (v. 10, NRSV "all that you undertake"). The rhetoric of persuasion is even reinforced by the threat of incurring guilt should the needy complain to God (v. 9, cf. 24:15; Exod 22:23–24 [MT 22:22–23]). The intensity of the rhetoric reflects both the great temptation of stinginess and the Torah's passion for the cause of the needy.

The release of slaves (15:12–18). In antiquity (and up to the present day), poverty forces persons to sell themselves as slaves. Should an Israelite man or woman sell him- or herself to another Israelite, Deuteronomic rules, that person must be released after six years of work (v. 12). Moreover, the former slaves are to receive generous gifts at their release (vv. 13–14). Slaves were completely subservient to the authority of their masters and could rarely claim any rights.

Accordingly, three rationales are given for this regulation: divine blessing (v. 14), the memory of Israel's salvation from their own fate in Egypt (v. 15; cf. 5:15; 24:22), and—at the very end of the passage (15:18)—a sober economic consideration, namely the value of the six years of work. The latter reason is introduced by a psychologically perceptive formulation: "it shall not be hard in your eyes" (v. 18; au. trans., cf. above on v. 9). Moses is not satisfied with an external, action-oriented Kantian ethics of duty, but seems to favor Aristotelian virtue ethics—an attitude of liberality and generosity from which ethical behavior should flow naturally. Its most essential prerequisite is an appreciation of the divine and human goods received.

If a slave should wish to remain with his master "because he loves you and your household, since he is well off with you" (v. 16; cf. Exod 21:5)—and not because of any external pressure!—a ritual is prescribed at the door, the threshold between private and public space (cf. the involvement of the local sanctuary in Exod 21:6). The perforation of an ear serves as an external sign that he has become a slave "forever" (Deut 15:17). Slavery was not necessarily a state of
misery, but could be a viable way of living in a household when the human relationships were friendly.

Firstlings (15:19–23). These were considered specifically apt for sacrifice, since they represent the power of fertility conceded by God (cf. the first sacrifice of humanity by Abel in Gen 4:4, and the sanctification of all firstlings in Exod 13:2, 13, 15). Only male firstlings are supposed to be sacrificed, since females have the gift of fertility. Firstlings were mentioned after the tithe in previous lists (Deut 12:6, 17; 14:23) and are accordingly treated after the tithe regulations here (14:22–29). Male firstlings must not be used for any economic purposes (15:19), but must be offered and consumed at the chosen place (v. 20). Firstlings with any physical defect must not be offered, but consumed in the towns where all rules of profane slaughter apply (vv. 21–23, cf. 12:22–23).

The Festivals of Passover, Weeks, and Booths at the chosen place (16:1–17). The three pilgrimage festivals instituted here by Moses are discussed in three passages of diminishing length (Passover, vv. 1–8; Weeks, vv. 9–12, and Booths, vv. 13–15) and concluded by a summary colophon (vv. 16–17). The pilgrimage is a consequence of prohibiting any cultic worship at the chosen place (Deuteronomy 12) and involves a conception partly different from others found in the Pentateuch (cf. Exodus 12; 13; 23:14–17; 34:18, 22; Leviticus 23).

The cultic regulations concerning the pilgrimage festivals are intimately related to the social laws of the preceding chapter (15:1–18). Generosity toward both the needy and slaves are grounded in and motivated by divine blessing (cf. 15:4, 6, 10, 14, 18; 16:10, 15, 17). Both relate to the remembrance of the exodus (cf. 15:15; 16:3, 12). A slave should not be released "empty-handed," that is, masters must share with freed slaves some of the bounty they themselves have received from the Lord. Similarly, in 16:16, no Israelite male should appear empty-handed at the Festivals of Unleavened Bread, Weeks, and Booths ("empty-handed" is a rare term occurring in Deuteronomy only in 15:13 and 16:16). Both the social regulations and the cultic festivals foster an egalitarian social structure (cf. 16:11, 14). This integral view of social and religious reality is key to the ethics of Deuteronomy. In the same spirit, Paul urged the Christian community of Corinth to practice social sensitivity in their celebration of the Lord's Supper (1 Cor 11:20–22).

Passover (Deut 16:1–6), the first feast, was instituted in the Pentateuch at the very moment of the exodus, for its eternal remembrance (cf. Exodus 12); its original purpose is reaffirmed here (Deut 16:1, 3). The celebration in Deuteronomy preserves the "great haste" (the same Hebrew expression as in Exod 12:11; Deut 16:3) in which Israel left Egypt. While Exodus connects this motif with the hasty eating of the lamb, in Deuteronomy it is represented by the unleavened bread. The Festival of Unleavened Bread (cf. Exod 13:6; 23:15; 34:18) is here combined with Passover. Deuteronomy does not mention the blood rite (Exod 12:22, probably an ancient tradition) nor the "lamb" (Exod 12:5). While the lamb is appropriate to a family feast, the pilgrimage festival in the land allows for a "passover sacrifice" from the "flock and the herd" (Deut 16:2). The necessity of coming to the chosen place, already mentioned at the beginning (v. 2), is reiterated with the explicit prohibition of any Passover sacrifice in the towns (vv. 5–7), which indicates that the regulation introduced here runs against traditional customs.

The prominence of Passover can be seen from its role in several narratives: before the exodus (Exodus 12); before the departure from Sinai (Num 9:1–14); at the arrival in the promised land (Josh 5:10–11); and its re instituted by King Josiah (2 Kgs 23:21–23), purportedly after a break "since the days of the judges" (2 Kgs 23:22). The Chronicler, in contrast, honors King Hezekiah by attributing a celebration of the Passover to him (2 Chronicles 30) and gives a solemn account of Passover under Josiah (2 Chr 35:1–19). The convocation of the people to Jerusalem and the sacrifices of bulls (2 Chr 35:7–9, 12) correspond with Deuteronomy and most probably represent the practice in the Second Temple period. Since the final destruction of the Jerusalem temple, Jews have been keeping the Passover in the spirit of Exodus 12. For Christians, Passover has been transformed into their greatest feast, Easter (cf. the role of Passover in the passion accounts, esp. Mark 14:1; John 12:1; and the allusion to Exod 12:46 in John 19:36).

The Festival of Weeks (Deut 16:9–12) is to be kept seven weeks after the spring harvest (cf. the Christian Pentecost, fifty days after Easter; Acts 2). The Festival of Booths (Deut 16:13–15) is celebrated after the autumn harvest of grain and wine. Both agricultural feasts are conceived as celebrations of joy ("rejoice" vv. 11, 14; the same verb is used in special emphasis as the last word of v. 15, NRSV "you shall surely celebrate") which unite the land-owning farmers, who are celebrating their economic success, with potentially marginalized groups: "you and your sons and your daughters, your male and female slaves, the Levites resident in your towns, as well as the strangers, the orphans, and the widows who are among you" (v. 11, and very similar in v. 14). In the year of remission, the assembly of the entire people at the chosen place at the Festival of Booths is the occasion to proclaim and teach the Torah of Deuteronomy (cf. 31:9–13).
The summary colophon (16:16; cf. Exod 23:17; 34:23) once again inspires generosity. "All shall give as they are able, according to the blessing of the LORD your God that he has given you" (Deut 16:17) reminds the people that any gift is nothing but returning a small part of what they have received themselves. The Chronicler claims that Solomon kept the three festivals and their respective sacrifices (2 Chr 8:13; contradicting 2 Kgs 23:22). Historically, the requirement of the pilgrimage to Jerusalem is unlikely to have been instituted before the seventh century BCE (during the time of King Josiah). There is evidence for the practice of the festivals in the Second Temple period (e.g., the pilgrimage of Jesus and the disciples to Jerusalem for Passover, Mark 14:12).

Juridical, political, and religious offices (16:18—18:22). This last major section of Deuteronomy 12—18 is subdivided into three main subjects: jurisdiction (16:18—17:13), the king (17:14—20), and religious leaders (18:1—22). Drawing an analogy with modern legal thought, this passage has been called Deuteronomy’s constitutional law (German Verfassungsentwurf). While it is true that some of the subjects treated here materially relate to constitutional law from a modern perspective, it should not be overlooked that analogies can also be drawn between modern constitutional documents and the Decalogue. Moreover, some materially decisive aspects of Israel’s constitution according to Deuteronomy, such as the divine authorization of the Torah (Deuteronomy 4; 5), are not mentioned here. Most importantly, all offices are subject to Deuteronomy’s Torah and have a role in its implementation. The laws on jurisdiction provide a transition to matters of criminal law discussed in the second half of Deuteronomy’s laws (chs. 18—25; cf. esp. 17:6; 19:15).

Local and central jurisdiction; religious prohibitions (16:18—17:13). Despite the heterogeneous material found in this passage, its framing sections are mutually related and form a single rationale: the local jurisdiction “in all your towns” (16:18—20) versus the central jurisdiction at the chosen place (17:8–13) that becomes necessary whenever a case is “too difficult for you...in your towns” (17:8). The immediate relatedness of these two matters becomes even clearer if the passage is read together with its narrative prefiguration in the very beginning of Moses’ speeches in Deuteronomy: at Horeb Moses had appointed “officials” and “judges” (cf. 1:15–16; 16:18) and required them to bring any case too difficult for them to himself (1:17–18; cf. 17:8–9). It is clear then, that the “levitical priests and the judge who is in office in those days” (17:9) should consider themselves as continuing the Mosaic office.

Justice, justice you shall pursue (16:18–20)! “Justice” is the aim of the offices instituted in all local towns (v. 18; cf. 2 Chr 19:4–11). In Hebrew, the noun “justice” is placed for emphasis at the end of the verse and taken up in the emphatic exclamation “justice, justice you shall pursue” (Deut 16:20; au. trans.) at the end of this unit. Despite the bureaucratic nature of the issue at stake, it is formulated with exceptional poetic beauty. The three parallel phrases “You must not distort justice; you must not show partiality; and you must not accept bribes” (v. 19) each have three stresses in Hebrew. And the reason given, “a bribe blinds the eyes of the wise and subverts the cause of the just” (v. 19, cf. Exod 23:8), sounds like a quotation of a proverb, formulated in a regular parallelism (cf. the wise and the just in Prov 9:9). Moreover, the injunction of impartiality is prefaced in the characterization of God himself as the ultimate example of a just judge (Deut 10:17). The poetic quality and the literary and theological contexts of this passage highlight its elevated role within the laws of Deuteronomy.

Religious prohibitions and testimony (16:21—17:7). The religious concerns found in this passage seem, from a modern perspective, to be a strange insertion between the passages concerning jurisdiction before and after it. Yet, since even those passages continually refer to “the LORD your God” (16:18, 20; 17:8, 10, 12), the perceived intimate connection between “secular” jurisdiction and religious faithfulness may be even the reason for placing these themes together here. The injunctions against sacred objects (16:21–22; cf. 2 Kgs 21:3, 7; 23:6) are not only related to the prohibition of other deities and images found in the Decalogue (cf. Deuteronomy 4), but specifically recall the injunctions from the very beginning of the centralization laws (12:3). The case of a man or a woman who has purportedly worshipped other gods (17:2–5) evokes the theme of apostasy in Deuteronomy 13 (cf. 17:4 with 13:15 and the stoning 13:11; 17:5), a reminder that the laws on the judiciary are closely connected with and condense the centralization laws stated at the beginning of the “statutes and ordinances.” The similarity between the process for apostates and the one for a betrothed couple who have illegitimate intercourse (cf. 17:5; 22:24) rests on an analogy between religious apostasy and interpersonal faithlessness. The death penalty provides the thematic link for introducing the principle of the requirement of at least two or three witnesses (17:6–7; cf. 19:15). As potential witnesses, the whole populace has a responsibility within the judicial system.

The supreme judiciary at the chosen place (17:8–13). If any legal case is too difficult for the local judges in the towns (v. 8, cf. 16:18), Israelites shall "go up" to
the chosen place (this verb is typically used for the pilgrimage to Jerusalem: e.g., Ps 122:4). There they shall approach the levitical priests and a (supreme) judge to request a decision. The intensity with which obedience to their "instruction" (cf. Deut 17:10, 11, 24:8; 33:10) is demanded, with disobedience even punishable by death (17:12–13), shows the extent of authority of the central judiciary at the chosen place. This is even more surprising when compared to the king's authority in the next passage.

Israel's king—humble and studious (17:14–20). Deuteronomy's law on the king is peculiar in several regards. It is the only passage in the Pentateuch that envisions a human king for Israel, while others speak about the kingdom of God (cf. Exod 15:18; Deut 33:5). While ancient Near Eastern kings were distinguished by the strength of their army, the greatness of their harem, and their wealth in silver and gold, Israel's king must rather limit himself regarding these (17:16–18). Measured by the standards of the image of the ideal Near Eastern king, Deuteronomy almost seems to propose an antiking for Israel.

The most revolutionary idea, however, is the subsequent requirement that "he shall have a copy of this law [lit. torah] written...and he shall read in it all the days of his life." While ancient Near Eastern kings were lawgivers and supreme judges, Israel's king is supposed to receive law from the levitical priests. This implies that "this torah" (namely the one that Moses will write down in 31:9), through which the king will "learn to fear the LORD his God, diligently observing all the words of this law and these statutes," is the supreme authority, exceeding the authority of the highest office of the state. This is the earliest anticipation of the modern idea of the supremacy of the law in history—a principle fundamental to the concept of the modern democratic state. This idea is likely to have emerged only when the monarchies of Israel and Judah had already been abolished and priests had leading political functions at the (second) temple of Jerusalem.

Israel's wish to have a king "like all the nations that are around me" (17:14) will be realized in the story of Samuel (1 Sam 8:5). This king shall be "chosen" by God, which was indeed the case for Saul (1 Sam 10:24, but compare, in contrast, 1 Sam 8:18; 12:13) and David (1 Sam 16:10–12). Solomon's great army (1 Kgs 5:6), his many wives (1 Kgs 11:1), and his great wealth (1 Kgs 10:21–22) may be implicitly criticized by this law. The initial ethnic requirement to have a king only "from among your brothers" is given an ethical twist at the end, since "this torah" will teach him not "to exalt his heart above his brothers" (17:15, 19, 20; au. trans.). Obedience to the torah will lead to a long reign for the king "and his sons." Disobedience caused—according to Deuteronomistic historiography—the downfall of Israel and Judah with their monarchies (cf. 1 Sam 12:25; 2 Kgs 17:13–14; 22:13).

Religious offices (18). Following the law of the king, who is under the authority of the torah kept by the Levites (17:18), Deuteronomy 18 discusses religious offices, starting with the rights and duties of the Levites and priests (vv. 1–8); traditional mantic functions are prohibited (vv. 9–14) and criteria for legitimate prophets are presented (vv. 15–22).

Levitical priests (18:1–8). The issue to be addressed by this regulation is the landlessness of the tribe of Levi (vv. 1–2; cf. 10:9; Num 18:23–24). Their needs will be covered by sacrifices donated to them (Deut 18:1), concretely the shoulder, jowls, and stomach of sacrificed bovines or sheep (v. 3) and the firstfruits of agriculture (v. 4). This pertains to the Levites who serve at the chosen place (v. 5). Those who live in other towns have the right to join them and "minister in the name of the LORD his God, like all his brothers, the Levites" (v. 7; au. trans.) and to receive the same share (v. 8). While several other texts in the Hebrew Bible suggest a strict hierarchy between priests and Levites (e.g., Num 3:6; Ezek 40:46), Deuteronomy promotes egalitarian brotherhood among them as an example of the ideal that should be realized among the entire people.

Child sacrifice and divination practices prohibited (18:9–14). The prohibition against following the cultic practices of the Canaanite nations (cf. Deuteronomy 7:12) refers here above all to the issue of child sacrifice (18:10; cf. 12:31). Iconographic evidence from Egypt, archaeological finds from Phoenician child cemeteries, and biblical accounts suggest that child sacrifice was indeed practiced among neighboring peoples (2 Kgs 3:27) and even in Israel (2 Kgs 16:3; 21:6). Since a child is the most valuable sacrifice that could be conceived, it seems to have been natural in some ancient cultures to regard it as a powerful means of placating a deity. Against this background, biblical texts strongly oppose this practice, as can be seen in the story of the binding of Isaac (Genesis 22), the concept of the "redemption" of the firstborn (Exod 13:2, 13), and the outright prohibition of child sacrifice here in Deuteronomy.

Divination practices, attempts to foretell the future, which were common in the ancient Near East, are also prohibited, since they are alternative sources of "revelation" (18:11–14) and are thus in competition with Moses' torah. All these things are "abhorrent to the LORD and the reason why he is expelling the Canaanite nations from their land (v. 12; cf. 7:26; 12:31). Israel's contamination by such things could lead to the loss of their land.
A prophet like Moses (18:15–22), Israel should not listen to soothsayers (v. 14), they should listen to authentic prophets (v. 15)—the concluding and especially important subject related to religious offices in Israel. Moses' announcement of a "prophet like me" is extraordinary, since it is in tension with the narrator's statement "never since has there arisen a prophet in Israel like Moses" (34:10). Moreover, this is the only passage within the Deuteronomic laws in which Moses refers to Horeb and grounds his teaching in another quotation of Israel's request for mediation and God's response (18:16–20), which is of decisive importance for Deuteronomy's self-understanding about divine teaching originating at Horeb (cf. 5:23–31).

Moses here renders a shorter paraphrase of Israel's earlier request (cf. 5:24–27; 18:16) and a different response from God (cf. 5:28–31; 18:17–20). The LORD's announcement of a prophet "like you" at Horeb (18:18–20) contains a strong command to obey him (v. 19) and a warning against false prophets who either pretend to prophesy in the name of the LORD or even speak in the name of other gods, who are to die (v. 20; cf. 13:1–5 [MT 13:2–6]). Moses anticipates that Israel might ask for a criterion as to how to recognize a false prophecy alleged to originate from the LORD (18:21). If the prophet's word is not fulfilled, it did not originate from God (v. 22). But any word spoken in the name of other gods should not be trusted even if it is fulfilled (13:2–3 [MT 13:3–4]).

Moses' highly authoritative announcement of a prophet like himself, which implies the possibility of institutionalizing the Mosaic office (cf. the "king" in 17:14–20 and the dynasty in the last verse), is of the greatest importance, since it allows for divine revelation beyond Moses' torah, though Moses' torah retains its canonical status (cf. 4:2; 12:32 [MT 13:1]). Yet, who is this prophet? The Book of Jeremiah clearly attributes this role to Jeremiah: cf. "I will put my words in the mouth of the prophet" (Deut 18:18); "Now I have put my words in your mouth" (Jer 1:9). Early Christians identified Jesus as the prophet announced by Moses (cf. John 5:46; 6:14; 7:40). In the Qur'an, Muhammad is presented as having received the same revelation as Moses (Sura 11:110; 42:13). Thus, Moses has become a point of reference for three world religions.

Criminal and Civil Law (19–25)

Modern legal terminology can only be applied vaguely to biblical law, since the biblical legal collections do not systematically distinguish between law and ethics or between the secular and the religious sphere. Still it comes to mind that, while the first major block of Deuteronomy's laws (chs. 12–18) is mainly concerned with religious matters and public offices, the second (chs. 19–25) largely deals with matters subsumed under criminal and civil law, to use the categories of modern legal thought.

The laws are generally arranged according to thematic fields or association by keywords, and their sequence can be influenced by older legal collections (such as the Book of the Covenant, Exod 20:22–23:33). Sometimes the arrangement is difficult for modern readers to understand (e.g., the diverse matters in Deut 22:1–12). Major areas covered by the laws include the following:

- **Murder and asylum law**: 19:1–13; 21:1–9
- **Procedural law**: 19:15–21; 24:16–17

We also find religious, ethical (e.g., 23:21–23 [MT 23:22–24]; 22:6–7), and public matters (23:1–8 [MT 23:2–9]) in this collection. Theological considerations appear in many laws. Deuteronomy 19–25 contains more than fifty references to God. Three passages are formally related in that they all mention a process involving the accusing and the accused parties at the city gate in the presence of the elders (21:18–21; 22:13–21; 25:5–10).

**Avoiding loss of life** (19). This chapter contains both the cities of refuge (19:1–13) and the procedural laws providing precautions against judicial murder through false allegations (19:15–21). The laws aim at avoiding the loss of innocent life and reducing the application of talion (from Latin lex talonis), which is the principle in biblical and early Roman law that criminals should receive as punishment precisely those injuries and damages they had inflicted upon their victims, an "eye for eye," in this instance, "life for life" (19:21).

**Cities of refuge** (19:1–13). The main intention of these legal provisions is to protect the land given by the LORD (vv. 1, 2, 3, 8, 10) from the spilling of innocent blood (vv. 10, 13). Like Abel's blood "crying out from the ground" (Gen 4:10), blood shed innocently is imagined as having a dangerous power that calls for the avenging of the injustice that has been committed. Related to this idea is the role of the "avenger of blood" (Deut 19:6, 12; cf. 2 Sam 14:11). In many archaic societies, even to this day, persons closely related to a victim of murder are supposed to kill the perpetrator. The
concept of “bloodguilt” (Deut 19:10)—in Hebrew the plural form of “blood”—implies that the shedding of innocent blood would bring guilt “upon you,” that is, upon the entire people.

In case of unintentional killing, therefore, the perpetrator must be protected from the avenger of blood, lest further innocent life be lost. This is the purpose of the cities to be chosen. Three are to be set apart after the first phase of conquest (vv. 1–7; cf. the three previously chosen cities in 4:41–43), identified in Joshua as Kedesh, Shechem, and Hebron (Josh 20:7), and three more cities as soon as God “enlarges your territory,” which depends on Israel’s obedience to “this entire commandment” (Deut 19:8–10). The potential abuse of asylum by a premeditated murderer is treated in the last section (vv. 11–13); the elders of his town of residence are responsible for having him brought back and delivered to the blood avenger.

Asylum, an institution commonly known in the ancient Near East, was usually related to sanctuaries. This had been traditionally the case in Israel as well, as the altar asylum in Exod 21:14 indicates, which can refer to any of the local sanctuaries (cf. Exod 20:24). Deuteronomy’s centralization of the cult called for a new regulation, since the journey to the one and only sanctuary in Jerusalem could be too far (Deut 19:6; cf. 14:24). Further regulations on this matter are found in Numbers 35 and Joshua 20.

Protection of property boundaries (19:14). The reduction of agricultural land by the illegitimate alteration of property boundaries is a threat to the very existence of small farmers (cf. Job 24:2–3). Its prohibition (cf. Prov 22:28; 23:10) is here theologically motivated, since it is God who gives the land to Israel.

Witnesses (19:15–21). Any legal case requires two witnesses (v. 14, cf. 17:6), since a “witness” can be, at the same time, the prosecutor. This succinct rule is followed by a more elaborate treatment of false witnesses (vv. 15–21). Leniency with false witnesses would open the doors to bribery and corruption, and endanger the entire legal system. Therefore, careful investigation by the judges is required (v. 18). If a “false witness” is found, the punishment is harsh (v. 18; the same expression as in the Exodus version of the Decalogue is used in Exod 20:16). The punishment that would have been inflicted on the wrongly accused is to be inflicted upon the false witness according to the principle of talion, emphasized, with great rhetorical effect, in Deut 19:21: “life for life, eye for eye, tooth for tooth, hand for hand, foot for foot.”

Laws on warfare (20). We may be surprised, or even alarmed, at seeing God directly involved in warfare in some of the following laws (20:1, 4, 13–18; cf. 21:10; 23:15). In antiquity, however, it was generally taken for granted that human warfare depends on the power, protection, and active involvement of the gods. While we may have good reasons today to regard such entanglement between war and religious ideas extremely critically and to distinguish carefully between human ideology and the will of God, we should read these texts with a realistic sense of their cultural environment.

Encouragement in preparation of war (20:1–9). Just as Moses had encouraged Israel to take possession of the promised land (9:1–3), he now applies similar rhetoric to warfare in the future. Even enemies more powerful than Israel can be encountered without fear because of the LORD’s assistance, whose power Israel experienced in the Exodus (Deut 20:1). This religious encouragement shall be done in the future by the priest whose sermon Moses prescribes verbally (vv. 3–4). The priest is supposed to imitate Mosaic rhetoric: “Hear, O Israel” (20:3, cf. 6:4; 9:1), “today you are drawing near to do battle” (cf. 9:1), “do not...be afraid...for it is the LORD, your God, who goes with you” (cf. 3:22; 9:3; 31:6, 8). The last phrase here, “to save you” (20:4; au. trans.), is unique. The word for “save” is found once more in Deuteronomy, positioned prominently at the end of Moses’ blessing: “Happy are you, O Israel! Who is like you, a people saved by the LORD” (33:29).

After this priestly encouragement, the military officials are supposed to add two more speeches (20:5–7, 8), the first of which addresses three situations in which young men are commanded to withdraw from the battle: if they have built a house and not yet dedicated it (v. 5), planted a vineyard and not yet enjoyed its fruit (v. 6), or become engaged to a woman but not yet married her (v. 7; this is even valid for one year after marriage: 24:5). The danger of death in the battle, which would allow enemies to take over the house, vineyard, or woman, is similarly expressed in Moses’ curses (28:30). The second speech of the officials, introduced separately, (20:8) addresses anyone who is “afraid or disheartened” and commands him to withdraw so that he may not discourage “the heart of his brothers” (au. trans.). This rhetoric, evoking pride in manly virtues and encouraging mutual solidarity, is followed immediately by the reading of the troops for battle (v. 9).

Warfare against towns (20:10–20). Warfare in antiquity frequently meant, not battle in the open terrain, but laying siege to a town and eventually conquering it by force. The conditions for peace were extremely harsh. They usually required total surrender, with the population being deported and employed in corvée labor (unpaid labor for royal projects). If a town was taken by force, a bloodbath was usually unavoidable. Surviving women and children (and, eventually, men) would be deported. The following laws mirror
this general practice very closely. While Israel and Judah were engaged in some active wars during their monarchies, Samaria and Jerusalem suffered this fate at the hands of the Assyrians (722–720 BCE) and the Babylonians (597 and 587 BCE) respectively.

If Israel goes to war against a town, they are required to offer terms of “peace” (20:10). If the town accepts the terms of peace, Israel can require forced labor from the population (v. 11). If the town chooses to fight and Israel wins (the victory being attributed to the LORD), all the men shall be killed (v. 13), while women, children, livestock, and goods are accounted as booty (v. 14). This regulation applies to cities outside the promised land (v. 15); the Canaanite nations within it must be devoted to destruction (vv. 16–18; cf. Deut 2:34; 3:6, 7:2, 26).

The concluding regulation prohibits the cutting of fruit-bearing trees during a siege (20:19–20). The construction of war machines such as ladders and battering rams for the conquest of a fortified town required vast amounts of wood, which was cut in its environs. The protection of fruit-bearing trees may be a consequence of the painful experience of Assyrian military practice, in which orchards and trees were devastated even after the successful conquest of a town, aiming at lasting destruction.

A ritual in case of murder by persons unknown (21:1–9). If a victim of murder is discovered in an uninhabited area and the perpetrator remains unknown, the surrounding communities must deal with the issue to counteract the danger from “innocent blood” (21:8–9; cf. 19:10, 13). The elders of the nearest town must perform a ritual in which a young cow that had never been used for work is killed (21:3–4). In the presence of Levites (v. 5), the elders wash their hands (v. 6) and declare their innocence and the lack of eyewitnesses (v. 7). They add a prayer, in which the LORD is invoked to “absolve” the people (v. 8, lit. “cover”). The ritual is a way of dealing with a crime that cannot be dealt with in the legal sphere. Only God can be invoked to spare the community from the consequences of guilt that affects the people as a whole.

A captive woman taken as a wife (21:10–14). This law presupposes that the male adults of a conquered town must be killed, while women and children are considered part of the booty (20:13–14). Women were frequently victims of sexual violence in times of war (Isa 13:16; Lam 5:11) and war captives were usually at the mercy of the victorious army. This law seeks to protect women desired for marriage by Israelite soldiers. Several measures are taken to prevent immediate sexual assault and to require a more humane treatment of affected women. The women must first be integrated into the household of the man (emphasized twice in vv. 12, 13). She is to go through rites of passage by shaving, paring her nails, and changing clothes. Most importantly, she must be allowed to mourn her parents for a full month (Aaron and Moses were mourned for thirty days: Num 20:29; Deut 34:8). Only after this period can the marriage be consummated (Deut 21:13).

Moreover, if the wife is later rejected, she cannot be sold as a slave “because you have humbled her” (21:14; au. trans.), a formulation that acknowledges that violence had been done to the woman (cf. 22:29). Although these regulations still seem harsh and inhumane from a modern perspective, measured by the standards of customary practice for warfare in antiquity, the protection for women expressed in this law is unique and an example of exceptional humanity.

The right of the firstborn (21:15–17). This law, which has no parallel in the Pentateuch, but does have a parallel in the Middle Assyrian Laws, secures the right of the firstborn to receive a double portion of inheritance, even when a man has two wives and the firstborn is the son of the less-beloved woman (lit., “hated”; cf. Gen 29:31).

The rebellious son (21:18–21). A stubborn and disobedient son who does not improve, even after disciplinary measures (v. 18), shall be taken to the elders of the town and, after a formal process (vv. 19–20), stoned to death by all the men of the town (v. 21). This harsh public punishment is an explicit example that will inspire fear and be heard by “all Israel,” so that evil may be purged from the people’s midst. The formal process involved in this law may soften the regulations in Exod 21:15, 17, which demand the death penalty for a son who commits a single act of violence against his parents. The expression “stubborn and rebellious” (v. 18) is applied to Israel in Jer 5:23 and Ps 78:8 (the “fathers”); both texts seem to allude to Deuteronomy’s law, emphasizing the dramatic dimension of Israel’s sin.

The burial of executed persons (21:22–23). The corpse of an executed man must first be publicly exposed by hanging it on a tree (v. 22), which may have the function of a public deterrent. The corpse, however, must be buried on the same day. The reason given—a hanged person is a “curse of God” that would defile the land (cf. 21:1)—implies the need for religious purification, which may still be related to the crime committed by the executed person. Joseph of Arimathea acted according to this law after the crucifixion of Jesus (Matt 27:57–58), and Paul employs this passage in his theological interpretation of Jesus’ death (Gal 3:13).

A brother’s animals and goods (22:1–4). This passage presupposes the coexistence of humans and domestic animals in ancient societies, a symbiosis
of mutual dependence that requires attention to the animal’s well-being for the sake of human survival. The main scope of these regulations is to enhance the common responsibility not only for one’s own private household, but also for the belongings of neighbors, even if they are unknown or distant (v. 2). “Seeing” the animal of another gone astray (v. 1; au. trans.) or fallen on the road (v. 4) requires action to help (cf. Exod 23:4–5 concerning the animal of an enemy). “Hiding oneself” is not an option (Deut 24:1, 4; NRSV “ignore”); the same holds true for other lost goods (v. 3; cf. Exod 22:9 [MT 22:8]). These regulations encourage mutual solidarity and social cohesion.

Against cross-dressing (22:5). The prohibition of cross-dressing may arise from a desire for clarity regarding gender roles; or it may be related to ideas related to purity; or it may oppose Canaanite cult practices that involved cross-dressing. The latter option may be supported by the theological reason given (“abhorrent to the Lord,” cf. 18:9, 12).

Protecting a mother bird (22:6–7). On finding a nest, the young birds may be taken for food, but the mother must be left free. Besides the pragmatic reason of protecting future progeny for the species and thus promoting sustainability (“in order that it may go well with you and you may live long,” v. 7; cf. 5:16), a certain sensitivity to the role of mothers as the bearers of life may be involved here (cf. Exod 23:19; Deut 14:21).

A parapet on the roof (22:8). Roof terraces were part of a house’s living space (cf. Josh 2:6–8; 1 Sam 9:25–26; 2 Sam 11:2) and a parapet, therefore, was an important security measure. This building regulation is an early example for the recognition of the responsibility of the owners of buildings for the security of those who use them (“otherwise you might have bloodguilt on your house, if anyone should fall from it”; cf. Exod 21:33–34).

Prohibited mixtures; tassels (22:9–12). Mixing seed, plowing with different animals (vv. 9–10, cf. Lev 19:19), and mixing wool and linen in the same cloth are prohibited. Religious rather than practical considerations prompt these ideas (Deut 22:9 literally refers to “sanctification,” rendered by NRSV “forfeited”). Tassels on garments (v. 12) were widely used in the ancient Near East. Numbers 15:37–41 attributes a religious meaning to them as reminders of the divine commandments.

Sex crimes and family law (22:13–30). These regulations clearly reflect the values and social order of an ancient society. The requirement of the death penalty for sexual misbehavior (vv. 21, 22, 24, 25) as well as the necessity of a woman being married to her seducer or even rapist (v. 29) are shocking to modern sensitivity. Rather than expecting guidance for contemporary moral values, our task is to understand the historical meaning of these laws.

Virginity contested (22:13–21). Marriage legally involved not only the husband and wife, but also the wife’s parents. A man who had promised to be married to a virgin could claim this right from her parents. The cloth stained by the blood of defloweration was therefore kept as legal evidence by the wife’s parents. The first case presented here provides a legal procedure to protect a wife falsely accused of not having been a virgin at the time of marriage (vv. 13–19). A formal process is to be held with the elders at the city gate (cf. 21:18–21) in which the parents present the case and the evidence of virginity (22:15–17). Physical punishment and a payment to the father are required from the husband (vv. 18–19), “because he has slandered a virgin of Israel” (v. 19). The law is therefore concerned with the personal honor of the wife and her family, but also with the “collective honor” of Israel.

The next case (vv. 20–21) in which the young woman is not found to be a virgin, requires her to be stoned to death at “the entrance of her father’s house” by the men of her town (v. 21). This is meant to bring shame on the family, and it implies Israel’s public responsibility for purging “the evil from your midst” (v. 21). It is especially problematic, of course, that the responsibility for losing her virginity is automatically attributed to the girl (“prostituting herself in her father’s house,” v. 21); in fact, it is the less likely scenario.

Illegitimate sexual intercourse and rape (22:22–30). Four types of illegitimate intercourse are addressed here: adultery (v. 22), intercourse with an engaged woman (vv. 23–27), intercourse with a not-yet-engaged woman (vv. 28–29), and the taboo of marrying one’s father’s wife (v. 30 [MT 23:1]). This refers not only to the mother, but also to concubines; cf. 2 Sam 16:21–22; 1 Cor 5:1.

In the case of adulterers found in flagrante delicto, both the man and the woman involved are to be put to death (Deut 22:22). In John 8:3–11, the case brought before Jesus shows that the actual application of the death penalty was a disputed matter already in antiquity. The regulations about a man sleeping with a woman engaged to another man distinguish two different scenarios: if the events happened in a town and the woman has not screamed, her consent is assumed and they are both guilty (Deut 22:23–24). If the incident happened in an isolated place outside the town, where her screams could not be heard, the woman is considered innocent (vv. 25–27). The case is regarded as rape by analogy with the case of murder in an isolated place (v. 26). A man who sleeps with a virgin who is not yet engaged must pay recompense to her father and marry her (vv. 28–29; cf. Exod 22:16–17 [MT 22:15–16]).
The assembly of the LORD (23:1–8 [MT 23:2–9]). These regulations on exclusion and inclusion in the "assembly of the LORD" (cf. Num 16:3; 20:4; Mic 2:5) leave unclear to what this "assembly" precisely refers: Israel's cultic assembly (cf. all the people in 31:12; Lam 1:10), political assembly (cf. the male representatives in 2 Chr 28:1–8), or military assembly (cf. the context in Deut 23:9–14)? Men whose genitals are mutilated are excluded (v. 1), which may be directed against cultic practices among neighboring peoples, but may also reflect a more general view of this kind of mutilation as leading to cultic uncleanness (cf. Lev 22:24). The same holds for the progeny of an illicit union, even to the tenth generation (Deut 23:2).

The following regulations (vv. 3–8) concern foreign peoples whose relationship with Israel is evaluated according to narratives in the previous books of the Pentateuch in reverse order of occurrence. Ammonites and Moabites are excluded in principal (vv. 3–6), because of their lack of hospitality in Israel's journey through their territory (v. 4, cf. 2:26–31; Num 21:21–35) and because of their hiring of Balaam (Deut 21:4–5; cf. Numbers 22–24; Josh 24:9–10). In contrast, Edomites shall not be "abhorred," "for they are your kin" (Deut 23:7; Gen 25:25–26; Esau and Jacob who represent Edom and Israel are twin brothers; Deut 2:8; "our kin, the descendants of Esau"). The same is true for Egyptians "because you were an alien residing in their land" (Deut 23:7), which recalls the positive period of Israel's sojourn in Egypt (before the Pharaoh "who did not know Joseph"; Exod 1:8). In the third generation, Edomites and Egyptians shall be admitted to the assembly (Deut 23:8). This shows that Israel's identity is not solely based on ethnic purity, but is open to the gradual integration of foreigners.

Issues of inclusion and exclusion are treated in other books of the Hebrew Bible against the background of Deut 23:1–8. The Book of Ruth gives an example of the integration of a Moabite woman into Israel. Isaiah 56:3–7 is open to the integration of castrated men and foreigners into the people of the LORD. The Book of Nehemiah, in contrast, promotes a strict separation from foreign wives, even beyond the demands found in Deuteronomy (cf. Neh 13:1–3).

Keeping the Israelite war camp clean (23:9–14 [MT 23:10–15]). The idea that the LORD accompanies Israel "in the midst of your camp" (v. 14; au. trans.; cf. 1 Sam 4:3–4) is the reason for these regulations concerning the camp's cleanliness, which require soldiers to leave the camp after a nocturnal ejaculation (vv. 10–11) and to relieve themselves outside the camp (vv. 12–13). While it may seem difficult, from a modern perspective, to perceive a war camp as something "holy" (v. 14), this results from the LORD's presence in the camp and corresponds to the concept of his fighting for Israel found in Deuteronomy's war legislation (cf. Deuteronomy 20:10–14).

Escaped slaves (23:15–16 [MT 23:16–17]). The protection for escaped slaves expressed in this law contrasts with ancient Near Eastern laws that assure the property rights of slave owners, but it is in line with Deuteronomy's strong tendency to empathize with the fate of slaves. Paul's Letter to Philemon is written in the spirit of this law, recommending Philemon's escaped slave Onesimus to his owner as "my own heart" (Phlm 12) and wishing that he be treated "no longer as a slave... but a beloved brother" (Phlm 16).

No prostitution (23:17–18 [MT 23:18–19]). Neither women nor men among the Israelites should prostitute themselves (NRSV's rendering "temple prostitute" is a possible, but narrow interpretation of the Hebrew term; cf. 2 Kgs 23:7; Hos 4:14). Prostitutes' wages are not acceptable gifts to the temple (Deut 23:18).

No interest (23:19–20 [MT 23:20–21]). The prohibition of interest, which could be very high in the ancient Near East and thus a great economic threat to people in need (cf. Exod 22:25 [MT 22:24]), is intended to protect fellow Israelites (as opposed to foreigners; cf. Deut 14:21; 15:3). This law had enormous influence on the history of Jewish and Christian law, and it should be seriously considered in the present context of the systemic "self-augmentation" of capital, which necessarily favors the enrichment of the rich and impoverishment of the poor in the global economy.

Vows to the LORD (23:21–23 [MT 32:22–24]). Vows to deities have been made for millennia, especially in moments of danger and distress. This law requires the fulfillment of a vow made to the LORD (cf. Num 30:2–17), stressing, interestingly, that making vows is not a religious requirement (Deut 23:22). For an example of a foolish vow, see the story of Jephthah in Judg 11:30–40).

Eating from the vineyard and from standing grain (23:24–25 [MT 24:25–26]). The permission to eat from the fruit of vineyards and fields belonging to other Israelites, with the only restriction being to take no more than is immediately consumed, is a generous concession to the poor and to travelers (cf. 24:19–21). Jesus and his disciples make use of this law (Mark 2:22).

On divorce and marriage (24:1–5). The first law formulated here concerns divorce and remarriage (vv. 1–4). Divorce is not introduced or regulated here. Its practice as customary law is presupposed. A divorced woman who gets divorced a second time or whose second husband has died cannot be taken back by her first husband (24:4). This rather complicated scenario protects women from reckless abuse of
divorce. Divorce usually puts the woman in a precarious social and economic position. Jesus’ insistence on the value of marital fidelity thus primarily protects women in the social context of antiquity (cf. Mark 10:2–12; Matt 19:3–9). Social sensitivity should also guide our consideration of related questions in our contemporary social reality.

The second, thematically associated, regulation frees a freshly married man from military service for a year (Deut 24:5; cf. 20:7). The aim of this rule is that the man be free “for his house” (NRSV “at home” is unclear), which probably refers to begetting progeny; it is intended “to make his wife happy” (au. trans.).

Protecting the lives of the poor (24:6–22). Most of the laws found in this section are geared toward protecting persons vulnerable to marginalization or impoverishment in Israel. The first section considers pledges that might threaten the life or dignity of persons in economic difficulty (vv. 6, 10–13; cf. also v. 17) and wages that might be withheld (vv. 14–15). Items necessary for survival, such as millstones, must not be taken as a pledge (v. 6). The prohibition against entering the house of the person from whom a pledge is taken (vv. 10–11) is a beautiful example of the respect required from the richer person toward the one in need of his assistance. If the pledge is necessary for minimal comfort, it must be returned, for example, a cloak for the night (vv. 12–13; cf. Exod 22:26 [MT 22:25]; on clothing as pledges cf. Amos 2:8; Prov 20:16; Job 22:6). The returning of the pledge will lead the poor person to bless the lender (Deut 24:13). On the same principle, an unpaid worker might cry out to the LORD “against you, and you would incur guilt” (v. 14; on this rationale of motivation and the power of the prayer of the poor cf. 15:9; Exod 22:23–24 [MT 22:22–23]). Immediate payment is required for the poor “among your brothers” as well as for “your strangers” (Deut 24:14; this important emphasis of proximity is not rendered in NRSV “other Israelites or aliens”).

The key word “life” (v. 6) creates a link with the associated law against kidnapping (v. 7, literally “stealing a life”), a crime punishable by the death penalty. Exceptional for this section is Moses’ admonition to listen to the Levitical priests’ teaching (cf. their role in 17:9–10) concerning skin diseases (24:8–9, cf. Leviticus 13–14) with a reference to the fate of Miriam (Num 12:10–15).

Judicial matters are treated next (Deut 24:16–18). First, intergenerational family liability is categorically excluded (v. 16; cf. the quotation of this law in 2 Kgs 14:6 and, in contrast, Esth 9:13; Dan 6:24). This clearly concerns the human execution of justice, but the law implicitly relates to God’s role in the intergenerational dynamics of guilt (cf., e.g., Exod 20:5; 34:7; Deut 5:9; 7:10; Ezekiel 18). Second, the rights of strangers, orphans, and widows are protected (Deut 24:17; cf. 16:19; 27:19; Exod 23:6), tightly connecting this verse to the example of God himself (cf. Deut 10:18). This injunction is additionally motivated by a reminder of Israel’s experience of the exodus (24:19), which also concludes the following passage (v. 22).

The last section (vv. 19–22) requires deliberate consideration of the well-being of the needy. When reaping the harvest from the fields, the olive trees, or the vineyard, the main harvest shall suffice for the owner. Whatever may be left on the field is to be left for those in need (cf. Lev 19:9–10; 23:22). Beyond having right to eat from the fields in passing (23:24–25), the poor can thus collect some provisions after the main harvest. In the Book of Ruth, Boaz is shown as following this law with sensitive generosity (Ruth 2).

Punishment and respect (25:1–4). Judicial matters are taken up again (vv. 1–3; cf. 24:16–18). In cases where the verdict of guilty requires physical punishment, forty lashes is the maximum allowed, otherwise “your brother would be degraded in your eyes” (v. 3; au. trans.). It is decisive that family language is used in this context, emphasizing close relationship (“your brother,” imprecisely rendered “your neighbor” in NRSV). Even a perpetrator who has been found guilty and punished must be acknowledged as a brother. The “forty lashes minus one” received by Paul (2 Cor 11:24) refer to this law. Only thirty-nine lashes were given to be sure not to transgress the law.

The theme of respect may have inspired the placement of “You shall not muzzle an ox while it is treading out the grain” (25:4). This kind of treatment respects the animal (for sensitivity regarding animals cf. 14:21; 22:6–7). The considerateness mandated toward an animal must apply still more to human workers (cf. 1 Cor 9:9; 1 Tim 5:18).

Levite marriage (25:5–10). Many ancient societies required the brother of a deceased husband to marry his widowed sister-in-law (in some African communities this is practiced up to the present day). The relevant law in Deuteronomy (generally stated in vv. 5–6; for related narratives see Genesis 38 and Ruth 4) requires an elaborate process of shaming if the deceased has left no children and his brother refuses to beget offspring for his brother (vv. 7–10). It is a matter of family honor to “perpetuate his brother’s name in Israel” (v. 7). If he refuses even before the elders of the town, he would not only be publicly spat upon (cf. Num 12:14) and have one of his sandals thrown in his face by his sister-in-law, but “throughout Israel his family shall be known as ‘the house of him whose sandal was pulled off’” (v. 10).
Improper help (25:11–12). If a wife tries to help her husband in a fight (concerning the third party, cf. Exod 21:22–25) by attacking his adversary’s private parts, her hand must be cut off. The main point here is probably that touching the genitals of another man is absolutely prohibited for a wife in any circumstances.

Just measures (25:13–16). The requirement for just weights and measures is presented here as a matter of principle (cf. Prov 11:1; 16:11 and, by contrast, Amos 8:5; Mic 6:11). This requirement might also be read in the light of the preceding laws that protect the poor (Deut 24:6–11), since it is the poor who suffer the most from fraud and deception. Limited access to information and education makes poor people more vulnerable and frequent victims of deception. The law is concluded by a positive and a negative theological motivation, giving a final example of the didactic quality of Deuteronomy’s laws (vv. 15–16).

Blotting out the memory of Amalek (25:17–19). The laws of Deuteronomy 19—25 are concluded by the demand to “remember” and “not forget” (framing 25:17–19) “what Amalek did to you on your journey out of Egypt” (v. 17; cf. Exod 17:8–16) and, in somewhat contradictory fashion, to “blot out the remembrance of Amalek from under heaven.” The injunction is reminiscent of the regulations concerning the assembly of the LORD in relation to the Ammonites and the Moabites (23:3–6). Deuteronomy’s law is deeply concerned with Israel’s identity.

Cultic Acts to Be Performed at the Chosen Place (26)

This chapter concludes both “these statutes and ordinances” (12:1; cf. 26:16) and “his statutes, his commandments and his ordinances” (6:1; cf. 26:17). The profession, which is made at the temple (26:5–10), forms an inclusio with the catechetical answer to children at the beginning of this long section (6:20–25). Just as the Israelites are supposed to teach their children “it will be justice for us, if we observe to enact all this commandment” (6:25; au. trans.), adults are to confess that they have fulfilled the commandments (26:13–15). The chapter thus envisions the fulfillment both of divine promise (vv. 5–10) and divine torah (vv. 13–15) and is concluded by a solemn anticipatory summary of the covenant ceremony (vv. 16–19).

Confessing and celebrating the fulfillment of divine promises (26:1–11). Moses not only encourages and commands Israel to take possession of the land (Deut 9:1–3; 31:1–8), he even prepares the celebration of the successful conquest. Every Israelite is supposed to bring a portion of the first fruits of the cultivated land, a symbol of its richness and beauty, to the chosen place (v. 2) and to profess his arrival in the land according to divine promise before the priest (v. 3). After handing the offering to the priest, the Israelite is to proclaim the history of Israel’s deliverance (vv. 5–10). “A wandering Aramean was my ancestor” (v. 5) might refer to Abraham or to Jacob (for their sojourns in Haran in Syria cf. Gen 11:31; 29–31), but the following context clearly hints at Jacob as the one whose family became a nation in Egypt (cf. Genesis 37 to Exodus 1). The exodus from Egypt (Deut 26:6–8; cf. 6:21–23) reached its goal when God “brought us into this place and gave us this land, a land flowing with milk and honey. So now I bring the first of the fruit of the ground that you, O LORD, have given me” (vv. 9–10; cf. v. 15).

Thus, the confession ends in grateful prayer. At the same time, it combines the Israelite’s individual experience with Israel’s collective memory and identity, which implies both a social and an ethical dimension. “We” were oppressed in Egypt and had to do the hard labor of slaves (v. 3). This collective identity makes Israel aware of the social concerns of potentially marginalized groups in society. Israel is therefore obliged to share their riches and to celebrate joyfully with the “Levites and the aliens,” an obligation that is put into practice immediately after the profession (v. 11).

Words and life go together. While the presentation of the firstfruits is treated like a ritual to be performed once at the arrival in the land, it also institutes a ritual to be performed annually. The fruits may have been brought at the occasion of the pilgrimage festivals (esp. the Festivals of Weeks and Booths, cf. 16:9–15).

The tithe for the poor in the third year (26:12–15). In a similar vein, after three years, the Israelites must give a special tithe to the “Levites, the aliens, the orphans, and the widows” (v. 12; cf. 14:28–29). Having done so, they shall profess their adherence to the relevant commandment (v. 13) and their enactment of everything that “you commanded me” (v. 14). Since the fulfillment of the torah is the prerequisite for being blessed in the land (11:26–27; 28:1–14), a prayer for blessing can now follow: “Look down from your holy habitation, from heaven, and bless your people Israel and the ground that you have given us” (v. 15). These final injunctions of Moses’ torah speech show the centrality of protecting potentially marginalized groups in Deuteronomy.

Israel’s outstanding role to be gained in the covenant (26:16–19). “This very day,” Moses claims that it is, in fact, “the LORD your God,” who is “commanding you to observe these statutes and ordinances” that he has been expounding (v. 16). The following two verses express, in a complicated construction, the mutual commitment expressed in the making of a covenant. It is a proleptic summary of the covenant detailed in Deuteronomy 27—30: “Today you have made the LORD your God to become for you God” (v. 17; au. trans.) and
today the **LORD** has made you say to become for him a treasured people” (v. 18; au. trans.), with a double expression of Israel’s obligation to fulfill the statutes and ordinances. Finally, Israel’s special status in their relationship with the **LORD** is announced in most solemn terms: “to set you high above all nations that he has made, in praise and in fame and in honor; and for you to be a people holy to the **LORD** your God, as he promised” (v. 19; Exod 19:6). This will be realized provided Israel is obedient (28:1, 9), but reversed in dreadful terms if Israel disobeys (28:37).

**DISCOURSES RELATED TO THE MOAB COVENANT (27—30)**

The final verses of Moses’ torah discourse had already referred to the speech acts made in the covenant (26:16—19); and the introduction to the Moab covenant speech (29:1 [MT 28:69]) explicitly announces this covenant, detailed in Deuteronomy 29—30. The two chapters in between are also closely related to the covenant: the torah monument in the land (27:1—8) will be a reminder of its terms and conditions. The people themselves will ritually invoke blessings and curses related to obedience or disobedience according to the stipulations of the covenant in the land (27:11—26). The making of the covenant is already announced in Moab (27:9—10), and Moses now already invokes blessings and curses on Israel (ch. 28). All these elements, however, culminate in Moses’ Moab covenant discourse (chs. 29—30), which integrates by its summary references the blessings and the curses (30:1, 19), and the torah (29:29 [MT 29:28]; 30:10, 11—14, 16, 20; cf. p. 153).

**COVENANT RITUALS AT MOUNT GERIZIM AND MOUNT EBAL (27)**

Having solemnly completed his extensive torah discourse (chs. 5—26), and before proclaiming his blessings and curses (ch. 28), Moses concerns himself with rituals to be performed in the promised land, at the mountains of Gerizim and Ebal (south and north of Shechem). They are located some ten kilometers southeast of Samaria, the (future) capital of the Northern Kingdom (1 Kgs 16:24). It is intriguing that the area of Shechem receives such a prominent role in Deuteronomy, while Jerusalem is not explicitly envisioned. This has raised many questions regarding Deuteronomy’s relationship with the Northern Kingdom and, in the period of Jerusalem’s second temple, with the Samaritan community.

The chapter consists of three speeches, in the first two of which Moses is joined by the elders (vv. 1—8) and the levitical priests (vv. 9—10; on their role cf. 31:9—13). The third speech (vv. 11—26) is continued in Deuteronomy 28; it is connected to the others by the theme of blessing and curse, but differs in that chapter 28 is no longer concerned with the rituals at Gerizim and Ebal. The rituals described here are enacted by Joshua according to Josh 8:30—35.

A torah monument and altar on Mount Ebal (27:1—8). Similar to the public inscriptions of ancient Near Eastern kings such as the eighteenth-century Hammurabi law code, monumental stones are to be erected by Israel, covered with plaster (v. 2), and inscribed with “all the words of this torah” (vv. 3, 8; au. trans.), which Moses will write down (31:9). They are to be erected on Mount Ebal (27:4). (The Samaritan Pentateuch reads “Gerizim,” which may be the original reading, changed in MT to “Ebal” with anti-Samaritan intention.) An altar is to be built there, with stones not worked using metal tools (v. 5, cf. Exod 20:25), that is, in their natural state so as not to be “contaminated” by human culture. Sacrifices and a meal will follow (Deut 27:7—8), a covenant celebration like the one at Mount Sinai, though surrounded by religious symbolism (Exod 24:9—11).

A proclamation of the covenant (27:9—10). This speech is as significant as it is brief: a proclamation of the making of the covenant, “Keep silence and hear, O Israel! This very day you have become the people of the **LORD** your God” (v. 9), which includes the command to obey the laws (v. 10). The making of the covenant, however, will be developed in a far more complex manner in Moses’ Moab covenant speech (chs. 29—30). The Levites’ role as speakers alongside Moses (27:9) shows their special responsibility for the covenant (cf. 33:9).

**Blessings and curses at Gerizim and Ebal (27:11—26).** This is the second major ritual to be performed at the mountains near Shechem, which overlooks part of the promised land; it is a proclamation of blessings over the people on Mount Gerizim by six tribes (v. 12, through representatives) and of curses on Mount Ebal by the other six tribes (v. 13). Moses thus spells out what he had announced just before the central laws of Deuteronomy (cf. 11:29). The curses concern specific sinful acts (vv. 15—25); only the last curse enforces the realization of “the words of this torah” (v. 26; au. trans.), creating a thematic preparation for Moses’ blessings and curses that will follow (ch. 28). Each of the curses on Mount Ebal will be answered by a solemn “Amen,” proclaimed by the people (repeated twelve times in 27:15—26).

The curses to be proclaimed on Mount Ebal, like the Decalogue, constitute a series of fundamental religio-ethical concerns. In line with Deuteronomy’s overall outlook, they are framed by the prohibition of idolatry (v. 15, cf. 5:8 and 4:15—28) and the
requirement to obey Deuteronomy’s torah (27:26). The other curses concisely formulated touch on social (vv. 16–19, 24–25) and sexual concerns (vv. 20–23). Some of the issues addressed in the curses are found in other passages in Deuteronomy: those concerned with parents (v. 16; cf. 5:16; 21:18–21), property boundaries (27:17; cf. 19:14), and the rights of orphans and widows (27:19; cf. 10:18; 24:17); the curses directed at those having intercourse with the wife of one’s father (27:20; cf. 23:1) or committing murder (27:24; cf. 19:11–12). Only here in Deuteronomy do we find protection of the blind (27:18). Several curses prohibit intercourse with animals (27:21; cf. Exod 22:19 [MT 22:18]; Lev 20:15), with a (half-)sister (Deut 27:22; cf. Lev 18:9) and with a mother-in-law (Deut 27:23; cf. Lev 18:17). Further curses are directed against those who accept payment for murder (Deut 27:25; cf. Ezek 22:12).

Moses’ Blessings and Curses (28).

Returning from the scenes envisioned at Gerizim and Ebal (ch. 27) to the here and now of the Moab covenant, Moses proclaims blessings (28:1–14) and curses (28:15–68). Unlike the curses at Ebal that mostly referred to specific misdeeds (27:15–25), the blessings and curses of Moses concern Israel’s general obedience (28:1) or disobedience (28:15) to the torah presented in Deuteronomy.

The many blessings and curses in Deuteronomy reflect their significant role in ancient Near Eastern treaty culture (cf. pp. 148, 153). They relate both to the future and to the past. For the future, they aim at promoting obedience to the legislation presented in Deuteronomy. Regarding the past, the curses provide an explanation for the catastrophes already experienced (see p. 186). Within Deuteronomy, Moses announces his curses prior to the central law code (11:26–28).

In his Moab covenant speech, he portrays a future in which both blessings and curses have come upon Israel (30:1) and some of the most dreadful curses will be reversed (28:63 / 30:9; 28:64 / 30:4).

Moses’ blessings (28:1–14). The motif of obedience to the commandments “that I am commanding you today” frames the blessings (vv. 1, 13), but a special admonition against serving “other gods” is added in the end (v. 14), emphasizing a central concern of Deuteronomy. Moses’ final blessing of the people will also refer to the gift of the torah (33:2–5; see also 33:10). The blessing will affect “city” and “field” (v. 3), it will bring about fruitfulness (vv. 4, 11, cf. Gen 1:22, 28; 9:1), an efficient food supply (Deut 28:5), success in all affairs (v. 6), and in all work (“all that you undertake” v. 8, cf. v. 12). The blessing will be the successful completion of the divine gift of the land (v. 8), especially visible in God’s provision of rain in due season (v. 12, cf. 11:11, 14).

The first effect of Israel’s obedience, “the LORD your God will set you high above all the nations of the earth” (v. 1, cf. 26:19), introduces a central theme of the blessings and curses—Israel’s role among the nations. The theme will be taken up again in the metaphors at the end (“The LORD will make you the head, and not the tail” v. 13), creating an inclusio for the blessing. Israel’s dominance among the nations will be seen in warfare (v. 7) and prosperity (v. 12b) but especially in Israel’s unique religious role (vv. 9–10). “The LORD will establish you as his holy people” (v. 9, cf. 7:6; 14:2, 21; 26:19), “as he has sworn to you” (cf. “holy nation” in Exod 19:6). The statement, “And all the peoples of the earth will see that the name of the LORD is called upon you” (Deut 28:10; au. trans.), has its closest parallels in Solomon’s prayer at the dedication of the temple (1 Kgs 8:43 // 2 Chr 6:33) and in Daniel’s prayer (Dan 9:19). It is the visibility of Israel’s special relationship with the LORD that inspires awe (“and they shall fear you,” Deut 28:10).

Moses’ curses—the world turned upside down (28:15–68). This long section of curses is one of the most gruesome texts in the Hebrew Bible, and therefore hardly ever read in Christian liturgy. Moses threatens (or announces prophetically) that God may not only be actively involved in Israel’s suffering and destruction (vv. 20–28, 35–36, 48, 61, 64–65, 68), but even take delight in it (v. 63). Shocking as this idea may be, this text has important functions and should therefore not be neglected. In the historical context of its creation, it reflects Israel’s actual suffering under Assyrian and Babylonian imperial dominion and in exile (eighth to sixth centuries BCE). It is an impressive literary expression of trauma (see p. 186) and an attempt to transform the destructive force of that trauma into a motivation for adhering to Deuteronomy’s torah as Israel’s ethical foundation.

The blessings reversed (28:15–48). In both structure and content, this first major section of the curses is placed in a strong antithetical relationship with the preceding blessings and is thus likely to have been conceived as a completed text. (On vv. 49–68 as a redactional expansion see p. 186.) Just as the introductions are perfectly parallel (v. 1, 15), so also are the concluding sections (vv. 13–14, 45–48). Compare verse 13, “if you listen to the commandments of the LORD your God,” with verse 45, “if you have not listened to the voice of the LORD your God” (au. trans.). Both sections are introduced by a fourfold sequence: “blessed shall you be” (vv. 3–6) is reversed in “cursed shall you be” (vv. 16–19). In each section, there follows a series of good
or bad things that will happen to Israel, which are introduced by divine actions (vv. 7–13, 20–44). Specific reversals are found at the beginning (vv. 8/20–21) and at the end (vv. 12b–13/43–44); in addition, compare v.7/25; v. 9/10–36–37; v. 12/23–24.

This first major section of the curses, composed as a drastic reversal of the blessings, is already double the length of the preceding passage of blessings, thus showing the emphasis placed on the curses.

"Because you have forsaken me" (v. 20) is exceptional in that the divine first-person singular seems to intrude into Moses' speech. This may be a fore-shadowing of the theophany in which God will announce that "they will forsake me" (31:16). The phrase "The sky over your head shall be bronze, and the earth under you iron" (28:23) inverts the positive images of 8:9; it is an example of the striking metaphors employed, like that of the rain turned into dust (v. 24). Great emphasis is placed on diseases, both physical (vv. 21–22, 27, 35) and mental (vv. 28, 34). All human efforts will be in vain (vv. 30–31, 38–42).

Israel will suffer defeat in war (vv. 25–26), be exploited (v. 33) and be increasingly dominated by imperial powers (vv. 43–44), and finally suffer exile: "The LORD will bring you, and the king whom you set over you, to a nation that neither you nor your ancestors have known" (v. 36). Deportation of children is mentioned in verse 41. There "you shall serve other gods, of wood and stone" (v. 36, cf. 4:28). This is the utter reversal of Israel's exceptional relationship with the LORD promised in the blessings (vv. 9–10). "You shall become a horror, a proverb, and a byword among all the peoples where the LORD will lead you" (v. 37) reverses the awe felt toward Israel by "all the peoples" (v. 10) as well as Israel's exaltation at the end of the Torah discourse "in praise, in fame and in honor" (26:19).

Another attack, siege, and exile (28:49–68). This second major passage envisions the horrible scenario of an attack by a nation "from afar...like a vulture" (v. 49, NRSV "eagle"); cf. the positive image in 32:11). Laying siege to Israel's cities (v. 52), the nation's attack causes devastating famine that leads to cannibalism of their own children (vv. 53–57), disease (vv. 59–61), and depopulation (v. 62). The subsequent deportation is attributed to God himself: "The LORD will scatter you among all peoples, from one end of the earth to the other; and there you shall serve other gods, of wood and stone, which neither you nor your ancestors have known" (v. 64, intensifying v. 36, near 4:27–28). Exile will be marked by utter psychological distress (28:65–67). The curses culminate in the motif of the anti-exodus, the return to Egypt (v. 68; cf. 17:16).

Several motifs from the preceding curses are here picked up and pushed to extremes. Children, previously seen as taken into captivity (vv. 32, 41) are now dramatically described as being eaten by their own parents (vv. 53–57). The use of the verbs "ruin" (vv. 20, 22, 51) and "destroy" (vv. 20, 24, 45, 48, 51, 61) culminates in the idea that God takes delight in ruining and destroying his own people (v. 63). The curse on agricultural produce (v. 18) is now concretely attributed to consumption by the hostile nation (v. 51). While the written curses have a frightening power precisely because of their written nature (cf. 29:19, 20, 26), "every other malady and affliction" not written "in the book of this law, the LORD will inflict on you until you are destroyed" (28:61; on the threatening message of the "book of the law" found under King Josiah, cf. 2 Kgs 22:11–17).

The madness inflicted by the "sight that your eyes shall see" (v. 34, cf. v. 67) is expanded to the utmost (vv. 65–67): "Your life shall be hanging before you, night and day you shall be in dread, and you will not believe in your life; In the morning you shall say, 'If only it were evening;!' and at evening you shall say, 'If only it were morning;!' because of the dread of your heart that you shall be dreadfully afraid and that your eyes shall see" (vv. 66–67; au. trans.). Serving "other gods," a theme introduced at the very end of the blessings (v. 14), twice forms the culmination of the curses in the religious sphere (vv. 36, 64).

The systematic conception of the first major section of the curses (vv. 15–48) as a reversal of the preceding blessings (as well as other literary and historical considerations) suggests that the second major section may be a redactional expansion. The first section, to judge from its formal aspects, is closely related to curses in ancient Near Eastern treaties, specifically the Succession Treaty of Esarhaddon. It is therefore likely to have originated (at least in part) in the seventh century BCE. The addition of the latter section may have been influenced by the horror and destruction caused in Judah and Jerusalem by the Babylonians (597 and 587 BCE).

The curses as trauma literature. Though the style or form of the curses is technically that of threats regarding the future, the curses are, in fact, expressions of traumatic experience. The siege and destruction of Jerusalem and the subsequent deportation of its population, narrated in matter-of-fact sobriety at the end of the Deuteronomic History (2 Kings 25), are here expressed in their full horror and psychological devastation. The anti-exodus, which in 2 Kgs 25:26 is narrated as dry historical fact, is here the final act carried out by God himself (Deut 28:68).

The prophecies of Jeremiah and the Book of Lamentations can be read as a long and complex echo of
Moses’ curses. “I will make them eat the flesh of their sons and the flesh of their daughters” (Jer 19:9), for example, puts Moses’ curse (Deut 28:53) in God’s own voice. Lamentations 4:10,

The hands of compassionate women have boiled their own children; they became their food in the destruction of my people,
thats Cheryl’s curse (Deut 28:56–57) into the voice of the people’s lamentation. While themes such as these are far from pleasant, they give voice to the unspeakable, expressing the experience of horrific suffering. Moses’ curses should thus be understood as trauma literature, serving a cathartic purpose, an act of “holy resilience.”

Moses’ Moab Covenant Discourse (29—30)

The covenant that “the LORD commanded Moses to make with the Israelites in the land of Moab, in addition to the covenant that he had made with them at Horeb” (29:1 [MT 28:69]; in the following, verse references are given according to NRSV) is of great significance for Deuteronomy’s conception as a covenant document (see p. 153). This discourse employs highly complex literary means to engage its implied audience, which is envisioned to be in exile (or diaspora) or recent restoration. In a lengthy digression imagining someone swearing a false oath in making the covenant (29:18–19), Moses quotes future speakers who explain the disaster that has come upon Israel, saying that the LORD “cast them into another land as it is today” (v. 10). The subsequent vision of the return to the land (30:1–10) mingle “you,” referring to the generation present in Moab (“as that I am commanding you today,” vv. 2, 8), with “you” referring to the future generation in exile who will return to the land (vv. 3–5) and to the LORD (vv. 6, 8).

In the phrase, “the land that your ancestors took into possession” (v. 5; au. trans.), “your ancestors” refers to the generation addressed by Moses in Moab. This fluidity makes the audience of Deuteronomy (be they in exile, in diaspora, or already returned to the land) profoundly aware that it was really them for whom Moses spoke in the land of Moab. Although Moses was speaking to the Moab generation, he was speaking for those supposed to return to the land. They must feel warmly included in the future “you” envisioned by Moses whom he continues to address, emphasizing the case with which the commandment can be kept (vv. 11–14) and the choice that must now be made (vv. 15–20)—not only by Israel in Moab, but also by Israel on their return to the land.

Why Israel should keep the covenant (29:2–9). Moses’ emphasis on Israel’s direct witnessing of God’s wonders in the exodus (vv. 2–3, cf. Exod 19:4), their survival in the wilderness for forty years, and their successful conquest of the Transjordanian territories (29:5–8), should encourage Israel to keep the covenant (v. 9). The curious statement that “the LORD has not given you a heart to understand nor eyes to see nor ears to listen to this very day” (v. 4; au. trans.; cf. the people’s “stiff neck” in 9:6), seems to allude to the danger of Israel’s entering the covenant insincerely, which would lead to a catastrophe in the future as we see from the rest of the chapter. A solution to this problem is envisioned only for the generation in exile, whose “heart” will be “circumcised” by God himself (30:6).

Israel, present and future, included in the covenant (29:10–15). Moses now solemnly acknowledges the physical presence of all the people, even including strangers, a scenario that will be repeated in the future public reading of the Torah (31:12). Their presence is legally required for them to enter the covenant (29:10–13). The mutual relationship thus created is expressed in the covenant formula, “in order that he may establish you today as his people, and that he may be your God” (v. 13). The people “stand here... before the LORD our God” just as “you stood before the LORD your God at Horeb” (4:10). Beyond the present generation, even those “who are not here with us today” (29:15) are included in the covenant. This phrase can only refer to members of the people yet to be born, affirming the transgenerational relevance and validity of the Moab covenant.

Warning against a false oath and its catastrophic consequences (29:16–29). The main point of this complicated passage is Moses’ warning against swearing a false oath in the covenant ceremony (vv. 16–21) and the fatal consequences this would have in the future (vv. 22–28). Against the background of the people’s awareness of the Egyptian idols (vv. 16–17), every single man, woman, family, and tribe is admonished that their “heart” must not be “turning away from the LORD our God to serve the gods of those nations” (v. 18). On the significant role of the “heart,” see 29:4; 30:6.) The insincere attitudes that Moses reveals (“Peace will be for me! Yeah, in the stubbornness of my heart I shall walk!” v. 19; au. trans.) would not only cause divine wrath and destruction for individuals (vv. 20–21), but for the entire people (vv. 22–28). The process is expressed in the phrase “sweeping away the dry with the moist” (v. 19; au. trans.), which probably implies the image of a mudslide that sweeps away dry soil along with it.

The sudden temporal shift to the future generation, “your children who rise up after you” (v. 22),
introduces the disastrous consequences of the covenant being broken in the future. The utter destruction of the land, like that of Sodom and Gomorrah (v. 23), is witnessed by strangers who come from afar (v. 22). "All the nations" will ask what had caused this terrible divine wrath (v. 24). The nations are quoted as answering that it was Israel's abandonment of the covenant that "the God of their ancestors" made "with them when he brought them out of the land of Egypt" (v. 25) and their worship of idols (v. 26) that caused God's wrath (v. 27) and led to exile (v. 28; on the significance of v. 29, see p. 189).

This passage emphasizes with great intensity the impact of the curses that are "written" in "this [torah] book" (vv. 20, 21, 27; cf. 28:58, 61), making readers aware of the terrible power of the book they are holding in their hands. God's unwillingness to forgive the swearing of a false oath (29:20) is similar to the reason given for Jerusalem's destruction because of Manasseh's shedding of innocent blood (2 Kgs 24:4). Moreover, the motif of God "casting" Israel away because of his "wrath" (Deut 29:28) is found again only in the Deuteronomic account of the Babylonian exile (2 Kgs 24:20; cf. the use of "hurl" in Jer 16:13; 22:26, 28). The language leaves no doubt that Moses' words are meant to provide a prophetic explanation of this historical catastrophe.

Israel's return to God and to the land (30:1-10). Against the background of the catastrophe referred to in the previous section (29:22-28) and summarized in the keyword "curse" (30:1), Moses now envisions Israel's conversion in exile and their return to the land, expressed in a sevenfold variation of the Hebrew verb "to turn, return" (יָתֵך, vv. 1-3, 8-10). This dynamic starts with a spiritual conversion (lit. "when you bring back [all these things / words] to your heart," v. 1), and Israel's return to God (v. 2). The people's conversion goes hand in hand with God's return to them. As he had driven them to the nations (v. 1), he will now show mercy (v. 3; cf. 4:31) and bring them back and gather them from where he had "scattered" them (30:3-4; cf. 28:64). The mutual "conversion" of God and people is beautifully shown in the intertwined meaning of the verb "to turn/return/bring back." Both Israel (vv. 1, 2, 8, 10) and God (vv. 3, 9) are active in this process. As the curses had shockingly announced that God would "take delight in bringing you to ruin and destruction" (28:63), "the Lord will again take delight in prospering you" (30:9).

In the center of this conversion we find the circumcision of the heart (v. 6). This motif, strange at first sight, is best understood as the spiritual transformation of the bodily circumcision that had been instituted as the sign of the covenant with Abraham (Gen 17:10-14, 23-27). Just as the physical circumcision lays bare a most sensitive part of the body, the circumcision of the heart means the removal of any covering that disables the sensitive perception of God's will. Thus, Israel will be enabled to "listen to the voice of the Lord and you will enact all his commandments" (30:8; au. trans.). Theologically, it is of great significance that it is God himself who will perform the circumcision of the heart (as opposed to the command in 10:16). He himself enables Israel to act according to the torah. Thus, a theology of grace lies "at the heart" of Deuteronomy's theology of righteousness.

Here, the Moab covenant is seen as a spiritual deepening of the covenant with Abraham and therefore a theological culmination of covenant theology in the Pentateuch. A similar and yet different idea is found in the "new covenant" envisioned by Jeremiah (Jer 31:31) in which God announces, "I shall put my torah in their midst, and on their hearts, I shall write it" (Jer 31:33; au. trans.). This interiorization of the torah implies—in contrast to Deuteronomy—that "no longer shall they teach one another" (Jer 31:34). Deuteronomy's and Jeremiah's views of the internalized covenant thus remain in tension with each other.

The word is very near to you (30:11-14). This brief passage, a rhetorical and literary gem, aims at convincing Israel that "this commandment" is not far away, but "the word is very near to you; it is in your mouth and in your heart" (v. 14), thus developing the theme of obedience that had been introduced previously (vv. 8, 10). The close connection with the preceding passage is also seen in the geographical metaphor found in the first of the two parallel quotations: "Who will go up to heaven for us and bring it to us?" (v. 12; au. trans.). "Even if you were dispersed to the ends of heaven, from there the Lord your God will gather you, and from there he will bring you back" (v. 4; au. trans.). The impossible task of "bringing" something from heaven is God's alone and not required of humans. "Who will cross to the other side of the sea for us" (v. 13) evokes a classical theme of ancient Near Eastern literature, according to which this task can only be fulfilled by gods or heroes (cf. the Gilgamesh Epic or Enuma Elish). The formulation put into the mouth of the people, "we may hear it and observe it" (v. 12, 13) is the customary response on entering the covenant (compare Exod. 19:8; 24:3, 7; see p. 189 on 29:29 [MT 29:28]).

Choose life so that you may live (30:15-20)! This is the culmination of Moses' covenant speech and, indeed, of all the previous discourses of Deuteronomy. Diametrically opposite choices are set before Israel: good and evil, life and death. An extreme sense of urgency is created by three formulations that have
been used previously but are here combined and condensed: "See, I have set before you today (v. 15, cf. 11:26 with "blessing and curse"). "I declare to you today that you shall surely perish" (30:18; au. trans.; cf. 8:19). "I call heaven and earth to witness against you today" (30:19; cf. 4:26). In each of these formulations, the "today" of Deuteronomy is highlighted, the very day of the transmission of the commandments ("that I am commanding you today" v. 16). On this very day, Israel is expected to make the decisive choice between life and death.

What so many previous exhortations have repeatedly declared is summarized for a last time: disobedience would inevitably lead to the loss of the land and death (vv. 17–18), while the love of God and obedience to his commandments will lead to life in the land and blessings of all kinds (vv. 16, 19–20). The decisive, ultimate call is "choose life so that you may live, you and your descendants!" (v. 19; au. trans.). This is a hermeneutical key for understanding and interpreting the commandments of Deuteronomy and for religious ethics in general. Any religious norm must help to foster life, its ultimate origin and source being God himself—"for he is your life" (v. 20; au. trans.).

The formulaic, but programmatic, end of Moses' covenant speech highlighting the gift of the land (30:20; cf. 32:47) shows once again the immense importance of the land as goal. Together with the emphasis on the return to the land after exile in the speech (30:1–5), this implicitly "exilic" stage of Deuteronomy seems to also address "Israelites" who (still) live in the diaspora, calling them to return to the promised land. This return to prosperity, however, also implies the necessity of a choice and decision to obey the torah. The people of Israel are largely silent in Deuteronomy, but they seem to make an intriguing appearance in the voice of a group, indicated by "we" at the very center of the covenant speech (29:29 [MT 29:28]): "The secret things belong to the LORD our God, but the revealed things belong to us and to our children forever, to observe all the words of this torah!" God's design will always retain an unfathomable dimension, especially in the ultimate incomprehensibility of traumatic suffering. What has been revealed calls for wholehearted commitment.

Moses' Delegation of Leadership to Joshua and Death (31—34)

Having finished his covenant speech, Moses hands over his leadership to Joshua (31:1–8) and his torah to the Levitical priests and elders (31:9–13). He thus prepares to retire. Divine intervention, however, delays the final events. God summons Moses and Joshua, and reveals a message of doom (31:14–21) that includes the revelation of the Song of Moses (32:1–43). Only after a short concluding speech from Moses (32:45–47) does God call him to ascend Mount Nebo (32:48–52). Moses blesses the people (ch. 33) and then obeys the divine command, going up to Mount Nebo to see the land and die (ch. 34).

The concluding chapters, 31—34, are different in character from the long discourses in chs. 1—30. Only here are found major narrative progression and only here poetry (32:1–43; 33). Moreover, only these chapters contain direct speeches from God (31:14, 16–21, 23; 32:48–52; 34:4) that highlight the theological significance of Moses' demise. The themes of Joshua's succession and Moses' death connect these chapters with the beginning of the book (cf. 1:37–38; 3:21–28; 4:22).

Moses Handing Over His Office and the Torah: A Theophany (31:1—32:47)

Deuteronomy 31 is crucial for the narrative self-presentation of Deuteronomy, since it reports two acts of writing affecting the composition of "Deuteronomy" itself. First, Moses seems to write down "this torah" (31:9) on his own account. The contents of this act of writing are to be found in the preceding Mosaic speeches of chs. 5—30, which is indicated by the major heading "this is the torah" (4:44); the contents may even be all of chs. 1—30 (cf. "this torah" in 1:5). The second act of writing (31:22) is commanded by God (31:19) and refers to "this song" (32:1–43).

The result of Moses' act of writing is a torah book complemented by the Song (31:24), a "book within the book" (Jean-Pierre Sonnet) in the narrated world of Deuteronomy. Its position "beside the ark of the covenant of the LORD" (31:26) is highly symbolic. It implies its continued relevance for the people's covenant relationship with God and the Levites' special responsibility for its transmission, since it is they who are to carry the ark across the Jordan into the land. Thus, Deuteronomy gives the theory of the writing of its principal contents and of the document's transfer into the land. Many interpreters identify the "book of the torah" with the book found in the temple in the time of King Josiah (2 Kgs 22:8).

Moses encourages the people and delegates Joshua as leader (31:1–8). The two short speeches addressed by Moses to Israel (vv. 2–6) and to Joshua (vv. 7–8) encourage them to conquer the land with the help of divine leadership. Though Moses claims that his old age prevents him from giving military leadership (v. 2), he is still vigorous (34:7); the real reason for his
premature death will be given by God himself (32:51). Against the background of the failed attempt during Israel’s preceding generation (1:19—2:15), Moses now encourages the people (31:6), interpreting the conquest of the land as the work of the LORD himself (vv. 3, 6; cf. 9:1–3). He summarizes the successful seizure of the territory east of the Jordan (31:4–5, cf. 2:16—3:17) as a positive paradigm for the upcoming conquest of the territories in the west.

Moses must die according to divine command (31:2; cf. 3:27) and Joshua will take over leadership (31:3; cf. 3:28). Moses officially hands over this office in 31:7–8, thus fulfilling the earlier divine word (3:28). Moses’ words of encouragement will similarly be repeated by God himself (31:23), underlining God’s approval and preparing for Joshua’s significant role as it is narrated in the Book of Joshua. A festival of collective learning (31:9–13). Moses is presented as an erudite man at the zenith of his intellectual capacities. After delivering his extensive politico-judicial constitutional address to Israel, he writes it down skillfully on the same day. Moses has become Israel’s greatest rhetorician of all time—in ironic contrast to his overly modest (or pretended?) self-perception at the time of his vocation: “Not a man of words am I” (Exod 4:10; au. trans.). Moreover, he has become the paradigmatic scribe of Israel. He hands the torah over to the Levitical priests and to the elders (see pp. 31–32), which means that the responsibility for its tradition is not exclusively conferred on the holders of religious office, but also on the “laity” among the people (cf. 6:6–9, 20–25).

The occasion when the torah is supposed to be read and taught to the people (31:10–13) is of the highest significance. It is every seventh year, the year of remission, when the debts are abated (15:1–3) and the slaves released (15:12–15), at the Festival of Booths, which unites the people in joyful celebration and gratitude for the harvest (16:13–15). Having thus restored righteousness by fulfilling Deuteronomy’s torah, the people of God are ready for this festival of collective teaching and learning. In case they have not yet fulfilled these laws, they are strongly admonished to do so. Thus, the social theory presented in Deuteronomy and its practice must go together. Deuteronomy envisions Israel taking part in a joyful feast in which even the “children, who have not known it” learn fear of the LORD (31:13; cf. 1:39; 11:2), so that “all the words of this torah [NRSV ‘law’] may be carried out (vv. 12–13). All segments of the people shall be assembled, even including strangers (v. 12), so that the people will resemble the assembly in Moab (29:10) to renew the Moab covenant. The awe-inspiring reading of the torah in the land will re-enact the tremendous experience of

the assembly at Horeb (cf. 4:10; 31:12–13). The first public teaching of the torah will be performed by Joshua in the covenant ceremony at Gerizim and Ebal (Josh 8:33–35).

The Song as a witness and its message of doom (31:14–23). Surprisingly, and for the first time in Deuteronomy, the LORD addresses Moses. Moses is summoned to the “tent of the meeting” (mentioned only here in Deuteronomy) together with Joshua, a sign of the transition. Like the motif of the tent, the theophany in the “pillar of cloud” (31:15) uniquely connects Deuteronomy to preceding narratives within the Pentateuch (e.g. Exod 13:21–22; Num 14:14). It highlights the importance of the divine speech that follows (Deut 31:16–21), the longest in Deuteronomy and the only one that contains a message for Israel. This message, however, is not meant to be conveyed in plain prose, but in the veiled poetry of the Song (32:1–43).

God’s words could not be more burdensome and worrying. Moses’ impending death (31:14, 16) is the reason for their revelation here. To him God entrusts the future fate of Israel. The people will commit idolatry and thus break the covenant (v. 16). God’s wrath will be kindled and “many terrible troubles” will come upon the people (v. 17). What is summarized in this expression can be found in the gruesome elaboration of Moses’ curses (28:15–68). God indeed will “hide” his “face” (v. 18), a metaphor that has been applied to the dark phases of Jewish history through the millennia. All this will happen “on that day” expressed in threefold emphasis (vv. 17–18), since “that day” is a terribly present experience in the consciousness of the implied readers.

Since the people’s terrible future is “known” to the LORD (emphasized at the end of the speech, v. 21), the LORD takes preventive action by commanding Moses to write down and teach the Song, “in order that this song may be a witness for me against the Israelites” (v. 19). The image of the witness presupposes a situation of trial and an accusation by Israel that can be found in their preceding quotation: “Have not these troubles come upon us because our God is not in our midst?” (v. 17; cf. 1:42). If Israel ever believes that its abandonment by God is undeserved, the Song will witness that it is deserved. Though God remains silent and hidden, the Song “will not be forgotten from the mouth of their seed” (v. 21; au. trans.; for “mouth” cf. 30:14; 31:19).

Some of the motifs in this future scenario reappear in the Song: the good land in which the people will grow fat so that they commit adultery (31:20; cf. 32:14–17), and God’s hiding of his face (31:17–18; cf. 32:20) which will cause many afflictions (developed in 32:22–33). Expecting his own death, Moses
must endure a message that entails terrible suffering and many deaths for the people whose weight he has been carrying. Obediently, he writes the Song down "on that day" and teaches it to the people (31:22). While God's words convey a bitter message of doom, the Song itself ends on a hopeful note (32:33–43). God will in the end rescue Israel for the sake of his own honor. Israel's hope is in the LORD.

Handing over the Song (31:24–30). Having written down the Song (v. 24) and added it to the "book of the torah" (v. 26; au. trans.), Moses repeats the ceremony of handing it over, but this time he addresses only the Levites (v. 25). The torah book now takes on the additional role of the Song as a witness, at the side of the "ark of the covenant," precisely "there" it shall be a "witness" (v. 26), specifically for Israel's breaking of the covenant in the future. Moses "knows" future events that will take place after his death (vv. 27, 29), which is the consequence of divine knowledge (v. 21). The elders and officials are assembled by the Levites (in Moses' "hearing"; v. 28), but the Song is proclaimed to "the whole assembly of Israel" (v. 30, cf. "in the hearing of the people," 32:44).

The Song of Moses (32:1–43)

This is an outstanding example of Hebrew poetry in an extremely elevated style. Framed by a solemn poem (vv. 1–3) and a hymnal conclusion (v. 43), its substance is a poetic account of Israel's history in two major movements (vv. 4–33, 34–42). The first movement, by far longer, portrays the rise and fall of Israel. It is preceded by a programmatic contrast between God's perfect righteousness (v. 4) and Israel's sin (v. 5). This opposition is developed by the reflection on God's protection and nourishment of the people during their early history (vv. 7–14), their thoughtless affluence and apostasy (vv. 15–18), God's forceful reaction (vv. 19–27), and its bitter consequences (vv. 28–33). The second movement shows how God comes to Israel's rescue. The thematic change is indicated by the key motif of God's compassion (v. 36), which becomes concrete in God's warfare against Israel's enemies (vv. 41–42).

Each of the two movements is introduced by a rhetorical question (vv. 6, 34). Each movement contains an explicitly introduced quotation of divine speech (vv. 20–27, vv. 37–42). In the first, God expresses his wrath, which would obliterate even the people's memory (v. 26) were it not for the sake of his name in the eyes of the enemy (v. 27). The second major divine speech ridicules Israel's retreat to powerless idols (vv. 37–38). In contrast, God proclaims his unique power (vv. 39–40) by which he attacks the enemy (vv. 41–42). The Song contains an abrupt divine monologue at the beginning of the second movement (vv. 34–35); God's inner reflection prepares the change in Israel's fate.

The Song's portrayal of Israel's history thus proves God's righteousness. The blame for the catastrophe must be borne by the people. Its main cause is their apostasy and idolatry (vv. 16–18, 37). Although the Song's language is utterly non-Deuteronomic, its line of thought fits well into the Deuteronomic vision of history. The Song culminates in God's proclamation of his uniqueness and power to rescue (vv. 39–40).

The theology of the Song is rich. The principle metaphor characterizes God as a "rock" (vv. 4, 15, 18, 30–31, ironically applied to the idols in v. 37). The image implies immovable solidity, strength, and reliability, and is introduced with a reference to God's utter justice and faithfulness (v. 4). Several ancient translations avoided this metaphor and replaced it by "God," probably because representations of deities were often made of stone and the metaphor was open to misconceptions.

In one of the Song's creative uses of imagery, it transforms the motif of water from the rock (Exod 17:6; Num 20:8–11) into "honey from the crags, with oil from flinty rock" (Deut 32:13). The image may have inspired Paul's "spiritual drink" that "they drank from the spiritual rock that followed them, and the rock was Christ" (1 Cor 10:4). Moreover, the Song abounds in imagery of God's parenting Israel, both as a "father" (Deut 32:6) and as a mother, who "bore" the people (v. 18). The people are thus "his sons and his daughters" (vv. 19, 20) who have made themselves "his non-children" (v. 5; au. trans.). God is even compared to a vulture (NRSV "eagle") that stirs up its nest,

and hovers over its young;

as it spreads its wings, takes them up,

and bears them aloft on its pinions.

(v. 11; compare Exod 19:4)

Prophecy at the end of the Pentateuch. Many motifs of the Song are also found in prophetic texts and the Psalms, so the Song connects the end of the Pentateuch with other parts of the biblical canon. The prophecies of Isaiah, for example, begin like the Song of Moses with the exhortation of heaven and earth to listen (Deut 32:1; Isa 1:2), so that God's accusation of his "children" (Isa 1:4) may echo the Song's function as a witness. Similarly, the phrases "I am he" and "no one can deliver from my hand" (v. 39), are found again in Isa 43:13. The rare honorary name for Israel, "Jeshurun" (Deut 32:15; 33:5, 26), is used in Isa 44:2 as well, so that the message of hope unfolded in Isa 40ff. may be read as an elaboration on the divine rescue announced in the Song of Moses.
This word is "your life" (32:45–47). This short concluding speech is composed in the formulaic language of the exhortatory rhetoric of Deuteronomy. "Set your hearts unto all the words" (32:46; literal translation of KJV) is a beautiful variation of similar ideas (cf. 6:6; 11:18; 30:14), proposing the "words" as the center of attention and affection that should move the heart. The words shall be taught to the children, "for not a vain word is it for you, but this is your life" (32:47; au. trans.). This assertion transposes the idea of God being Israel's life (30:20) to the word as the medium of Israel's relationship with God. "For through this word you will make long the days in the land" (32:47; au. trans.) emphasizes one last time in Deuteronomy the intimate connection between keeping the torah and living long in the land (cf. ch. 30).

Moses' Ascent to Mount Nebo, Vision of the Land, Death, and Burial (32:48—34:12)

The final acts (32:48–52). God's command to Moses to ascend Mount Nebo to see the land and die (32:49–50; cf. 34:1–6) introduces the final narrative section of Deuteronomy. God grants no delay, requiring Moses "on this very day" to start his last journey (32:48; cf. 1:3). God's words are directed to Moses alone, preparing for the intimacy of the death scene. The reason for Moses' death outside the land is his failure to honor God "in the midst of the children of Israel at the waters of Meribath-kadesh" (32:51; au. trans.; cf. Numbers 20). Moses' death thus renders even more visible that his life has been existentially determined by his role as God's mediator for Israel.

The Blessing of Moses (33:1–29)

The blessing interrupts the sequence of the commanding and the fulfillment of Moses' last journey (32:48–52; 34:1–6), intensifying the narrative tension and requiring the greatest attention. The blessing is the last speech Moses makes in Deuteronomy and in his life as it is presented in the Pentateuch (Exodus 2 to Deuteronomy 34). The blessing characterizes Moses as ultimately and existentially concerned with the well-being of Israel and the people's relationship with God. The blessing, in its style closely connected to the Song (Deut 32:1–43), stands in stark contrast with it, counterbalancing it with a powerfully positive outlook on Israel's future. Like the patriarch Jacob, who blessed all his twelve sons (Genesis 49), Moses is portrayed as the spiritual "father of the nation." The blessings of the tribes (Deut 33:7–25) are framed by hymnic passages that deal with God's relationship with the entire people.

The framing hymn (33:1–5, 26–29). The hymn, rich in beautiful metaphors, summarizes God's gifts and salvation for Israel. In the theophany at Sinai (vv. 2–3) and through the gift of the Torah through Moses (v. 4), God became Israel's "king" (v. 5). In the end, God is shown as a warrior (vv. 26–27), whose protection allows Israel to live in security (v. 28). Israel is essentially a "people saved by the LORD" (v. 29).

The blessings of the tribes (33:6–25). The individual names of the tribes are mentioned (cf. 27:12–13; 34:2–3). As compared to Jacob's blessings of his sons (Gen 49:1–27), special attention is now given to Levi and Joseph (32:8–11, 13–17). Especially important for Deuteronomy's self-understanding is Levi's role as guardian of the covenant (33:9) and Israel's teacher of torah (v. 10; see pp. 131–32).

Moses' ascent to Mount Nebo, his vision of the land, and his death (34:1–12). The concluding chapter of Deuteronomy and of the Pentateuch exalts the figure of Moses both in the narrative presentation of his death and in explicit praise. The chapter contains two narrative passages—the accounts of Moses' death (vv. 1–6) and its aftermath (vv. 8–9)—each followed by an evaluation of Moses' life, praise of his physical strength (v. 7), and mention of his unique qualities as a prophet (vv. 10–12).

Moses' final acts (34:1–6). Following precisely God's command (cf. 32:49–50), Moses ascend to Mount Nebo (v. 1a) to be shown the land (vv. 1b–4) and to die there (v. 5). For the last time, Moses ascends a mountain—a fitting end to the most active climber of mountains in the Bible, who had received great revelations on Mount Sinai/Horeb (Exodus 19–34; Deuteronomy 4; 5; 9–10). The narrator describes the vision of the land in a counterclockwise movement from the north (Gilead, Dan), via the far northwest (Naphtali, Ephraim, Manasseh) to the west (Judah) and southwest (Negev), and finally back to the region of Jericho just below Mount Nebo.

Showing the land to Moses (v. 1), God comments on its significance in his last speech in the Pentateuch (v. 4). It is an intimate, personal word to Moses, unheard by Israel, but shared with us as readers. In showing the land to "your eyes," God assures Moses that he is fulfilling his promise to the patriarchs. Yet in his final words, "but you shall not cross over there," God reiterates that Moses' wish (3:25) will not be fulfilled. This may speak to the hearts of those readers who must die in exile or diaspora, outside the land. Moses is their greatest predecessor, proving that intimate relationship with God does not depend on having entered the land.

Moses' death scene highlights his intimacy with God (34:5). Moses is given for the first time the title
“servant of the LORD” (cf. Josh 1:1, 13, 15; 8:31, 33, etc.). He dies, literally ‘upon the mouth of the LORD’ (NRSV “at the LORD’s command”), which rabbinic interpreters saw as God’s kissing the dying Moses. “He buried him” (v. 6; NRSV “he was buried”) seems to indicate that, uniquely, God himself buried Moses, which explains why “no one knows his burial place.” “To this day,” which means that every reader will be able to verify it until the end of days, implies that there is no place to honor Moses (cf., in contrast, the burial site of the great ancestors in Machpelah, Gen 23:19; 25:9; 50:13). The only way of paying homage to Moses is by keeping his legacy, his torah. Moses arises, as Eckart Otto puts it, into his torah.

Moses’ astounding age and health (34:7). Moses’ symbolic age of 120 years is calculated from his age of eighty when he spoke to Pharaoh (Exod 7:7) and his forty years in the desert (Num 14:33–34; Deut 2:7). It may also reflect the ideal time of human life, as in Gen 6:3. “His eye was not dim” contrasts with Isaac’s dimmed sight (Gen 27:1) and exalts Moses above this patriarch. The emphasis on Moses’ vigor seems to imply that it was not failing health or strength that caused Moses’ death (as he claimed in 31:2), but the divine will alone (32:51–52).

Thirty days of waiting and a hopeful end (34:8–9). The Israelites waited for Moses. At the end of the Book of Deuteronomy, which narrates only a single day’s events, a short verse (34:8) represents a pause of thirty days, a pause that was filled with nothing but wailing and silence in the plains of Moab, for the tomb of Israel’s great prophet was unknown. Only then are we given a glimpse into Israel’s post-Mosaic future. Joshua has received through Moses’ hands the spirit of wisdom and is thus confirmed as his worthy successor (34:9). In Israel’s obedience to Joshua, the very end and aim of Deuteronomy is being fulfilled. “They did as the LORD had commanded Moses” (34:9; au. trans.), just as Moses had spoken to them “according to everything that the LORD had commanded him” (1:3; au. trans.). Thus, Deuteronomy’s great narrative arc is concluded (Jean-Pierre Sonnet), and Moses’ legacy is honored at this point through Israel’s deeds.

Moses’ “epitaph” (34:10–12). As if to stand in for the inscription of Moses’ nonexistent tombstone, the final verses of the Pentateuch highlight Moses’ permanent uniqueness for Israel. “Never since has there arisen a prophet in Israel like Moses” (v. 10) is meant to be valid forever, being reaffirmed by any future reader. “Whom the LORD knew face to face” reminds us of Moses speaking “face to face” with God (Exod 33:11). The great signs of the Exodus (Deut 34:11–12), usually ascribed to God himself, are now attributed to Moses. As the one who did mighty wonders on behalf of God, Moses remains “in the sight of all Israel.”