

The Covenant Lawsuit in Deuteronomy 32

HA'AZINU

give ear!

Dt. 32:1-52

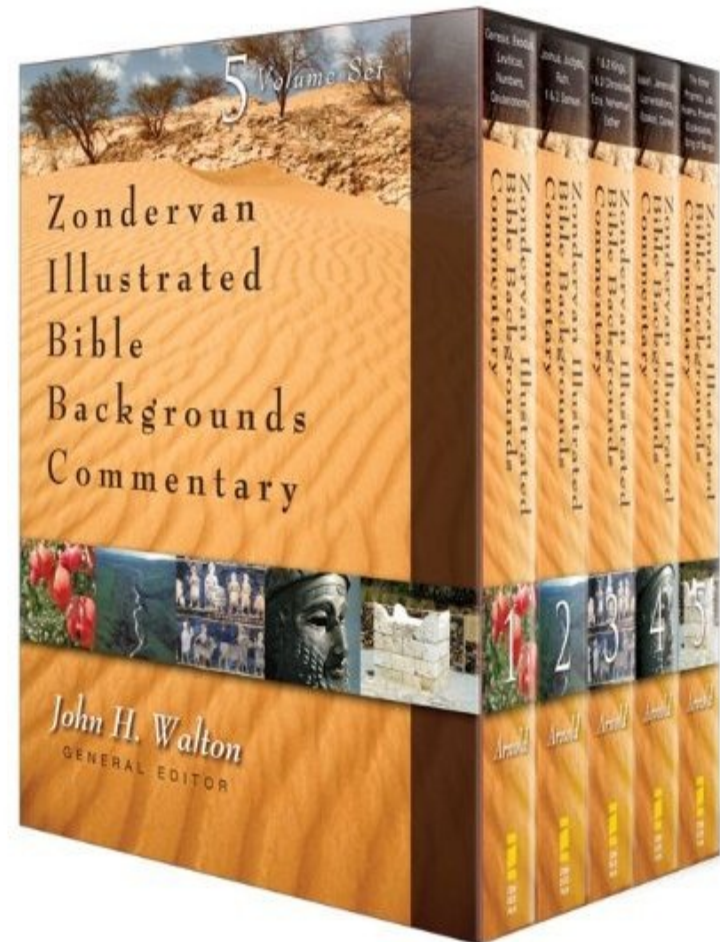
THE IVP
B I B L E
BACKGROUND
COMMENTARY

OLD TESTAMENT

An indispensable resource for all students of
the Bible, accessibly providing the cultural
background of every passage in the Old Testament



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Mark W. Chavalas



Articles Used

Articles and Graphics:

1. Re-Establishing Justice By Pietro Bovati
2. The Form and Function of the Song of Moses by Matthew Thiessen

The Land of the KING of the Earth



Covenant Witnesses

Deuteronomy 32:1

**Give ear, you heavens, and I
will speak. Let the earth
hear the words of my
mouth.**

Deuteronomy 30:19

**I call heaven and earth to witness
against you this day, that I have set
before you life and death, the
blessing and the curse: therefore
choose life, that you may live, you
and your seed;**

**The rib is a controversy
that takes place
between two parties on
questions of law**

Suzerain - Vassal Treaty

The "treaty" constitutes an obligation of the vassal to his master, the suzerain,

The Primary Sense of the Root 'in in the OT

A survey of the lexicons and literature indicates that three different primary senses have been suggested for the verb and the derivative

Noun.

The Brown-Driver-Briggs lexicon gives a rather broad primary meaning for the verb, defining it as "strive, contend," which may involve bodily struggle as well as verbal contention. The primary sense given for the noun, similarly, is "strife, dispute."

I. G. Ernest Wright's Analysis

Wright first provides a structural analysis of the Song, dividing it into seven sections, acknowledging that his divisions are based on attempts "to identify thought units."⁴ These sections are as follows:

- | | |
|-----------|-----------------------------------------------------|
| Section 1 | Introduction (Deut 32:1–6) |
| Section 2 | Kerygma: Appeal to mighty acts of God (vv. 7–14) |
| Section 3 | Indictment (vv. 15–18) |
| Section 4 | Sentence or penalty (vv. 19–29) |
| Section 5 | Poet's assurance of salvation (vv. 30–38) |
| Section 6 | The Word of YHWH confirming poet's hope (vv. 39–42) |
| Section 7 | Poet's final exhortation to praise (v. 43) |

Based on this structure, Wright concludes that “basic to the Song is one distinguishable form which the psalmist has elaborated. This is the divine lawsuit, or *rîb*.”⁵ He argues that this pattern is central to Deut 32:1–43 as shown by three things: the summons to witnesses in v. 1, the indictment in vv. 15–18, and the judge’s verdict in vv. 19–29.⁶ Wright then compares the Song to Herbert B. Huffmon’s outline of the form of the covenant *rîb*, which is provided below.

- I. Description of the scene of judgment
- II. Speech of plaintiff
 - A. Heaven and earth appointed judges
 - B. Summons to defendant (or judges)
 - C. Address in second person to the defendant
 - 1. Accusation in question form to defendant
 - 2. Refutation of defendant’s possible arguments
 - 3. Specific indictment⁷

<i>Outline of Lawsuit</i>	<i>Song of Moses</i>
I. Description of the Scene of Judgment	---
II. Speech of Plaintiff	vv. 1-29
A. Heaven and Earth Appointed Witnesses	v. 1
B. Summons to Defendant	---
C. Address in Second Person to the Defendant	vv. 4-29
1. Accusation in Question Form to Defendant	vv. 4-6
2. Refutation of Defendant's Possible Arguments	vv. 7-14
3. Specific Indictment	vv. 15-18
4. Declaration of Sentence	vv. 19-29

Isaiah 1:2

**¶ Hear, O heavens, and give ear, O
earth, For YHVH hath spoken: Sons I
have nourished and brought up,
And they--they transgressed against
Me.**

Micah 6:

- 1 Listen now to what Yahweh says: "Arise, plead your case before the mountains, and let the hills hear what you have to say.**
- 2 Hear, you mountains, Yahweh's controversy, and you enduring foundations of the earth; for Yahweh has a controversy with his people, and he will contend with Israel.**
- 3 My people, what have I done to you? How have I burdened you? Answer me!**

Hoshea 2:2

Plead with your mother, plead: for she is not my wife, neither am I her husband: let her therefore put away her whoredoms out of her sight, and her adulteries from between her breasts;

Hoshea 4:

- 1 ¶ Hear the word of the LORD, ye children of Israel: for the LORD hath a controversy with the inhabitants of the land, because there is no truth, nor mercy, nor knowledge of God in the land.**
- 2 By swearing, and lying, and killing, and stealing, and committing adultery, they break out, and blood toucheth blood.**
- 3 Therefore shall the land mourn, and every one that dwelleth therein shall languish, with the beasts of the field, and with the fowls of heaven; yea, the fishes of the sea also shall be taken away.**
- 4 Yet let no man strive, nor reprove another: for thy people are as they that strive with the priest.**

Read these verses

Jeremiah 2:4-14

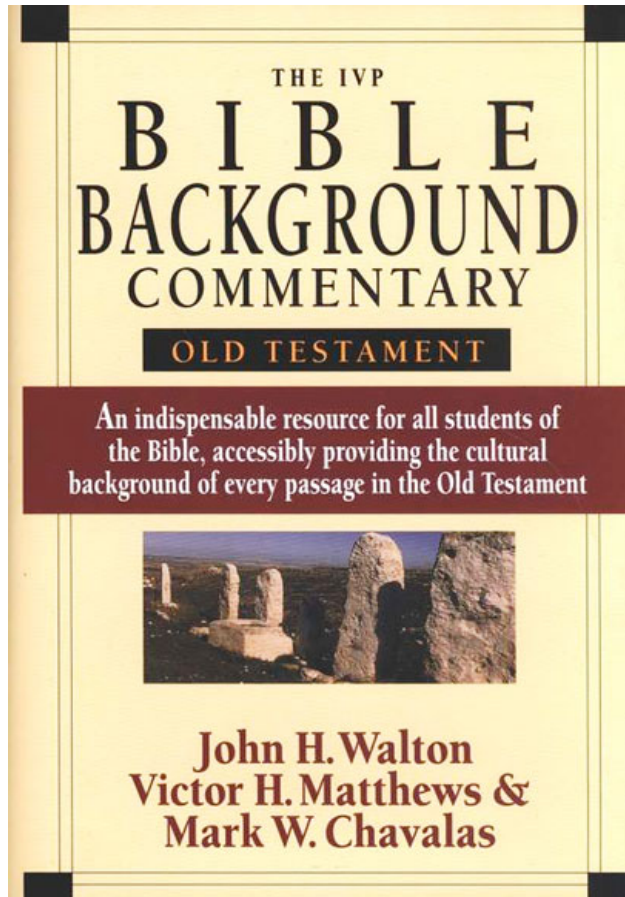
Psalms 50

The following table is a simplification and schematization of what has been said above:

BEGINNING	DEVELOPMENT		CONCLUSION
<i>accuser</i>	<i>accused</i>	<i>accuser</i>	<i>both</i>
the accuser begins the <i>rîb</i>	the accused confesses guilt	the accuser grants pardon	Reconciliation
		the accuser refuses the pardon (or some other arrangement)	Tribunal /War
	the accused protests innocence	the accuser persists in the accusation	Tribunal /War
		the accuser drops his accusation	Reconciliation

Deuteronomy 32:4

**The Rock, his work is perfect, for
all his ways are justice: a God of
faithfulness and without iniquity,
just and right is he.**



32:4. rock metaphor. Used in 2 Samuel 22:3 as a divine epithet, rock could also carry the meaning “mountain” or “fortress.” It is used of other deities in Aramaic and Amorite personal names, and its application to other gods is hinted at here in verses 31 and 37. As a metaphor it speaks of safety and deliverance.

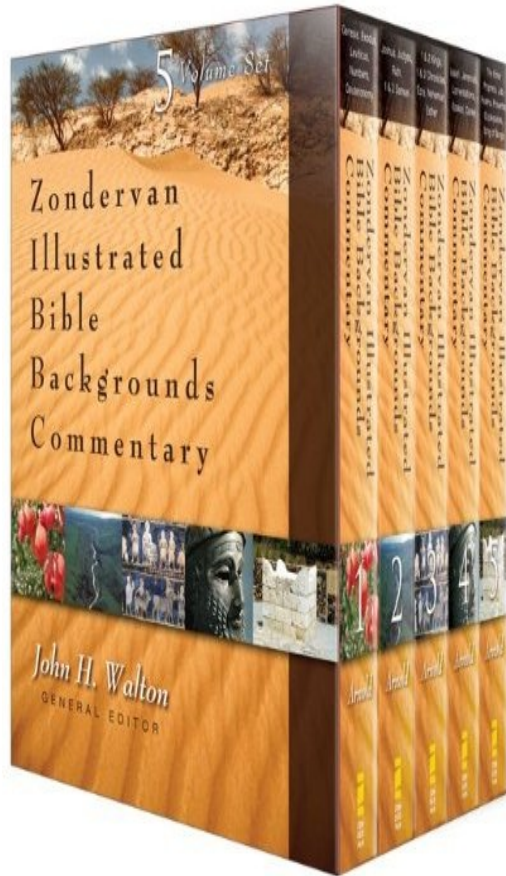
Deuteronomy 32:

30 How could one chase a thousand, and two put ten thousand to flight, unless their Rock had sold them, and Yahweh had delivered them up?

31 For their rock is not as our Rock, even our enemies themselves being judges.

37 He will say, Where are their gods, The rock in which they took refuge;

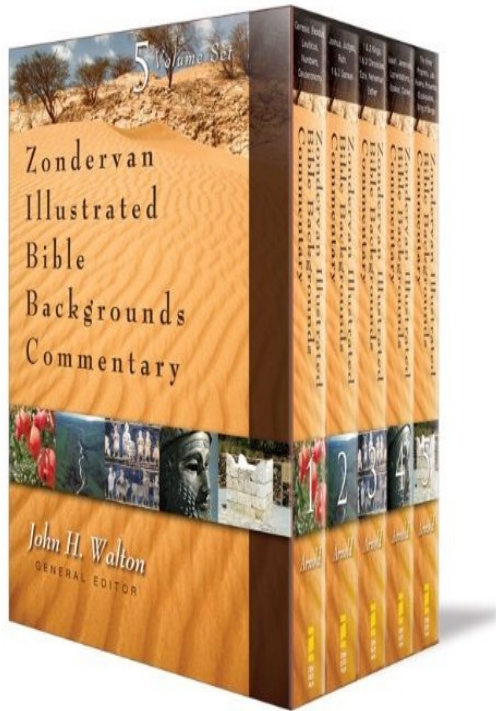
ANET Context of the term Father



Deuteronomy 32:6

Do you thus requite
Yahweh, foolish people
and unwise? Isn't he your
father who has bought
you? He has made you,
and established you.

Is he not your Father, your Creator? (32:6)



The fatherhood of the gods was a common theological feature of the peoples of the ancient Near East and contributed to the idea, for example, that Enlil (Sumer) “was a friendly, fatherly deity who watches over the safety and well-being of all humans, particularly the inhabitants of Sumer.” However, the overall concept is somewhat jumbled because of the seemingly contradictory way the material is presented and the strangeness of the worldview being propounded.

There were many “father gods.” In Sumer (e.g., An, Enlil, Utu), Egypt (Atum, Ptah, Re, Geb), and Ugarit (El, Baal), father gods were involved in the production and creation of the cosmos as well as other gods. As an example, in the Ugaritic myths (ca. 1350 b.c.), Baal, the Bull, is described as the creator of even the gods. In Egypt Amun was the ultimate source and cause of the gods and the cosmos.

This language is echoed in the designation of even a subordinate ruler such as Azatiwata, “mother and father” of the Danua people. In the Emar zukru festival Dagan (god of grain; storm god) is referred to as the “lord of creation.”

Yeshua Said:

Matthew 23:9

**And call no man your father
upon the earth: for one is your
Father, which is in heaven.**

*So Yeshua was really saying, do not call anyone
else King or have another God*

Which god fathered what and whom and how this all is to be tied together systematically are practically hopeless until more complete materials are available. In Israel, however, there is no confusion, for the one and only God, Yahweh, was God and Father of everything that exists in heaven and on earth.

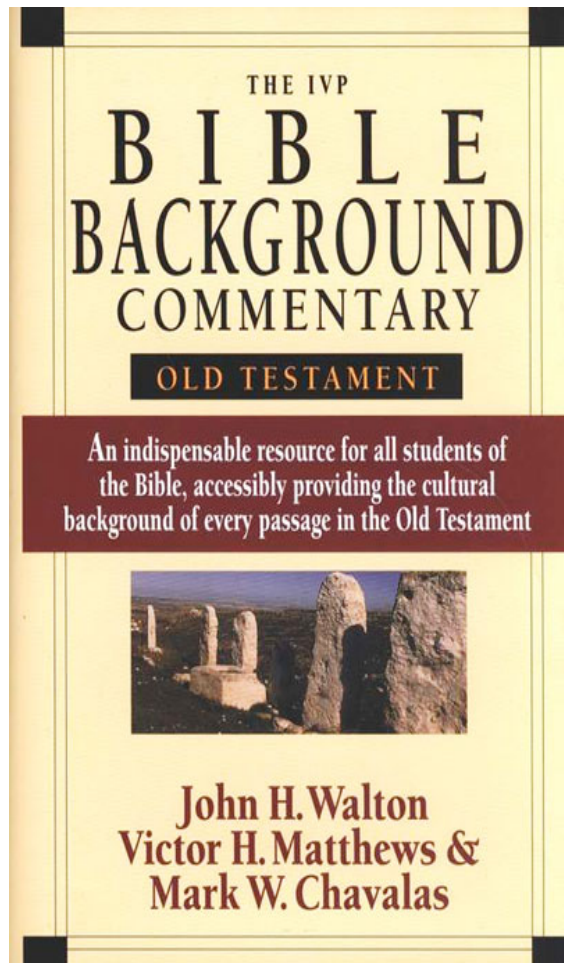
Deuteronomy 32:11


As **an eagle** that stirs up her nest, that flutters over her young, he spread abroad his wings, he took them, he bore them on his feathers.

05404. rvn neshar, neh'-sher
from an unused root meaning to lacerate;
the eagle (or other large bird of prey):--
eagle.

Metaphor of Protection and Life

- Mt 23:37 O Jerusalem, Jerusalem, thou that killest the prophets, and stonest them which are sent unto thee, how often would I have gathered thy children together, even as a hen gathereth her chickens under her wings, and ye would not!
- Lu 13:34 O Jerusalem, Jerusalem, which killest the prophets, and stonest them that are sent unto thee; how often would I have gathered thy children together, as a hen doth gather her brood under her wings, and ye would not!



32:11. eagle behavior. Though the eagle cannot be ruled out, the bird named here is more usually taken to be the griffin vulture, with a wingspan of eight to ten feet. In Egypt, Nekhbet was the vulture goddess who represented Upper Egypt and served as a protecting deity for Pharaoh and the land. Israel was protected in Egypt until Yahweh brought them to himself. Nekhbet was depicted as particularly maternal and was believed to assist at royal and divine births. Significant building of her temple in el-Kab (capital of third nome in Upper Egypt) took place in the Eighteenth Dynasty toward the end of the Israelite stay in Egypt, so we know that she was a popular goddess at that time. 

It is conceivable that the imagery of this verse was not drawn from actual observation of the behavior of vultures but from elements in the depiction of the vulture goddess, Nekhbet, whose characteristics are here transferred to Yahweh (see v. 12, “no foreign god was with him”). The first half of the verse would then introduce the metaphor of the vulture that cares for and protects its young. The second half of the verse speaks of the Lord’s care and protection of his people using the imagery that was familiar from Egyptian metaphors of care and protection. Additionally, in Mesopotamia the Tale of Etana includes an eagle that carries Etana and then repeatedly lets him go and catches him on its wings. (See Ex 19:4.)

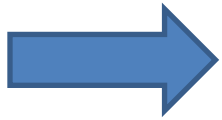


No Other protector but YHVH

Deuteronomy 32:12

Yahweh alone led him.

**There was no foreign god
with him**



Like an eagle (32:11).

The Epic of Lugalbanda has relevant imagery. The story of p 517 Etana, a quasi-historical king of Kish mentioned in the Sumerian King List, rode upon an eagle that cared for him as it carried Etana on his back. Etana ascends on an eagle's back on a cylinder seal of the twenty-third century b.c. This is probably the literary source behind the imagery here, although the actual bird in mind is often considered to be the griffon vulture.

Cylinder seal of the twenty-third century b.c. shows Etana ascending on an eagle's back.

Z. Radovan/www.BibleLandPictures.com



Image is a statue of King Chephren. The god Horus in the shape of a falcon is sitting on the back of the throne protecting the king with his outstretched wings.

*Werner Forman Archive/The Egyptian Museum, Cairo

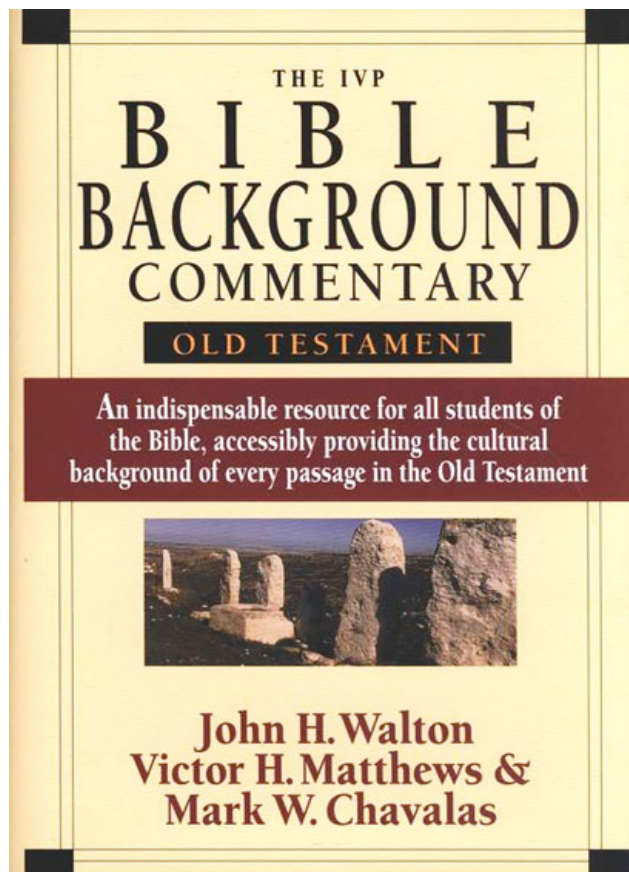
Deuteronomy 32:

15 But Jeshurun grew fat, and kicked. You have grown fat. You have grown thick. You have become sleek. Then he forsook God who made him, and lightly esteemed the Rock of his salvation.

16 They moved him to jealousy with strange [gods]. They provoked him to anger with abominations.

17 They sacrificed to demons, [which were] no God, to gods that they didn't know, to new [gods] that came up of late, which your fathers didn't dread.

18 Of the Rock who became your father, you are unmindful, and have forgotten God who gave you birth.

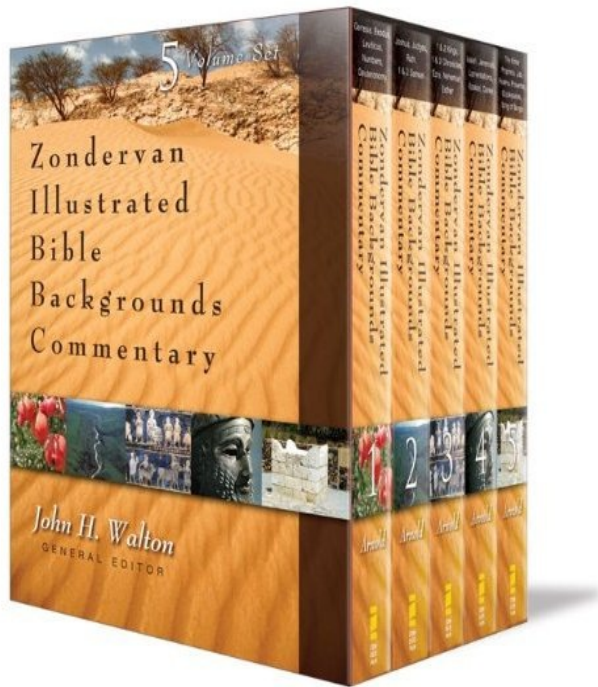


32:17. sacrifice to demons.

This word for demon is used elsewhere in the Old Testament only in Psalm 106:37, but it is a well-known type of spirit/demon (shedu) in Mesopotamia, where it describes a protective guardian mostly concerned with the individual's health and welfare. It is not the name of a deity, but a category of being (like cherub would be in the Old Testament). A shedu could destroy one's health just as easily as it could protect it, so sacrifices to keep it placated were advisable. They are depicted as winged creatures (similar to the cherub; see comments on Gen 3:24 and Ex 25:18–20), but they do not have idols (as the gods have idols) by which they are worshiped (see comment on Deut 4:28 for how this worked).

Sacrificed to demons (32:17).

Demon possession goes back to a Babylonian worldview and world order. The Sumerian udug demon was evil, the Akkadian šedu could act as either a demon or a protective spirit. A rābisu being was a spy for good or evil. Dimme (Sumerian) was a demon who murdered children according to Babylonian and Assyrian thinking. In Babylonian religion demons were sent against a person who sinned. The āšipu/mašmašu priest often sent incantations against these demons.



The Hebrew word for demons in this verse is *šēdîm*, a plural (sing. *šēd*). Israel had rebelled by sacrificing to a god(s) *šdym*, “demons” (cf. 32:17; Ps. 106:37; cf. Akk. *šedū*). It appears that the *šdyn*, the Aramaic equivalent to the Hebrew word, were gods worshiped in Transjordan and Canaan and are the same gods referred to in the biblical texts. Whatever they were, they were not worthy of worship. These beings were “no gods.”

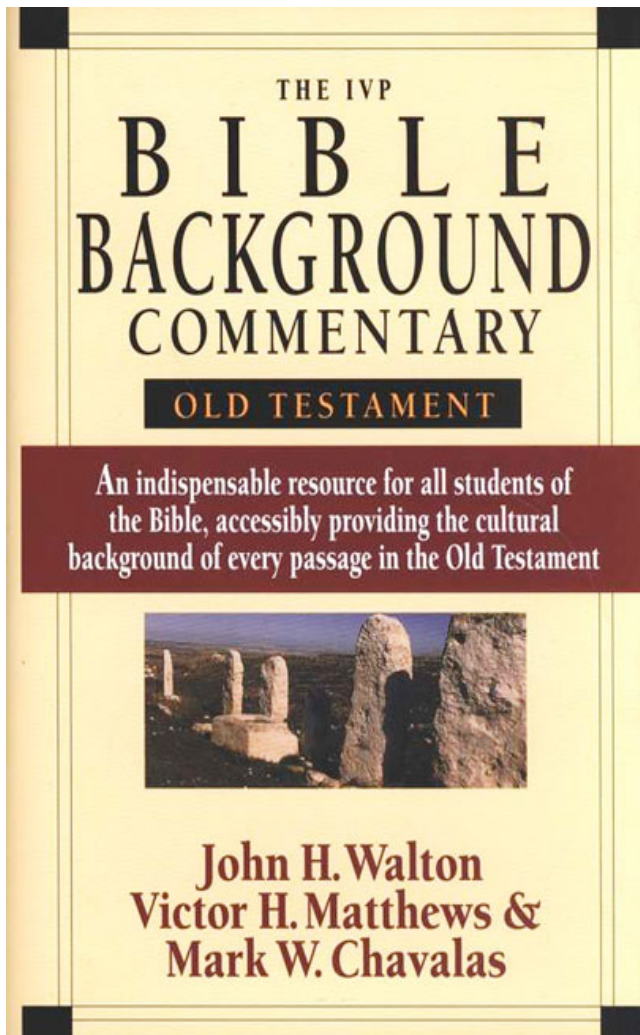
DIVINE PUNISHMENT IN THE ANCIENT NEAR EAST

Deuteronomy 32:

23 I will heap evils on them. I will spend my arrows on them.

24 [They shall be] wasted with hunger, and devoured with burning heat and bitter destruction. I will send the teeth of animals on them, With the poison of crawling things of the dust.

25 Outside the sword shall bereave, and in the chambers, terror; on both young man and virgin, The suckling with the gray-haired man.



32:23–25. divine punishment in the ancient Near East.

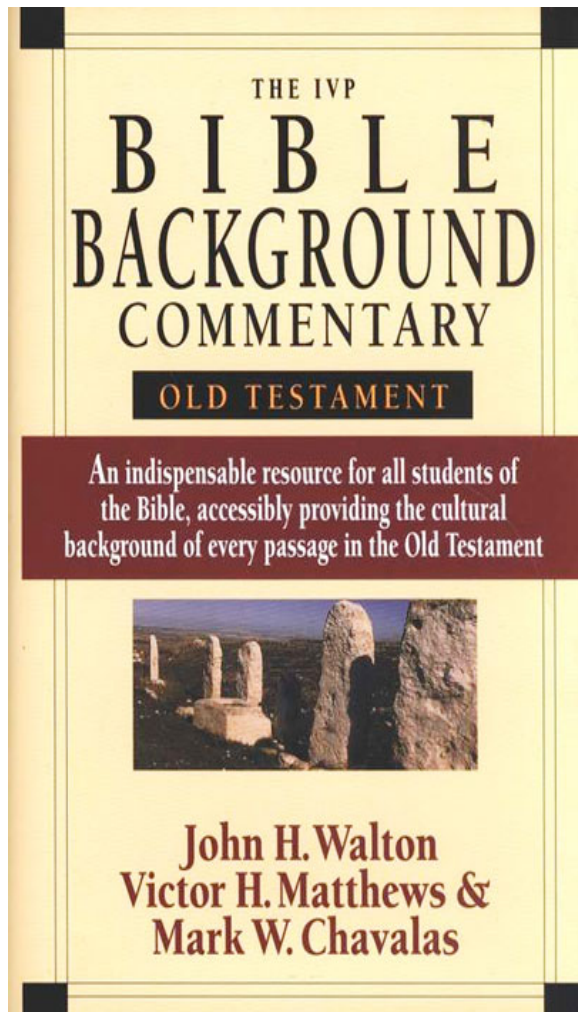
Famine, disease, wild beasts, war —these are the tools of the gods when they desire to punish their human subjects. Throughout history and literature the apparent randomness of these “acts of God” led them to be considered signs of divine displeasure. Atrahasis and the Gilgamesh Epic both contain accounts of the gods trying to reduce human population through these means prior to the flood. In contrast to the Old Testament, where the offenses are identified that would lead to these judgments, in the ancient Near East the judgments would indicate only that some deity was angry about something, leaving the people to figure out what offense might have been committed.



Examples include the Hittite prayer of Mursilis, where he prays that a plague might be abated, several Sumerian and Akkadian texts of lamentations over the fall of a major city, and Egyptian Wisdom Admonitions (Ipuwer). These all view various national calamities as the punishment of the gods. Perhaps the most striking example is the Erra Epic, in which civilization itself is threatened by the anarchy and havoc wreaked by the violence of Erra (the Babylonian deity Nergal). The text of Deuteronomy 32, however, must also be understood in the context of its treaty form, where the punishments are not random, arbitrary or unexplained. Rather, they are commensurate with the violation of the terms of the agreement.

DEUTERONOMY 32:

39 See now that I, even I, am
he, There is no god with me. I
kill, and I make alive. I wound,
and I heal. There is no one
who can deliver out of my
hand.



32:39. no pantheon.

Most religions of that day had a pantheon, a divine assembly that ruled the realm of the gods, the supernatural and, ultimately, the human world. There would typically be a deity who was designated head of the pantheon, and he, like the other gods, would have at least one consort (female partner). The first commandment forbids Israel to think in these terms. Yahweh is not the head of a pantheon, and he does not have a consort—there are no gods in his presence. This verse goes further to insist that there is no other god exercising power or competing for jurisdiction and authority. Just as blessing and prosperity is not the result of a benevolent deity's managing to hold back demonic forces and chaos, so punishment is not the surge of malevolent power to overwhelm the protector. All happens within Yahweh's plan—an impossible concept in the pagan polytheism of the rest of the world.

