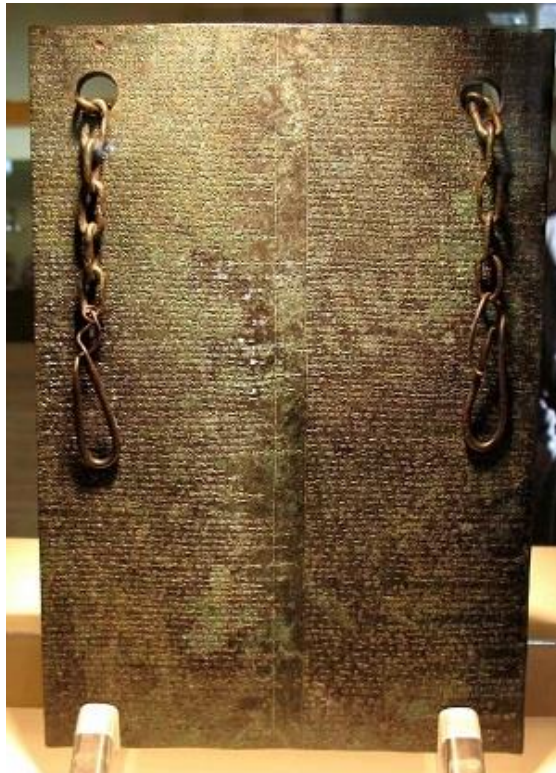


THE SECOND LAW

(Deuteronomy: Part 1)

Preparation for entry into the land of Canaan consisted of Moses' final admonitions to the people, which he gave in three speeches (1:1-4:43; 4:44-28:68; 29:1-30:20). In them, he reviewed the history of the desert sojourn and the law that God had given at Mt. Sinai, hence the Greek name



Bronze tablet of the 1235 BC treaty between Tudhaliya IV and Kurunta of Tarhuntassa (Museum of Anatolian Civilizations, Ankara Turkey)

Deuteronomy, which means "second law." (The Hebrew title consists of the first words in the book, "These are the words...") The Plains of Moab are the setting for this final book of the Torah, just opposite Jericho, on the eastern side of the Jordan River. It was now 40 years since the exodus. A new generation had been born and reared in the desert, all except Joshua and Caleb and those who had been younger than 20 years old at the time the people left Egypt (Nu. 14:28-30). Here, the covenant made with the former generation at Mt. Sinai was to be renewed by the new generation. This covenant renewal stressed the deep and ongoing relationship between Yahweh and his people. He had loved and chosen Israel (7:7-8), and now he urged Israel to love and choose him (Dt. 30:15-16). Paramount is the fundamental idea that breaking covenant was not merely breaking a static law: it was breaking a relationship. Israel was God's son, and Yahweh was Israel's father (1:31; cf. Ex. 4:22-23). The emphasis of the book is on the one God, the one people, the one land, and the one faith.

Underlying the three speeches of Moses, the content of the book follows the template of an ancient Near

HITTITE SUZERAINITY TREATIES

- 1 - Preamble, "These are the words..."
- 2 - Historical prologue sets out the previous relations between the two parties
- 3 - Stipulations of allegiance
- 4 - Covenantal obligations
- 5 - List of divine witnesses
- 6 - Blessings and curses

COVENANT BETWEEN YAHWEH & ISRAEL

- 1 - Preamble, "These are the words..." (Dt. 1:1)
- 2 - Historical prologue reviews the sojourn in the desert and Yahweh's protection (Dt. 1-4)
- 3 - Stipulations of allegiance (Dt. 5-11)
- 4 - Covenantal obligations (Dt. 12-26)
- 5 - Blessings and curses (Dt. 27-30)
- 6 - Witness of heaven & earth (Dt. 30:19; 31:28; 32:1)

TORAH SURVEY

Eastern suzerainty treaty. Such treaties were usually made between two nations, one ruled over by a powerful king or suzerain and the other by a vassal. In the case of Israel, Yahweh was the Great Suzerain and Israel was his vassal. That God used the common covenant form of a suzerainty treaty should not be surprising, since the nature of covenant had been part of the fabric of society for many centuries, and employing a known structure made God's law and the people's responsibility to it understandable. The striking similarities between ancient Near Eastern treaties of the 2nd Millennium BC and the Book of Deuteronomy were thoroughly explored by George Mendenhall in the mid-20th century (University of Michigan).

Usually, such an ancient Near Eastern covenant provided for the deposit of the covenant document and its periodic public reading. For Israel, the 10 commandments were deposited in the ark of the covenant and a copy of the Book of the Covenant was placed beside the ark (31:24-29). Every seven years, the covenant was to be publicly read to all the people (31:9-13).

The Primacy of Covenant Relationship

Very early in the book, it is apparent that the relationship between Yahweh and Israel was intended to be more than just perfunctory. The original intent of the exodus, which was to occupy the land of Canaan, was now clearly rehearsed (1:19-21), along with a solemn reminder of the people's rebellion at Kadesh, when they first refused to enter the land (1:26-33). This rebellion, along with the people's various other rebellions, was a relational fracture. The people repeatedly rejected the



While scholars are unsure when the idea of phylacteries began being taken literally, they certainly were so used by the time of Jesus (cf. Mt. 23:5). The above phylactery comes from the Qumran community (ca. 1st century BC). Traditional phylacteries contain four passages of Scripture: Ex. 13:1-10; Ex. 13:11-16; Dt. 6:4-9; Dt. 11:13-21.

God who had carried them as a father carries his son (1:31). The discipline of wandering through that great and terrible desert for 40 years was mitigated by the constant protection and sustenance of the God who blessed them and cared for them (2:7). During this sojourn, God humbled them and tested them so that they might learn that life was not about bread, but about relationship with him (8:2-5). When they met desert enemies, Yahweh gave them victory and promised to continue to fight for them (3:21-22). When they prayed, God was near them (4:7).

At the same time, such a relationship had to be nurtured. The Israelites were urged to watch themselves and not forget what God had done for them (4:9; 8:10-20). They were the covenant people, and in renewing the covenant, the 2nd generation of Israelites, most of whom had been born after the group left Sinai, were urged to see themselves in unity with the first generation who originally received the covenant (4:10-20; 5:2-3). Yahweh would not forget his side of the covenant (4:31), for he had chosen Israel out of his love (4:37; 7:7-9; 10:15). The Israelites, then, must take to heart God's sovereign choice and conscientiously keep their side of the covenant (4:39-40; 5:6-11, 32-33; 8:6). They were to fear Yahweh and love him with all their heart and soul (10:12-13, 16-22; 11:1). Especially, they were to remember their past failures in covenant relationship (9:7-10:11).

In keeping this covenant, the *Shema* was the central confession of

faith.¹ The *Shema* (Deut. 6:4-9) expressed the covenant loyalty that Israel was to show toward her divine Suzerain. Many centuries later, Jesus would say that this was the single most important commandment in the entire Torah (Mt. 22:36-38; Mk. 12:28-30). Parents were to teach their children daily about this covenant (6:20-24),² and the moral heart of it was the 10 commandments (6:7-21). Yahweh required exclusive fidelity to himself alone (6:13-14).

The Coming Invasion, an Act of Judgment

The coming invasion of the land of Canaan was not merely a conquest. It was equally a divine judgment on the Canaanites (9:4-6). Just as the flood of Noah was a judgment, so the invasion of Canaan was a judgment. God had informed Abraham, years earlier, that this would be so (cf. Ge. 15:16), and Deuteronomy bears it out. Thus, in the invasion of Canaan the Israelites were ordered to totally destroy the inhabitants of the Canaanite city-states (7:1-6, 16, 21-26; 9:1-3).

Without question, the Book of Joshua, which describes the actual invasion of Canaan, is a book of war—not merely conflict between people groups, but more specifically, wars of extermination as commanded by Yahweh. It is one thing to describe war and quite another to describe divinely authorized wars of annihilation where one kills in the name of Yahweh. The Deuteronomic instruction was to kill “everything that breathed” (7:1-2, 16; 13:12-16; 20:16-18). Such extermination has caused more than a little distress for modern readers of this ancient text.

At the outset, it must be conceded that the wars of Israel against the Canaanites, like all wars ancient and modern, were brutal affairs. No one need whitewash that fact. The enemies of Israel were under the ban, the *herem* (= dedication to total destruction), and such wars were controlled by specific obligations.³ The destruction of the Canaanites would not be carried out because of Israelite righteousness, but rather, because of Canaanite wickedness (9:5).

This aspect of the invasion is attested elsewhere. The land of Canaan was so defiled by the debauchery of the Canaanites’ lifestyles that the land would “vomit out its inhabitants” (Lv. 18:24-27). Nor was Israel exempt, for if the Israelites should defile the land in the way the Canaanites had defiled it, Israel, too, would be “vomited” out (Lv. 18:28; 20:22-23). The wickedness of the Canaanite nations is summarized in a litany of heinous offenses including human sacrifice, communication with the dead, and witchcraft (18:9-11). It was precisely because of these “detestable ways” that Yahweh intended to use the Israelites as a means of judgment (18:12).

The real question about the invasion of Canaan, therefore, is not whether God’s people have the right to dispossess others of their land, but whether God has the right to execute judgment. Nor does the divine sanction for the wars of Joshua offer any broad approval for all subsequent wars. Joshua’s invasion of the land of Canaan would not be a war effort determined merely by the Israelite

¹ The first word of Dt. 6:4 is the Hebrew שְׁמַע (*shema* = hear), and it has remained the central confession of faith for the Israelites from the time of Moses to modern history. It continues to be recited in the Jewish synagogue service.

² It is from this passage that Jews derived the practice of putting *mezuzahs* in their homes. The phylacteries worn in the time of Jesus also were based on this passage.

³ The ban applied not only to humans but also to the spoils of war. Human beings were slaughtered, while gold, silver and the like were put into Yahweh’s treasury (cf. Jos. 6:18-19). The word חֵרֵם (*herem* = ban) refers to what is utterly prohibited for common or private use. People, therefore, were not allowed to survive, while animals and moveable property were not allowed to be kept for profit.

desire to annex land, but rather, by Yahweh's intent to pass historical judgment on a wicked generation. The Israelites were not permitted to build an empire, which in turn reflects upon the uniqueness of their mission. Indeed, in a special sense, the Israelites do not "fight" these wars, but Yahweh fights through them (Jos. 10:14). In this sense, the wars of Israel against the Canaanites were analogous to the judgments of Yahweh against the Egyptians in the plagues, where "the LORD had brought judgment on their gods" (Nu. 33:4b). As such, the wars against the Canaanites should not be taken as a justification for arbitrary violence, but rather, as violence inflicted within the moral framework of wickedness and punishment. This invasion was to be a one-of-a-kind event. Further, the fact that in these wars the Israelites must devote all the spoils to Yahweh—keeping none for themselves—extracts out of these conflicts the incentive of aggression for personal gain.⁴ All that being said, the idea of holy war remains as an uncomfortable aspect of this ancient history. Certainly, it remains true that Jesus would change completely the idea of war into a spiritual category.

The Blessings and Curses

Integral to ancient Near Eastern covenants were the pronouncements of blessings and curses, blessings for obedience and curses for disobedience. God's covenant with Israel was no exception. Earlier, a brief list of blessings and curses had been rehearsed with the original generation of Israelites (Lv. 36). Now, these blessings and curses are repeated more fully to their children (4:25-28; 7:12-15; 8:19-20; 28:1-68; 29:18-28). When the Israelites would finally enter the land, they were



In 1980, archaeologist Adam Zertal discovered a fieldstone installation on the top of Mt. Ebal, dating it to ca. 1200 BC. The presence of burned animal bones suggest it was a ritual altar, and while there is ongoing debate, Zertal himself believes this could be the very altar built by Joshua (Jos. 8:30ff.).

to participate in a blessing-cursing ceremony at the Shechem pass between Mt. Gerizim and Mt. Ebal (11:26-32; 27:4-26), a ceremony carried out by Joshua (Jos. 8:30-35).

Given their history, the likelihood of the Israelites' failure at covenant faithfulness was strong, and the curses of disaster and exile were virtually inevitable (31:16-22, 29). In time, exile, the final curse, would terminate the Israelite kingdom. Nevertheless, the covenant promise of blessing for faithfulness would also hold true. Even if the Israelites eventually would be dispossessed of the promised land as a covenant curse, they still could repent and return to Yahweh. He would hear their prayer and restore them (4:27-31; 30:1-10).

⁴ This was the clear command at Jericho (Jos. 6:18-19), though the ban on taking spoils of war was mitigated later (Jos. 8:2; 11:14). This may have been because at Jericho in the south the Israelites waged a war of invasion (hence, they were not permitted to take the spoils), while in the north they waged a war of defense (the northern kings banded together for a preemptive strike against Israel, cf. Jos. 11:1-5).