

PART THREE
STATUTES AND EDICTS
DEUTERONOMY 12 – 25

Introduction to chapters 12 to 25

Chapter Twelve opens with the words: ‘These are the statutes and edicts that you must diligently observe in the land that YHWH, the God of your ancestors, has given you to occupy all the days that you live on the earth.’ The Deuteronomists have spent eleven chapters preparing us for these ‘statutes and edicts’. The dire situation in Israel in the eighth century which led to the complete collapse of the northern kingdom in 721BC and the dispersal of its population, and the similar threat facing Judah in the seventh century led them to the conviction that their only hope of survival as a people lay in radical reform. Laws had to be put in place to ensure fidelity to the covenant with YHWH, and to strengthen institutions in the community that would support the kind of relationships within the community that the covenant required. Reform involves a change of attitude, but it must be supported by practical changes in behaviour. We have come to the central section of Deuteronomy in which these reforms are spelt out. The Deuteronomists were convinced that these reforms were consistent with the central ideals of Mosaic Yahwism and were needed if the people were to be faithful to the covenant, and so they are presented as Moses’ Testament to the people as they are about to begin life within the Promised Land.

They have taken eleven chapters to prepare us to listen to these ‘statutes and edicts’, because they will achieve reform only if they are carried out in the right spirit, and lived from the heart out of an exclusive allegiance to YHWH. The first eleven chapters have been an exhortation to remember YHWH and all he has done for them and to respond with all their heart to the special love YHWH has for them. Without this they have no identity as a people. Without it they cannot survive:

Hear, O Israel: YHWH is our God, YHWH alone. You shall love YHWH your God with all your heart, and with all your soul, and with all your might. Keep these words that I am commanding you today in your heart. Recite them to your children and talk about them when you are at home and when you are away, when you lie down and when you rise. Bind them as a sign on your hand, fix them as an emblem on your forehead, and write them on the doorposts of your house and on your gates.

– Deuteronomy 6:4-9

Let us begin by listing from the opening exhortatory chapters the texts in which the Deuteronomists have mentioned these ‘statutes and edicts’. It will help demonstrate how important they considered them and how central they are to the book.

So now, Israel, give heed to the statutes and edicts that I am teaching you to observe, so that you may live to enter and occupy the land that YHWH, the God of your ancestors, is giving you.

– Deuteronomy 4:1

See, just as YHWH my God has charged me, I now teach you statutes and edicts for you to observe in the land that you are about to enter and occupy.

– Deuteronomy 4:5

What other great nation has statutes and edicts as just as this entire law that I am setting before you today?

– Deuteronomy 4:8

YHWH charged me at that time to teach you statutes and edicts for you to observe in the land that you are about to cross into and occupy.

– Deuteronomy 4:14

These are the decrees and the statutes and edicts that Moses spoke to the Israelites when they had come out of Egypt.

– Deuteronomy 4:45

Moses convened all Israel, and said to them: Hear, O Israel, the statutes and edicts that I am addressing to you today; you shall learn them and observe them diligently.

– Deuteronomy 5:1

But you, stand here by me, and I will tell you all the commandments, the statutes and the edicts, that you shall teach them, so that they may do them in the land that I am giving them to possess.”

– Deuteronomy 5:31

Now this is the commandment—the statutes and the edicts—that YHWH your God charged me to teach you to observe in the land that you are about to cross into and occupy,

– Deuteronomy 6:1

Your children will ask you in time to come, “What is the meaning of the decrees and the statutes and the edicts that YHWH our God has commanded you?”

– Deuteronomy 6:20

Therefore, observe diligently the commandment—the statutes, and the edicts—that I am commanding you today.

– Deuteronomy 7:11

If you heed these edicts, by diligently observing them, YHWH your God will maintain with you the covenant loyalty that he swore to your ancestors.

– Deuteronomy 7:12

Take care that you do not forget YHWH your God, by failing to keep his commandments, his edicts, and his statutes, which I am commanding you today.

– Deuteronomy 8:11

You shall love YHWH your God, therefore, and keep his charge, his decrees, his edicts, and his commandments always.

– Deuteronomy 11:1

You must diligently observe all the statutes and edicts that I am setting before you today.

– Deuteronomy 11:32

As we read these ‘statutes and edicts’ it soon becomes obvious that we are not dealing with a code that was composed as a unified and logical whole. Some of it repeats material from older codes, especially the Covenant Code (Exodus 20:22 - 23:33). Some of it was composed prior to the reign of Josiah (640-609BC). Much of it comes from his time and was composed to support his reform. Parts of it belong to the exilic and post-exilic periods, and the final touches are probably as late as the second half of the fifth century BC. Some of the texts express principles which were meant to transcend particular situations, but other texts are specifically geared to the practicalities prevailing at the time. This means that the individual pieces of legislation are not always consistent. As in other biblical codes older and newer legislation exist side by side.

Introduction

The various pieces of legislation do not always follow a logical order. The constant editing and re-editing has something to do with this, but at times it would seem that accidental misplacing has occurred. We should also take into consideration the fact that this legislation was written to be committed to memory. At times the link between texts seems to be through word association rather than logic of subject matter.

The statutes and edicts aim to ensure that every aspect of the life of the community is governed by the covenant that Israel has with YHWH. Of course the Deuteronomists were interested in reform in their contemporary situation. The precise details of their 'statutes and edicts' may well have no relevance in a different time and a different situation. To appreciate their significance we need to place ourselves in Judah during the reign of Manasseh or Josiah, or among the exiles struggling to understand what it was that went wrong, that caused YHWH to abandon Jerusalem and have them cast into exile, or among the returned exiles, determined not to repeat the sins of their forebears. The precise details may well not apply to us and we will observe the cultural blind spots that inhere in the legislation, but it would be surprising if there were not equivalent reforms that we should institute to achieve the same goals in the same spirit, for we are no less threatened by the unconverted values in our environment, and by our own dysfunctional personal and communal desires than were the people of Judah in the seventh, sixth and fifth centuries before Christ.

The greatest threat facing Judah, indeed facing any community, is the danger of worshipping false gods, whatever form they might take. This has already been stressed (see 4:15-20; 6:14-15; and especially 9:8-21 – the story of the golden calf). The reform requires first of all the demolishing of the centres where false gods are worshipped. This teaching, too, has already been stressed (see 7:1-5). It is a teaching that is traditional:

You shall not bow down to their gods, or worship them, or follow their practices, but you shall utterly demolish them and break their pillars in pieces.

– Exodus 23:24

Take care not to make a covenant with the inhabitants of the land to which you are going, or it will become a snare among you. You shall tear down their altars, break their pillars, and cut down their sacred poles (for you shall worship no other god, because YHWH, whose name is Jealous, is a jealous God). You shall not make a covenant with the inhabitants of the land, for when they prostitute themselves to their gods and sacrifice to their gods, someone among them will invite you, and you will eat of the sacrifice. And you will take wives from among their daughters for your sons, and their daughters who prostitute themselves to their gods will make your sons also prostitute themselves to their gods.

– Exodus 34:12-16

Religious conversion of a society is no easy task. Old ways keep re-emerging from the deep unconverted human psyche. In the middle of the eighth century, Hosea is referring to the practices noted here:

They sacrifice on the tops of the mountains, and make offerings upon the hills, under oak, poplar, and terebinth, because their shade is good.

– Hosea 4:13

A century later, Jeremiah is concerned with the same practices in Judah:

On every high hill and under every green tree you sprawled and played the whore.

– Jeremiah 2:20

¹These are the statutes and edicts that you must diligently observe in the land that YHWH, the God of your ancestors, has given you to occupy all the days that you live on the earth.

²You must demolish completely all the places where the nations whom you are about to dispossess served their gods, on the mountain heights, on the hills, and under every leafy tree. ³Break down their altars, smash their pillars, burn their sacred poles with fire, and hew down the idols of their gods, and thus blot out their name from their places. ⁴You shall not worship YHWH your God in such ways.

⁵But you shall seek the place that YHWH your God will choose out of all your tribes as his habitation to put his name there. You shall go there, ⁶bringing there your burnt offerings and your sacrifices, your tithes and your donations, your votive gifts, your freewill offerings, and the firstlings of your herds and flocks.

⁷And you shall eat there in the presence of YHWH your God, you and your households together, rejoicing in all the undertakings in which YHWH your God has blessed you.

Traditionally each tribal group, each local area, had its own 'sacred site'. The Deuteronomists saw this as part of the problem. It was simply too difficult to guard against the encroachment of local practices that were not in accordance with the pure worship of YHWH. Their solution was to centralise worship in the Jerusalem sanctuary ('the place that YHWH your God will choose', 12:5). As noted in the Introduction, Hezekiah tried to enforce this (see pages 16-17), but his reform was short-lived. Josiah was much more thorough in enforcing it, and it was his most lasting achievement (see pages 18-19). The small size of post-exilic Judah had a lot to do with the lasting success of this reform.

Placing this command on the lips of Moses is anachronistic. It is clear that for centuries worship was conducted in local tribal shrines with no objections raised (see 1Samuel 9:12-14; 10:3-5). The oldest code includes the following:

You need make for me only an altar of earth and sacrifice on it your burnt offerings and your offerings of well-being, your sheep and your oxen; in every place where I cause my name to be remembered I will come to you and bless you.

– Exodus 20:24

The point of including this reform here is to highlight the belief and the conviction that in the circumstances prevailing at the time of promulgation this edict is the best way to be faithful to the essence of the covenant revealed to Moses, the covenant that is at the heart of Israel's identity as a people.

The Deuteronomists are very careful not to compromise YHWH's transcendence. We have already seen this in chapter four where they stress that on Mount Horeb the people 'saw no form' (4:12) of YHWH, and that therefore they are not to make an image of YHWH. It is the same here. They are careful not to give the impression that YHWH actually dwells in the temple. Rather, the temple is the place where the people sound out YHWH's 'name' in praise, knowing that YHWH hears them and responds (from heaven). The above text from Exodus shows that this idea is traditional. Listen to Isaiah:

At that time gifts will be brought to YHWH of hosts
... to Mount Zion, the place of the name of YHWH of hosts.

– Isaiah 18:7

Verse seven highlights the mood that is to pervade the community festive meals to be enjoyed in the temple precincts. Worship is to include gratitude and joy at YHWH's abundant blessings.

Verse eleven repeats verse six, listing the main sacrifices that, in the symbolic world of the cult, express the key elements of the response of the community to the ways ‘in which YHWH your God has blessed you’ (12:7).

- In the burnt offering (’ōlâ), the animal was completely consumed in the fire, the smoke arising as an expression to YHWH of their complete adherence (Leviticus 1 and 6).
- In the sacrifices (zēbah, communion sacrifices), part of the animal was consumed in the fire. The rest was eaten in a communal meal (Leviticus 3 and 7).
- Tithes were a reminder that the land belongs to YHWH (Leviticus 27:30-33).
- Donations were to support those ministering in the sanctuary.
- Votive gifts were an expression of the people’s looking to YHWH for their needs and responding in gratitude when their prayers were answered (Leviticus 27).

Verse twelve reinforces the message of verse seven: worship of YHWH is life-affirming. It is about joy. Note the special interest of the Deuteronomist in the essential place of compassionate care in the life of Israel. The male and female slaves are to be part of the celebration. This is consistent with their presentation of the third commandment. On the sabbath, too, ‘your male and female servant are to rest as well as you’ (5:14). Here, they are reminded to take special care of the Levites who serve them in the cult, but who do not have their own land and so need the community’s support.

Verses nine to ten support the idea that the organised sacrificial system was something that was part of the settled life in Canaan rather than the wilderness time. Amos asks (expecting a negative answer):

Did you bring to me sacrifices and offerings the forty years in the wilderness, O house of Israel?

– Amos 5:25

Note, too, the theme of ‘rest’. YHWH wants them to ‘live in safety’ in the land.

⁸You shall not act as we are acting here today, all of us according to our own desires, ⁹for you have not yet come into the rest and the possession that YHWH your God is giving you. ¹⁰When you cross over the Jordan and live in the land that YHWH your God is allotting to you, and when he gives you rest from your enemies all around so that you live in safety, ¹¹then you shall bring everything that I command you to the place that YHWH your God will choose as a dwelling for his name: your burnt offerings and your sacrifices, your tithes and your donations, and all your choice votive gifts that you vow to YHWH. ¹²And you shall rejoice before YHWH your God, you together with your sons and your daughters, your male and female slaves, and the Levites who reside in your towns (since they have no allotment or inheritance with you).

¹³Take care that you do not offer your burnt offerings at any place you happen to see. ¹⁴But only at the place that YHWH will choose in one of your tribes—there you shall offer your burnt offerings and there you shall do everything I command you.

¹⁵Yet whenever you desire you may slaughter and eat meat within any of your towns, according to the blessing that YHWH your God has given you; the unclean and the clean may eat of it, as they would of gazelle or deer.

¹⁶The blood, however, you must not eat; you shall pour it out on the ground like water.

¹⁷Nor may you eat within your towns the tithe of your grain, your wine, and your oil, the firstlings of your herds and your flocks, any of your votive gifts that you vow, your free-will offerings, or your donations; ¹⁸these you shall eat in the presence of YHWH your God at the place that YHWH your God will choose, you together with your son and your daughter, your male and female slaves, and the Levites resident in your towns, rejoicing in the presence of YHWH your God in all your undertakings.

¹⁹Take care that you do not neglect the Levite as long as you live in your land.

Verse thirteen to fourteen repeat, and in so doing reinforce, the command of verses five to seven.

The Priestly School is insistent that when an animal is slaughtered for food it must be brought to the sanctuary and offered to God, its blood being dashed against the altar. In this way the danger to the purity of the sanctuary was averted (Leviticus 17:3-7). With the centralising of the sanctuary, such a regulation was unworkable. Hence verse fifteen. The fact that the animal is not offered as a sacrifice means that anyone, whether they be ritually clean or unclean, can be involved.

It is important to note that the authors of the Torah saw no problem in keeping this text and the command from Leviticus and attributing both the Moses and hence to YHWH. This happens again and again in the legal codes. They knew that they had to keep listening ‘to every word that comes from the mouth of YHWH’ (8:3) and that YHWH was free to change his command whenever he chose. They were not free to discard an earlier law as they included a later one. Everything came from YHWH, and it was not for them to decide when an earlier law had outlived its relevance. One day they might need it again.

However, there is no change in regard to the most basic taboo: the eating of blood. They considered life to be in the blood. YHWH allows the slaughtering of animals for food, but taking the life of the animal is forbidden. It must be given back to God. In the symbolic world of the cult, this is carried out by the dashing of the blood against the altar by the priest. Outside the cult, as here in this edict, the blood is to be ‘poured out on the ground like water’ (12:16).

Those offerings that were to be made to YHWH could be sacrificed only in YHWH’s one and only sanctuary.

Once again (see 12:12), the slaves and Levites are singled out for special attention.

Once again, the Deuteronomists reinforce the statute by repeating it. Verses twenty to twenty-two reassure the people that it is all right to slaughter animals, even those from their herds or flocks without bringing them to be sacrificed at the sanctuary (see 12:15). In reinforcing the permission, they are also reinforcing the prohibition of turning the slaughter into a sacrifice, with the dangers of getting involved in heterodox cult.

The introduction to verse twenty reminds us of Josiah's determination to take advantage of Assyria's weakness to take back for Judah the kingdom of David. On the enlarging of the border see Exodus 34:24. This, no doubt, raised a question concerning the practicability of centralising the cult. This new legislation separated the ordinary slaughtering of animals for food from the requirements of the sacrificial system.

Verse twenty-three to twenty-five repeat the command concerning blood (see 12:16), adding a phrase which is typical of the Deuteronomists when they offer motivation for compliance: 'so that all may go well with you and your children after you, because you do what is right in the sight of YHWH' (12:25).

Verses twenty-six and twenty-seven reinforce 12:17-18, adding the detail about how the blood is treated in the cult.

Verse twenty-eight completes the first of the 'statutes and edicts' exhorting the people to obedience and repeating the motivation and the promise of verse twenty-five.

²⁰When YHWH your God enlarges your territory, as he has promised you, and you say, "I am going to eat some meat," because you wish to eat meat, you may eat meat whenever you have the desire.

²¹If the place where YHWH your God will choose to put his name is too far from you, and you slaughter as I have commanded you any of your herd or flock that YHWH has given you, then you may eat within your towns whenever you desire. ²²Indeed, just as gazelle or deer is eaten, so you may eat it; the unclean and the clean alike may eat it.

²³Only be sure that you do not eat the blood; for the blood is the life, and you shall not eat the life with the meat. ²⁴Do not eat it; you shall pour it out on the ground like water.

²⁵Do not eat it, so that all may go well with you and your children after you, because you do what is right in the sight of YHWH.

²⁶But the sacred donations that are due from you, and your votive gifts, you shall bring to the place that YHWH will choose. ²⁷You shall present your burnt offerings, both the meat and the blood, on the altar of YHWH your God; the blood of your other sacrifices shall be poured out beside the altar of YHWH your God, but the meat you may eat.

²⁸Be careful to obey all these words that I command you today, so that it may go well with you and with your children after you forever, because you will be doing what is good and right in the sight of YHWH your God.

²⁹When YHWH your God has cut off before you the nations whom you are about to enter to dispossess them, when you have dispossessed them and live in their land, ³⁰take care that you are not snared into imitating them, after they have been destroyed before you: do not inquire concerning their gods, saying, “How did these nations worship their gods? I also want to do the same.”

³¹You must not do the same for YHWH your God, because every abhorrent thing that YHWH hates they have done for their gods. They would even burn their sons and their daughters in the fire to their gods. ³²You must diligently observe everything that I command you; do not add to it or take anything from it.

This is another of those exhortatory paragraphs that recur throughout the writings of the Deuteronomists. They are reminded that they possess the land only because YHWH has cut off the nations that were there before them. It contains an implicit warning that if they behave in the way the previous inhabitants did, they too should expect to be ‘cut off’.

Since the topic is false worship, they speak of the worst excesses that were part of the worship of their gods. We can hear the voice of Jeremiah, a contemporary of Josiah and the Deuteronomic reform as he denounces the behaviour of the people of Judah:

They go on building the high place of Topheth, which is in the valley of the son of Hinnom, to burn their sons and their daughters in the fire—which I did not command, nor did it come into my mind.

– Jeremiah 7:31

The people have forsaken me, and have profaned this place by making offerings in it to other gods whom neither they nor their ancestors nor the kings of Judah have known; and because they have filled this place with the blood of the innocent, and gone on building the high places of Baal to burn their children in the fire as burnt offerings to Baal, which I did not command or decree, nor did it enter my mind.

– Jeremiah 19:5

The words placed here in this passage on the lips of Moses were obviously relevant to the people for whom Deuteronomy was composed. Giving in to fear, they had been ‘ensnared’ (7:16, 25; see Exodus 34:12) by their unconverted instincts into behaving in ways that are ‘abhorrent to YHWH your God’ (7:25).

The final statement is echoed in the introduction (see 4:2).

This legislation is also concerned with maintaining the allegiance of the community to YHWH alone. There is no parallel legislation anywhere else in the Torah. The people are being warned not to let themselves be seduced into worshipping false gods by people in positions of spiritual leadership, people who should know better and who are abusing their teaching role to deceive.

Their deception must be resisted. Nowhere do the Deuteronomists express more intensely the absolute importance of loving YHWH with all one's heart and soul (13:3; see 6:5). As they insists in verse four, this love requires that we follow, fear, keep, obey, serve, and hold fast.

It is in verse five that alarm bells begin to ring: 'they shall be put to death'. Obviously the Deuteronomists judged that the problem of false leaders persuasively seducing the community away from pure faith in YHWH was a very real one and that drastic measures had to be employed to protect the faith of the community. To call on the community to resist such seduction is fine. It is when we read what they are to do to the ones judged to be doing the seducing that we sense a profound problem.

The problem is focused for us when we realise that it is precisely statements like that in verse five that would have been used by the religious leaders to justify their having Jesus crucified. The people looked to Jesus as being a prophet. He clearly had a dream and his teaching was backed up by the amazing physical and psychological healing that occurred when people allowed his teaching to take hold of their hearts. At the same time Jesus did not follow 'the party line'. He dispensed with the law as understood by his contemporaries when it blocked people from life and love. He had an understanding of God that was bigger and more compassionate than those who saw it as their responsibility to insist on the law, including Deuteronomy 13:5.

The history of the Christian church is a history of saints who have lived verses three and four heroically. It is also the history of people in leadership abusing their power and in God's name (and no doubt for what they considered the best of motives, and feeling fully justified) torturing people and having them burned at the stake (and in other hideous ways) to save their souls and to protect the community from their thinking.

¹If prophets or those who divine by dreams appear among you and promise you omens or portents, ²and the omens or the portents declared by them take place, and they say, "Let us follow other gods" (whom you have not known) "and let us serve them," ³you must not heed the words of those prophets or those who divine by dreams;

for YHWH your God is testing you, to know whether you indeed love YHWH your God with all your heart and soul. ⁴YHWH your God you shall follow, him alone you shall fear, his commandments you shall keep, his voice you shall obey, him you shall serve, and to him you shall hold fast.

⁵But those prophets or those who divine by dreams shall be put to death for having spoken treason against YHWH your God—who brought you out of the land of Egypt and redeemed you from the house of slavery—to turn you from the way in which YHWH your God commanded you to walk.

So you shall purge the evil from your midst.

Do the truth in love

Of course we must be wary of judging the past without taking the trouble to enter into the culture at the time to grasp the issues. At the same time the kind of abhorrent authoritarian behaviour to which we are referring does indicate that religious zeal without insight into the essence of Jesus' teaching is a very dangerous cocktail. If one is to really live Deuteronomy 13:3 fully can one do what 13:5 demands? Obviously the Deuteronomists thought we should. When we contemplate Jesus, however, and learn from him, it should become impossible. For Jesus shows us that God is love. He also shows us to respect people, and that the way to bring people to truth is by attraction (precisely by love), not by ensuring conformity by violent means.

I have spoken of the Christian Church. One has only to look at the history of any religious group to see what zeal in the wrong hands can do. Fear coupled with a flight from reason can make what goes under the name of faith a dangerous instrument for control and security rather than for true freedom and grace. There are those who will behave most unlovingly in the cause of what they claim to be the truth, forgetting that the central truth of all is that God is love. If something is unloving, it may be a correct answer to a question, but it is not truth. The same, of course, goes for what we might claim to be 'love'. So-called love that is not concerned with truth is not true love. Saint Paul got it right when he wrote to his beloved Gentile churches: 'Do the truth in love'(Ephesians 4:15). First we must be concerned with the truth: with the way things really are, rather than with the way we might like them to be or are in the habit of thinking them to be. This requires constant vigilance, of course, and an awareness that truth can be revealed to us in many mysterious and (to us) unexpected places. However, while we search for truth we must check that our behaviour is loving: sensitive, prayerful, humble, self-giving and respectful.

As I understand it, Jesus would have read Deuteronomy chapter thirteen with utter conviction, for he knew, better than the Deuteronomists, the necessity of loving 'the Lord your God with all your heart, and with all your soul, and with all your mind'(Matthew 22:37). When he came to verse five, however, and read: 'those prophets or those who divine by dreams shall be put to death', would he not have said: "It was said to you of old ... but I say to you'(Matthew 5:21), and followed up with the words he spoke when the religious leaders threw the woman caught in adultery at his feet: 'Let anyone who is without sin be the first to throw a stone'(John 8:7). The scene ends with Jesus turning to the woman with great love and saying: 'I do not condemn you. Go now on your way and sin no more'.

Of course we must protect ourselves and the community from seductive teaching. Paul, who understood the message of love perhaps better than anyone, saw the need for stating clearly that sometimes people's teaching or behaviour placed them outside the community and its communion of love. He insisted on this to protect the community and to bring the teachers to their senses. But surely we have matured to the point where we refuse to use the death penalty in God's name to protect the truth.

We are grateful for the passionate words of the Deuteronomists reminding us of the radical importance of adherence to the liberating God who 'redeems us from the house of slavery'(13:5). At the same time we recognise the limits of their vision, and we thank God for Jesus and for the other wonderful people who have helped us see God more clearly.

The teaching is the same as in the previous passage. This time, the seduction away from complete allegiance to YHWH comes, not from teachers, but from within the family. The authors go out of their way to underline the intimacy of the relationships. The seduction is coming not just from one's wife, but from 'the wife you embrace'; not just from one's friend, but from 'your most intimate friend'.

Once again we admire the clarity of the warning: 'you must not yield, you must not heed'. But even more than in the previous passage we are shocked by the extreme language: 'Show them no pity or compassion and do not shield them'(13:8). No pity (ḥāwal)? No compassion (ḥāmas)? Is this what is asked of us by the God whom the Deuteronomists say 'is a compassionate God, he will neither abandon nor destroy you'(4:31)?

We admire their inspired zeal, but when we hear them say: 'stone them to death for trying to turn you away' we hear Jesus say: 'Let him who is without sin cast the first stone' and we thank God for the revelation given us in Jesus which teaches a better way. The tragedy is that it is 'statutes and edicts' like this, purporting to come from God that have in the past 'justified' atrocious behaviour 'in God's name' – and not just in the past!

Verse eleven makes the point that the kind of treatment meted out to those who would seduce us away from the truth will act as a warning to others. No doubt it would be a powerful incentive to conformity. History shows what it can be in the hands of fanatical bigots.

6If anyone secretly entices you—even if it is your brother, your father's son or your mother's son, or your own son or daughter, or the wife you embrace, or your most intimate friend—saying, "Let us go worship other gods," whom neither you nor your ancestors have known, 7any of the gods of the peoples that are around you, whether near you or far away from you, from one end of the earth to the other, 8you must not yield to or heed any such persons. Show them no pity or compassion and do not shield them. 9But you shall surely kill them; your own hand shall be first against them to execute them, and afterwards the hand of all the people. 10Stone them to death for trying to turn you away from YHWH your God, who brought you out of the land of Egypt, out of the house of slavery. 11Then all Israel shall hear and be afraid, and never again do any such wickedness.

¹²If you hear it said about one of the towns that YHWH your God is giving you to live in, ¹³that scoundrels from among you have gone out and led the inhabitants of the town astray, saying, "Let us go and worship other gods," whom you have not known, ¹⁴then you shall inquire and make a thorough investigation. If the charge is established that such an abhorrent thing has been done among you, ¹⁵you shall put the inhabitants of that town to the sword, utterly destroying it and everything in it—even putting its livestock to the sword. ¹⁶All of its spoil you shall gather into its public square; then burn the town and all its spoil with fire, as a whole burnt offering to YHWH your God. It shall remain a perpetual ruin, never to be rebuilt. ¹⁷Do not let anything devoted to destruction stick to your hand, so that YHWH may turn from his fierce anger and show you compassion, and in his compassion multiply you, as he swore to your ancestors, ¹⁸if you obey the voice of YHWH your God by keeping all his commandments that I am commanding you today, doing what is right in the sight of YHWH your God.

This time the seduction is coming neither from teachers nor members of the family but from 'scoundrels'(benê belîyya'al, 'offspring of what is worthless'; see 2Corinthians 6:15). In Psalm 101 it is translated 'anything that is base':

I will not set before my eyes anything that is base.

– Psalm 101:3

Since it is hearsay, they are told to check the rumour out first (13:14). If the rumour is shown to be true, the punishment to be meted out to the city is horrific – the 'everything' in verse fifteen is intended to include men, women and children (with no concern for their guilt or innocence). So harmful is the plague of heresy considered that every memory of it must be obliterated.

'Devoted to destruction'(13:15, 17) translates herem - a concept we have already met four times (see 2:34, 3:6; 7:2, 26). See the commentary on 2:34 for a reflection on this terrible idea.

The stern action is motivated by fear of YHWH's 'fierce anger' – which takes us to the heart of the problem that has been dogging us throughout this chapter: the image of God which is conveyed. For a reflection on the 'anger of God' see the reflection on pages 40 to 42.

The central thrust of the message of this chapter is an inspired insight into the absolute importance of total allegiance to the true God, YHWH, as well as an inspired realisation of the dangers to the community of false religion. Thanks to Jesus we can see beyond the seriously faulty methods of control demanded by the Deuteronomists. More than most other passages this chapter demands of us that we re-examine our understanding of inspiration and our understanding of truth as expressed in scripture. Not to pursue such a re-examination leaves us vulnerable to the repetition of the zealous but sometimes horrendous behaviour that we see in the history of those who include Deuteronomy chapter thirteen among their sacred texts.

The key to verse one is in the words ‘for the dead’ (compare Leviticus 19:28). The legislators are attempting to wean the Israelites away from ancestral worship associated with Baal. Gashing flesh and shaving side-locks were practices associated with mourning (see Jeremiah 16:6; 41:5).

They are not to get caught up in these pagan rituals, for they are ‘children of YHWH’(14:3). ‘holy to YHWH your God’(14:2), ‘chosen’ as his ‘treasured possession’(segullâ). See the commentary on 7:6, page 91.

¹You are children of YHWH your God. You must not lacerate yourselves or shave your forelocks for the dead. ²For you are a people holy to YHWH your God; it is you YHWH has chosen out of all the peoples on earth to be his people, his treasured possession.

³You shall not eat any abhorrent thing.

There is nothing specifically Deuteronomic about the list of things that can and cannot be eaten (14:3-21). We find a parallel list in the Priestly Code (Leviticus 11:2-23). Diet was important, especially where blood was involved, but any contact with food that had links with dust and so with death had to be avoided. The dietary regulations here in Deuteronomy limit the kind of wild life that could be hunted as game. Varieties of animals, birds, fish and reptiles are prohibited because something about them associated them in a symbolic way with death. The very fact of having to distinguish what could and what could not be eaten acted as a constant reminder to separate themselves from the surrounding peoples by being faithful to the covenant with YHWH. Having to shy away from food that is linked to death was a constant reminder to choose life.

1. Quadrupeds that can/cannot be eaten and are ‘unclean’ (14:4-8)

‘Chewing the cud’(14:7) has been introduced in order to exclude the pig, which is singled out for special prohibition (14:8) because of its association with pagan worship of the gods of death and the underworld..

⁴These are the animals you may eat: the ox, the sheep, the goat, ⁵the deer, the gazelle, the roebuck, the wild goat, the ibex, the antelope, and the mountain-sheep. ⁶Any animal that divides the hoof and has the hoof cleft in two, and chews the cud, among the animals, you may eat. ⁷Yet of those that chew the cud or have the hoof cleft you shall not eat these: the camel, the hare, and the rock badger, because they chew the cud but do not divide the hoof; they are unclean for you. ⁸And the pig, because it divides the hoof but does not chew the cud, is unclean for you. You shall not eat their meat, and you shall not touch their carcasses.

2. Fish that can/cannot be eaten (14:9-10)

⁹Of all that live in water you may eat these: whatever has fins and scales you may eat. ¹⁰And whatever does not have fins and scales you shall not eat; it is unclean for you.

Selecting food

3. Birds that can/cannot be eaten (14:11-18)

¹¹You may eat any clean birds. ¹²But these are the ones that you shall not eat: the eagle, the vulture, the osprey, ¹³the buzzard, the kite, of any kind; ¹⁴every raven of any kind; ¹⁵the ostrich, the nighthawk, the sea gull, the hawk, of any kind; ¹⁶the little owl and the great owl, the water hen¹⁷and the desert owl, the carrion vulture and the cormorant, ¹⁸the stork, the heron, of any kind; the hoopoe and the bat.

4. Insects that can/cannot be eaten (14:19-20)

¹⁹And all winged insects are unclean for you; they shall not be eaten. ²⁰You may eat any clean winged creature.

**²¹You shall not eat anything that dies of itself; you may give it to aliens residing in your towns for them to eat, or you may sell it to a foreigner. For you are a people holy to YHWH your God.
You shall not boil a kid in its mother's milk.**

The basic legislation is traditional:

You shall be people consecrated to me; therefore you shall not eat any meat that is mangled by beasts in the field; you shall throw it to the dogs.

– Exodus 22:31

You shall not boil a kid in its mother's milk.

– Exodus 23:19; 34:26

The final edict is a constant reminder of the need to choose life, not death, and to know the difference. Milk, the life-sustaining force of an animal, should not be mingled with the meat of an animal that has met its death.

This treatment of tithes is very different from the legislation found in the codes produced by the Priestly School. The basic idea of the tithe is the same: it is a recognition of the fact that the land which produces the harvest belongs to their lord, YHWH. The tithe is his due. In Leviticus 27:30-33, the tithe goes to the support of the temple, including the priests. In the later legislation in Numbers 18:21-32 the tithe is set aside for the support of the Levites. Here in Deuteronomy the tithe is brought to the sanctuary as an acknowledgment of YHWH, but then is eaten in a community meal (14:22).

Because of the centralisation of the cult, provision is made for those whose farms are distant from the sanctuary. They can turn their tithe into money and put it towards a celebration at the sanctuary (14:24-26). They are exhorted to invite the Levites (14:27; see 12:12, 18, 19).

Of most interest is the legislation that every third year the tithe is to be spent on the poor (14:28-29; compare 10:18). Care for the poor is expressed in the oldest code:

You shall not wrong or oppress a resident alien, for you were aliens in the land of Egypt. You shall not abuse any widow or orphan. If you do abuse them, when they cry out to me, I will surely heed their cry ... If you lend money to my people, to the poor among you, you shall not deal with them as a creditor; you shall not exact interest from them. If you take your neighbour's cloak in pawn, you shall restore it before the sun goes down; for it may be your neighbour's only clothing to use as cover; in what else shall that person sleep? And if your neighbour cries out to me, I will listen, for I am compassionate.

– Exodus 22:21-27.

YHWH, who heeds the cry of the poor (Exodus 22:23) will surely bless those who are his instruments in caring for them (14:29). On YHWH's blessing see 7:13.

²²Set apart a tithe of all the yield of your seed that is brought in yearly from the field. ²²In the presence of YHWH your God, in the place that he will choose as a dwelling for his name, you shall eat the tithe of your grain, your wine, and your oil, as well as the firstlings of your herd and flock, so that you may learn to fear YHWH your God always.

²⁴But if, when YHWH your God has blessed you, the distance is so great that you are unable to transport it, because the place where YHWH your God will choose to set his name is too far away from you, ²⁵then you may turn it into money. With the money secure in hand, go to the place that YHWH your God will choose; ²⁶spend the money for whatever you wish—oxen, sheep, wine, strong drink, or whatever you desire. And you shall eat there in the presence of YHWH your God, you and your household rejoicing together.

²⁷As for the Levites resident in your towns, do not neglect them, because they have no allotment or inheritance with you.

²⁸Every third year you shall bring out the full tithe of your produce for that year, and store it within your towns; ²⁹the Levites, because they have no allotment or inheritance with you, as well as the resident aliens, the orphans, and the widows in your towns, may come and eat their fill so that YHWH your God may bless you in all the work that you undertake.

¹Every seventh year you shall grant a remission of debts. ²And this is the manner of the remission: every creditor shall remit the claim that is held against a neighbour, not exacting it of a neighbour who is a member of the community, because YHWH's remission has been proclaimed. ³Of a foreigner you may exact it, but you must remit your claim on whatever any member of your community owes you.

⁴There will, however, be no one in need among you, because YHWH is sure to bless you in the land that YHWH your God is giving you as a possession to occupy, ⁵if only you will obey YHWH your God by diligently observing this entire commandment that I command you today. ⁶When YHWH your God has blessed you, as he promised you, you will lend to many nations, but you will not borrow; you will rule over many nations, but they will not rule over you.

⁷If there is among you anyone in need, a member of your community in any of your towns within the land that YHWH your God is giving you, do not be hard-hearted or tight-fisted toward your needy neighbor. ⁸You should rather open your hand, willingly lending enough to meet the need, whatever it may be. ⁹Be careful that you do not entertain a mean thought, thinking, "The seventh year, the year of remission, is near," and therefore view your needy neighbour with hostility and give nothing; your neighbour might cry to YHWH against you, and you would incur guilt. ¹⁰Give liberally and be ungrudging when you do so, for on this account YHWH your God will bless you in all your work and in all that you undertake. ¹¹Since there will never cease to be some in need on the earth, I therefore command you, "Open your hand to the poor and needy neighbour in your land."

The idea of showing special concern for the poor every seventh year is found in the oldest legal code:

For six years you shall sow your land and gather in its yield; but the seventh year you shall let it rest and lie fallow, so that the poor of your people may eat.

– Exodus 23:10-11

Originally the statute was practical. Every seventh year when the land was left fallow creditors would forgo asking for repayment. Payments would recommence when the farm was up and running again. As the statute appears here in Deuteronomy it represents an abstract ideal of putting a limit on servitude linked to debt and in this way breaking the downward spiral of impoverishment. Anticipating resistance, the legislators assure the people that the legislation is only short term. Such is YHWH's generosity that 'there will be no one in need among you'(15:4).

One obvious problem with the legislation is that people are likely to be unwilling to help a neighbour in need when the seventh year is close, knowing that there will not be time for repayment. Verses seven to eleven encourage generosity, and also remind people that YHWH hears the cry of the poor 'and your neighbour might cry to YHWH against you'(15:9).

They are also promised that if they are generous to YHWH's poor, 'YHWH your God will bless you in all your work and in all that you undertake'(15:10). While not contradicting verse four, verse eleven recognises that 'there will never cease to be some need on the earth'.

The Deuteronomists saw the need to update the older legislation covering treatment of slaves (see Exodus 21:2-11). This is the only time the word 'Hebrew' occurs in Deuteronomy. They are quoting from the Exodus legislation (Exodus 21:1). There seems to be a connection between 'Hebrew' and 'habiru', used throughout the ancient Near East for stateless people. They were an easy prey for slave-owners (like the slaves in Egypt). Probably because of their origins, the Israelites used this term to distinguish themselves from Egyptians and Philistines (regularly in Genesis and Exodus).

Israelites could be sold into slavery by impoverished parents, or for theft, or by their own choice. Their existence shows how slow cultural habits are to change even when they contradict key religious insights.

Deuteronomy follows Exodus in setting a limit of six years on this kind of slavery (15:12; see Exodus 21:2). It goes further in exhorting the master to be generous in helping the ex-slave get started in his new life (15:13-15).

The Deuteronomists repeat the Exodus legislation that allows a slave to stay on should he so choose (15:16; see Exodus 21:5), and the ceremony that establishes this freely entered into arrangement is also repeated (15:17; see Exodus 21:6).

Unlike the older legislation (see Exodus 21:7-11) female slaves in Deuteronomy are to have the same rights as males (15:17).

The fact that both codes are preserved (and see the later code from the Priestly School, Leviticus 25:39-55) highlights an essential insight into the mind of the biblical authors. Each code was seen to reveal God's will. But God was never considered bound by his revelation and was always free to adapt his will to changing situations. The fact that the authors retained earlier expressions of God's will alongside later ones shows their respect for God's revelation, and their awareness that older expressions held a wisdom that should never be lost.

¹²If a member of your community, whether a Hebrew man or a Hebrew woman, is sold to you and works for you six years, in the seventh year you shall set that person free. ¹³And when you send a male slave out from you a free person, you shall not send him out empty-handed. ¹⁴Provide liberally out of your flock, your threshing floor, and your wine press, thus giving to him some of the bounty with which YHWH your God has blessed you. ¹⁵Remember that you were a slave in the land of Egypt, and YHWH your God redeemed you; for this reason I lay this command upon you today. ¹⁶But if he says to you, "I will not go out from you," because he loves you and your household, since he is well off with you, ¹⁷then you shall take an awl and thrust it through his earlobe into the door, and he shall be your slave forever. You shall do the same with regard to your female slave. ¹⁸Do not consider it a hardship when you send them out from you free persons, because for six years they have given you services worth the wages of hired labourers; and YHWH your God will bless you in all that you do.

First born of the livestock

¹⁹Every firstling male born of your herd and flock you shall consecrate to YHWH your God; you shall not do work with your firstling ox nor shear the firstling of your flock. ²⁰You shall eat it, you together with your household, in the presence of YHWH your God year by year at the place that YHWH will choose.

²¹But if it has any defect—any serious defect, such as lameness or blindness—you shall not sacrifice it to YHWH your God; ²²within your towns you may eat it, the unclean and the clean alike, as you would a gazelle or deer.

²³Its blood, however, you must not eat; you shall pour it out on the ground like water.

As with the first fruits of the field (see 18:4; 26:2, 10) so the first male ‘born of your herd and flock you shall consecrate to YHWH’ 15:19). This is a cultic recognition that the livestock belongs to YHWH and is part of his blessing of his people. The offering of the first born animals has already been mentioned (see 12:6, 17; 14:23). Here, too, the Deuteronomists are updating earlier legislation.

The firstborn of your sons you shall give to me.
You shall do the same with your oxen and with your sheep.

– Exodus 22:29-30

All that first opens the womb is mine, all your male livestock, the firstborn of cow and sheep.

– Exodus 34:19 (see 13:12)

The Priestly School, too, has the same legislation (see Leviticus 27:26). Numbers makes it clear that these animals, being consecrated, are to be eaten by the priests (see Numbers 18:15-18). The Deuteronomic School have a different point of view. The farmer is to bring these animals to the sanctuary and offer them, but it is he and his family who enjoy the meal. At the sanctuary, the Deuteronomic School is encouraging that people give of their best to YHWH, but also that they enjoy it in a communal meal with the worshipping community.

They also legislate for defective animals. Being unclean, they cannot to be sacrificed. The farmer can slaughter them and eat them at home. Here, too, the Priestly School has a different idea (and, not surprisingly, one that favours the priests):

If it is an unclean animal, it shall be ransomed at its assessment, with one-fifth added; if it is not redeemed, it shall be sold at its assessment.

– Leviticus 27:27

Of course, the blood cannot be eaten (see 12:16, page 118).

The origins of the pasch (pesaḥ, from pāsah ‘to spare’) go back to an ancient spring pastoral rite when the flocks were moving back to their summer pasture from their winter home on the edges of the wilderness. Israel gave this ancient rite a new meaning by linking it to the ‘new spring’, their beginnings as a people, celebrated when the fresh young ears of the grain (‘ābīb, 16:1) were being harvested. This is the month in which ‘YHWH your God brought you out of Egypt’(16:1; see Exodus 13:4; 34:18).

In its origins it was conceived as a family celebration (see Exodus 12). In their desire to guard against heterodox cult, the Deuteronomists are insisting that this festival take place in the sanctuary and only in the sanctuary (16:5-6). They also allow the use of a bullock in place of a lamb (16:2). Unusually, the sacrifice is made between sunset and the rising full moon (16:6), to remind them of when their ancestors used the blood of the lamb to protect their homes during the night when the firstborn of Egypt were struck down.

The origins of the pilgrimage feast (ḥag, from ḥāgag, to ‘dance for joy’) of Unleavened Bread (maṣṣōt; see Exodus 23:15; 34:18) go back to an ancient agricultural spring festival celebrating the beginning of the barley harvest. It is not surprising that in time this would have been combined with the spring Pasch so that Pasch became the first night of the seven day harvest celebration. The festival of Unleavened Bread thus reinforced the truths about God expressed in the Exodus story.

The important aspect of this celebration is not the eating of unleavened bread, but the prohibition of eating ‘anything leavened’(16:3). Leaven brings about fermentation and is associated with corruption. They are celebrating life. It is harvest time. The Deuteronomists recognise the need for the people to ‘go back to your tents’(16:7). It is a one-day pilgrimage, though celebrations go on for a week.

¹Observe the month of Abib by keeping the *pasch* for YHWH your God, for in the month of Abib YHWH your God brought you out of Egypt by night. ²You shall offer the *paschal* sacrifice for YHWH your God, from the flock and the herd, at the place that YHWH will choose as a dwelling for his name. ³You must not eat with it anything leavened. For seven days you shall eat unleavened bread with it—the bread of affliction—because you came out of the land of Egypt in great haste, so that all the days of your life you may remember the day of your departure from the land of Egypt. ⁴No leaven shall be seen with you in all your territory for seven days; and none of the meat of what you slaughter on the evening of the first day shall remain until morning. ⁵You are not permitted to offer the *paschal* sacrifice within any of your towns that YHWH your God is giving you. ⁶But at the place that YHWH your God will choose as a dwelling for his name, only there shall you offer the *paschal* sacrifice, in the evening at sunset, the time of day when you departed from Egypt. ⁷You shall cook it and eat it at the place that YHWH your God will choose; the next morning you may go back to your tents. ⁸For six days you shall continue to eat unleavened bread, and on the seventh day there shall be a solemn assembly for YHWH your God, when you shall do no work.

The Christian Pasch

The Jews who became disciples of Jesus saw him as revealing the full meaning of the Pasch. The fact that he was crucified at the time of the Pasch gave the immediate impetus to this connection. The Synoptic Gospels portray his last meal with his disciples as a Pasch meal. Mark writes:

On the first day of the Feast of Unleavened Bread, when they sacrificed the *Paschal* Lamb, Jesus' disciples said to him, 'Where do you want us to go and prepare for you to eat the *Pasch*?'"

– Mark 14:12

Luke introduces the meal with Jesus saying to his disciples:

I have eagerly desired to eat this *Pasch* with you before I suffer.

– Luke 22:15

The first Pasch took place after sunset on the night before the Israelites were redeemed from slavery in Egypt and started out on their journey to freedom. It was a celebration of God's liberating action, of their brotherhood as a people, of their faith in God, their hope in his promise and their commitment to his cause. It was to be celebrated as a memorial. So it is with the last supper. This sacrificial rite took place after sunset in the night before the culminating action of God's redeeming action in history, to be sealed by the blood of the new 'Paschal Lamb' (1Corinthians 5:7). It too was a celebration of this redemptive action of God, of the brotherhood of Jesus' disciples, of their faith, hope and love. It signified the fulfilment of God's promise of a new covenant, and was to be kept as a memorial (1Corinthians 11:25).

The Christian Pasch celebrates the love that Jesus gave, especially in his self-giving on the cross. John highlights the connection between Jesus' death and the Pasch. He presents the last supper as being held 'before the feast of *Pasch*' (John 13:1). The Pasch in John's portrayal takes place after sunset on the Friday, thus linking Jesus' death with the killing of the paschal Lamb in preparation for the feast. He speaks of Jesus in terms taken from the Pasch rite:

When the soldiers came to Jesus and saw that he was already dead, they did not break his legs. Instead, one of the soldiers pierced his side with a spear, and at once blood and water came out ... These things occurred so that the scripture might be fulfilled, "None of his bones shall be broken."

– John 19:33-36 (quoting Exodus 12:46)

John also presents three other important moments of Jesus' ministry in the context of the Pasch: the clearing of the temple (John 2:13,23), the miracle of the loaves and the subsequent discourse (John 6:4) and the triumphal entry into Jerusalem for the last segment of his ministry (John 11:55). Throughout the New Testament, Jesus' gift of himself to God and to the world, culminating in his self-giving on the cross, is seen as inaugurating a new Exodus, the exodus from all forms of slavery that prevent us from 'living to the full' (John 10:10) in full communion with God. Jesus, 'the Lamb of God who takes away the sin of the world' (John 1:29), saw himself as 'giving his life as a ransom for many' (Mark 10:35; see Ephesians 1:7; 1Timothy 2:6; 1Peter 1:19; Revelation 5:6-14).

The second pilgrimage festival is ‘the festival of weeks’(16:10; see Exodus 34:22). In the oldest code it is called the ‘festival of harvest (haqqāšir)’ and it was linked with the offering of the first fruits of the harvest to YHWH:

You shall observe the festival of harvest, of the first fruits of your labour, of what you sow in the field.

– Exodus 23:16

Farmers would simply take their firstfruits to the local shrine whenever the harvesting began in their local area. With the centralising of the sanctuary it became necessary to organise a specific occasion and that it await the end of the harvest so that a pilgrimage would be possible. ‘Seven weeks’(16:9) was decided upon, that is, fifty days (Greek ‘pentēkonta’, hence ‘pentecost’). It became a celebration of thanksgiving for the harvest, and, because it was seven weeks after the celebration of the Exodus, judging from post-biblical evidence, it was linked to the giving of the law at Horeb.

Typically, the Deuteronomists accent joy (16:11; see 12:7, 12, 18). Isaiah writes:

You have multiplied the nation, you have increased its joy; they rejoice before you as with joy at the harvest.

– Isaiah 9:3

And, once again, they call for special care for the the slaves (see 12:18), the Levites (see 12:12, 19; 14:27), the strangers, the orphans and widows (see 10:18, 14:29).

⁹You shall count seven weeks; begin to count the seven weeks from the time the sickle is first put to the standing grain.

¹⁰Then you shall keep the festival of weeks for YHWH your God, contributing a freewill offering in proportion to the blessing that you have received from YHWH your God. ¹¹Rejoice before YHWH your God—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—at the place that YHWH your God will choose as a dwelling for his name.

¹²Remember that you were a slave in Egypt, and diligently observe these statutes.

¹³You shall keep the festival of booths for seven days, when you have gathered in the produce from your threshing floor and your wine press. ¹⁴Rejoice during your festival, you and your sons and your daughters, your male and female slaves, as well as the Levites, the strangers, the orphans, and the widows resident in your towns. ¹⁵Seven days you shall keep the festival for YHWH your God at the place that YHWH will choose; for YHWH your God will bless you in all your produce and in all your undertakings, and you shall surely celebrate.

¹⁶Three times a year all your males shall appear before YHWH your God at the place that he will choose: at the festival of unleavened bread, at the festival of weeks, and at the festival of booths. They shall not appear before YHWH empty-handed; ¹⁷all shall give as they are able, according to the blessing of YHWH your God that he has given you.

The third pilgrimage festival is ‘the festival of booths (sukkôt). In the oldest code it is called the ‘festival of ingathering’ (‘*âsîp* – the verb is used here by the Deuteronomists, 16:13):

You shall observe the festival of ingathering at the end of the year, when you gather in from the field the fruit of your labour.

– Exodus 23:16 (see 34:22)

The harvesting is complete. It is the ‘end of the year’ (the agricultural year). The people are awaiting the rains and the time for sowing. This creates the perfect circumstances for a seven-day (16:13, 15) pilgrimage to the sanctuary.

In all likelihood, the name ‘booths’ comes from the fact that the huge influx of pilgrims to the sanctuary required the setting up temporary dwellings to accommodate them for a stay of seven days.

This festival is listed in Leviticus 23:33-36, and Numbers 29:12-40 details the offerings to be made on each of the seven days.

As in the previous two pilgrimage festivals, the Deuteronomists underline the celebratory aspect of this joyful occasion, and remind the people that it is for everyone, for the whole family, and also for ‘your male and female slaves, as well as the Levites, the strangers, the orphans, and the widows resident in your towns’ (16:14).

In their summary (16:16), the Deuteronomists quote from the ancient law code:

Three times in the year all your males shall appear before the Lord YHWH,

– Exodus 23:17

In the light of the all-inclusiveness of their own legislation, the mention of ‘males’ must be because it is their responsibility as head of the house to be present and to see that everyone else is present too. The statement: ‘no one shall appear before YHWH empty-handed’ (16:16) is a quote from Exodus 23:15 (repeated in 34:20).

Each of the pilgrimage festivals is an occasion for communal celebration in gratitude for the abundant blessings of YHWH.

Introduction to 16:18 – 18:22

The focus of the ‘statutes and edicts’ to this point has been on total allegiance to YHWH and the way in which this is to be expressed in the cult. The Deuteronomists now turn to the way in which a community in a special covenant relationship with YHWH is to be ordered so as to be faithful to this covenant. They begin with the administration of justice (16:18 - 17:13), after which they speak of the king (17:14-20), the priests (18:1-8), and finally the prophets (18:9-22).

1. The administration of justice (16:18 – 17:13)

This text does not indicate who is to appoint the judges, for this was something that varied according to the particular political situation. The accent here, as in the oldest code, is on the insistence that those responsible do not distort justice, are impartial, and do not accept bribes (16:19).

You shall not spread a false report. You shall not join hands with the wicked to act as a malicious witness. You shall not follow a majority in wrongdoing; when you bear witness in a lawsuit, you shall not side with the majority so as to pervert justice; nor shall you be partial to the poor in a lawsuit. You shall not pervert the justice due to your poor in their lawsuits. Keep far from a false charge, and do not kill the innocent and those in the right, for I will not acquit the guilty. You shall take no bribe, for a bribe blinds the officials, and subverts the cause of those who are in the right.

– Exodus 23:1-3, 6-8

The topic of proper justice is so central to the teaching of the Deuteronomy School that it was the one topic that they had Moses speak about before the people left Horeb for their journey to the Promised Land:

I charged your judges at that time: “Give the members of your community a fair hearing, and judge rightly between one person and another, whether citizen or resident alien. You must not be partial in judging: hear out the small and the great alike; you shall not be intimidated by anyone, for the judgment is God’s.”

– Deuteronomy 1:16-17

The prophets shared their concern. They are particularly concerned about injustices that are hidden behind the mask of apparent religious duty and political responsibility. The impartiality required by law was being used to grind the poor into the ground. The powerful appeared to be obeying divine law, but they were often doing so against Yahweh’s intention. They tried to silence the prophets rather than listen to God’s word.

¹⁸You shall appoint judges and officials throughout your tribes, in all your towns that YHWH your God is giving you, and they shall render just decisions for the people. ¹⁹You must not distort justice; you must not show partiality; and you must not accept bribes, for a bribe blinds the eyes of the wise and subverts the cause of those who are in the right. ²⁰Justice, and only justice, you shall pursue, so that you may live and occupy the land that YHWH your God is giving you.

Justice

The religious hypocrisy of those who pretend to do God's will but are responsible for injustice is brought out powerfully by Amos, the earliest of the writing prophets, whose words found an echo in the hearts of the early members of the Deuteronomy School. Granted the importance of the subject in Deuteronomy, let us sample what Amos has to say:

Thus says YHWH: For three transgressions of Israel, and for four, I will not revoke the punishment; they sell the righteous for silver, and the needy for a pair of sandals.

– Amos 2:6

Amos seems to be speaking of a situation in which money is loaned and the borrower defaults on repayment. The law protects the lender and allows him to take the borrower's property if necessary. This could reduce the borrower to slavery. Amos is objecting to the use of this law in circumstances that have made it impossible for the debt to be repaid as promised, or when the legal action is disproportionate to the fault. The lender might be acting legally, and so 'in God's name'. He is, however, acting unjustly. Amos continues:

They trample the head of the poor into the dust of the earth, and push the afflicted out of the way.

– Amos 2:7

This seems to envisage a situation in which a judge is acting according to the strict impartiality demanded by God's law. But in so doing, and in not taking into consideration the circumstances of the ordinary person (ignorance, perhaps, or inability to organise etc), he is acting unjustly.

Father and son go in to the same girl, so that my holy name is profaned; they lay themselves down beside every altar on garments taken in pledge; and in the house of their God they drink wine bought with fines they imposed.

– Amos 2:7-8

People are carrying out proper religious observances, but the cloak they prostrate themselves on and the wine they offer have been taken from the poor. Their lying down is likened to the rape of a slave-girl, for, indeed, their religious cult is founded on rapacious injustice to the poor.

Yet I destroyed the Amorite before them, whose height was like the height of cedars, and who was as strong as oaks; I destroyed his fruit above, and his roots beneath. Also I brought you up out of the land of Egypt, and led you forty years in the wilderness, to possess the land of the Amorite. And I raised up some of your children to be prophets and some of your youths to be nazirites. Is it not indeed so, O people of Israel? says YHWH. But you made the nazirites drink wine, and commanded the prophets, saying, "You shall not prophesy."

– Amos 2:9-12

God granted victory to the poor (Israel), a victory realised in possession of the land. The rich, in the name of justice, and so in God's name, are taking away from the poor the power to possess the land, and are silencing or seducing those sent by God to proclaim his word. A literal observance of the written code is only just when people are listening to the word as the word of Yahweh!

The Deuteronomists agree with Amos: the sign of genuine worship is seen in justice:

I hate, I despise your festivals, and I take no delight in your solemn assemblies.
Though you offer me your burnt offerings and grain offerings, I will not accept them;
and the offerings of well-being of your fatted animals I will not look upon.
Take away from me the noise of your songs; I will not listen to your harps.
But let justice roll down like waters, and righteousness like an everflowing stream.

– Amos 5:21-24

When, with the destruction of Samaria, the Deuteronomists had to flee south to Judah, they heard Isaiah proclaiming the same message of justice:

Let me sing for my beloved my love-song concerning his vineyard:
My beloved had a vineyard on a very fertile hill.
He dug it and cleared it of stones, and planted it with choice vines;
he built a watchtower in the midst of it, and hewed out a wine vat in it;
he expected it to yield grapes, but it yielded wild grapes.
And now, inhabitants of Jerusalem and people of Judah,
judge between me and my vineyard.
What more was there to do for my vineyard that I have not done in it?
When I expected it to yield grapes, why did it yield wild grapes? ...
The vineyard of YHWH of hosts is the house of Israel,
and the people of Judah are his pleasant planting;
he expected justice, but found a cover-up;
righteousness, but heard a cry of despair!

– Isaiah 5:1-7

The injustice was economic

Ah, you who join house to house, who add field to field, until there is room for no one
but you, and you are left to live alone in the midst of the land! ...
Ah, you who rise early in the morning in pursuit of strong drink,
who linger in the evening to be inflamed by wine,
whose feasts consist of lyre and harp, tambourine and flute and wine,
but who do not regard the deeds of YHWH, or see the work of his hands!

– Isaiah 5:8-12

The injustice is the result of people's agnosticism:

Ah, you who drag iniquity along with cords of falsehood,
who drag sin along as with cart ropes, who say, "Let him make haste,
let him speed his work that we may see it; let the plan of the Holy One of Israel
hasten to fulfillment, that we may know it!"

– Isaiah 5:18-19

The injustice was rampant among those who should have been administering justice:

Ah, you who call evil good and good evil,
who put darkness for light and light for darkness,
who put bitter for sweet and sweet for bitter!
Ah, you who are wise in your own eyes, and shrewd in your own sight!
Ah, you who are heroes in drinking wine and valiant at mixing drink,
who acquit the guilty for a bribe, and deprive the innocent of their rights! ...
They have rejected the instruction of YHWH of hosts,
and have despised the word of the Holy One of Israel.

²¹You shall not plant any tree as a sacred pole beside the altar that you make for YHWH your God; ²²nor shall you set up a stone pillar— things that YHWH your God hates.

It is perhaps the tight connection between justice and cult that explains the inclusion here of 6:21-22. It is fidelity to YHWH that underpins justice. It is the third time this matter has come up in Deuteronomy. On both the earlier texts the people are being instructed how to deal with the cult sites of the local inhabitants:

This is how you must deal with them: break down their altars (mizbē^aḥ), smash their pillars (maṣṣēbâ), hew down their sacred poles (’āšērâ), and burn their idols with fire.

– Deuteronomy 7:5

Break down their altars, smash their pillars, burn their sacred poles with fire, and hew down the idols of their gods, and thus blot out their name from their places.

– Deuteronomy 12:3

They are repeating the legislation in the Covenant Code:

You shall tear down their altars, break their pillars, and cut down their sacred poles

– Exodus 34:13

The ‘sacred poles’ are cultic images of sacred trees. The ‘pillars’ (see also Exodus 23:24) represent the consort of the high god, El. Jeremiah complains about ‘the kings, officials, priests and prophets’, who:

say to a tree, “You are my father,”
and to a stone, “You gave me birth.”

– Jeremiah 2:27 (see 3:9)

Manasseh had erected a sacred pole in the temple:

The carved image of Asherah that Manasseh had made he set in the house of which YHWH said to David and to his son Solomon, “In this house, and in Jerusalem, which I have chosen out of all the tribes of Israel, I will put my name forever”

– 2Kings 21:7

Josiah removed it:

Josiah brought out the image of Asherah from the house of YHWH, outside Jerusalem, to the Wadi Kidron, burned it at the Wadi Kidron, beat it to dust and threw the dust of it upon the graves of the common people.

– 2Kings 23:6

^{7:1}You must not sacrifice to YHWH your God an ox or a sheep that has a defect, anything seriously wrong; for that is abhorrent to YHWH your God.

Chapter seven verse one repeats the statute already included in 15:21. We must love God with all our heart, soul and strength, and we must give YHWH only of our best.

The subject matter of this passage continues on from the final verses of chapter sixteen: its focus is on idolatry rather than on civil justice. However, its place here is perhaps justified by verse six, which establishes an important principle for the judicial acceptance of testimony: one witness of a crime is insufficient (see Matthew 18:16).

Worship of stars has already been mentioned (see 4:19).

The need not to act on hearsay, but to hold a proper inquiry is the same as for rumours that people are encouraging worship of other gods (see 13:12-14). We have the same resistance to the proscribed penalty as we had there (see the reflection on pages 121-124).

The stoning of Stephen was ‘justified’ on the grounds of this legislation. Those who did not like Stephen’s teaching

secretly instigated some men to say, “We have heard him speak blasphemous words against Moses and God.” They stirred up the people as well as the elders and the scribes; then they suddenly confronted him, seized him, and brought him before the council. They set up false witnesses who said, “This man never stops saying things against this holy place and the law; for we have heard him say that this Jesus of Nazareth will destroy this place and will change the customs that Moses handed on to us.”

– Acts 6:11-14

The condemnation of Jesus went along the same lines:

The chief priests and the whole council were looking for false testimony against Jesus so that they might put him to death, but they found none, though many false witnesses came forward. At last two came forward and said, “This fellow said, ‘I am able to destroy the temple of God and to build it in three days.’”

– Matthew 26:59-61

Even apart from abuses in the administration of justice, a long history of mistakes in the justice system has warned us against a punishment as absolute as capital punishment.

2If there is found among you, in one of your towns that YHWH your God is giving you, a man or woman who does what is evil in the sight of YHWH your God, and transgresses his covenant ³by going to serve other gods and worshipping them—whether the sun or the moon or any of the host of heaven, which I have forbidden – ⁴and if it is reported to you or you hear of it, and you make a thorough inquiry, and the charge is proved true that such an abhorrent thing has occurred in Israel, ⁵then you shall bring out to your gates that man or that woman who has committed this crime and you shall stone the man or woman to death.

⁶On the evidence of two or three witnesses the death sentence shall be executed; a person must not be put to death on the evidence of only one witness.

⁷The hands of the witnesses shall be the first raised against the person to execute the death penalty, and afterward the hands of all the people. So you shall purge the evil from your midst.

⁸If a judicial decision is too difficult for you to make between one kind of bloodshed and another, one kind of legal right and another, or one kind of assault and another – any such matters of dispute in your towns – then you shall immediately go up to the place that YHWH your God will choose, ⁹where you shall consult with the levitical priests and the judge who is in office in those days; they shall announce to you the decision in the case.

¹⁰Carry out exactly the decision that they announce to you from the place that YHWH will choose, diligently observing everything they instruct you. ¹¹You must carry out fully the law that they interpret for you or the ruling that they announce to you; do not turn aside from the decision that they announce to you, either to the right or to the left. ¹²As for anyone who presumes to disobey the priest appointed to minister there to YHWH your God, or the judge, that person shall die. So you shall purge the evil from Israel. ¹³All the people will hear and be afraid, and will not act presumptuously again.

When it is beyond the competence of those responsible for the administration of justice in the local area to decide between murder and manslaughter, between the case presented by the prosecution and that presented by the defence, between the causing of an injury accidentally or through culpable negligence – or any similar matter – they are to refer the case to a central authority.

The idea of referral is not new. It was part of Jethro's advice to Moses when he told him to set up a system for administering justice. As a result those whom Moses appointed:

judged the people at all times; hard cases they brought to Moses, but any minor case they decided themselves.

– Exodus 18:26

The Deuteronomists have already referred to this:

Any case that is too hard for you, bring to me, and I will hear it.

– Deuteronomy 1:17

The fact that this authority is to make its judgment in the sanctuary (17:8) and the inclusion of priests (17:9) strengthens the link with YHWH and the covenant.

'Decision' in verse ten translates the Hebrew *tôrâ* (torah), and 'announce' is the cognate verb *yârâ*. This is the original meaning of torah – something that shows YHWH's will and shows what we must do to obey. Torah came later to stand for the whole five books on the patriarchs and Moses, and even the whole of the Older Testament, believed to reveal YHWH presence and action in the world and how we are to respond in order the experience YHWH's blessing and enjoy the covenant.

The death penalty for disobedience (17:12) is promulgated in order to frighten people into conforming (17:13; see 13:12).

It is clear from this text that faith was anything but a private matter. Rightly, it is concerned with public order and justice.

The Deuteronomists had experienced many kings in Israel and in Judah who did not live in accordance with the covenant. As noted in the Introduction, they found exceptions in Hezekiah and Josiah (see pages 19-21). Bad government was considered to have played a significant role in the collapse of Israel, and later of Judah. Here they spell out what is expected of the king. There are other voices that question the very existence of the institution (see 1Samuel 8:10-18).

First of all he must be someone 'whom YHWH your God will choose'(17:15). In other words there must be some form of spiritual discernment. Secondly he must come from within the community of Israel (17:15). Such is the power of the king that if he does not there is little hope of Yahwism surviving.

They agree with the prophetic critique. If the king strives to challenge the surrounding nations militarily (this is the point of the 'horses', 17:16) it cannot but be disastrous. Likewise if he follows Solomon's example (see 1Kings 11:1-8) and builds up political alliances through marriage (17:17), it can only lead to religious compromise. Thirdly, pursuit of wealth (17:17) cannot but lead to exploitation at the expense of the poor, and therefore contravenes the covenant (compare 8:12-20).

If there is to be a king he must 'have a copy of this law'. On page 19 we noted that this is the origin of the word 'Deuteronomy', and it is Deuteronomy that they are referring to as 'this law'(17:18; see 1:5). The king is not an autocrat. He must rule according to God's revealed will.

He must 'fear YHWH his God'(meaning he must obey God's will, see 4:10, 5:29). He must avoid the almost unavoidable temptation to 'exalt himself above other members of the community'(17:20; see 8:14). He must not 'turn aside from the commandment'(17:20). Only if he follows this path can he hope that 'he and his descendants may reign long over YHWH's kingdom in Israel'(17:20; read Jeremiah 22:30).

¹⁴When you have come into the land that YHWH your God is giving you, and have taken possession of it and settled in it, and you say, "I will set a king over me, like all the nations that are around me," ¹⁵you may indeed set over you a king whom YHWH your God will choose. One of your own community you may set as king over you; you are not permitted to put a foreigner over you, who is not of your own community.

¹⁶Even so, he must not acquire many horses for himself, or return the people to Egypt in order to acquire more horses, since YHWH has said to you, "You must never return that way again." ¹⁷And he must not acquire many wives for himself, or else his heart will turn away; also silver and gold he must not acquire in great quantity for himself.

¹⁸When he has taken the throne of his kingdom, he shall have a copy of this law written for him in the presence of the levitical priests. ¹⁹It shall remain with him and he shall read in it all the days of his life, so that he may learn to fear YHWH his God, diligently observing all the words of this law and these statutes, ²⁰neither exalting himself above other members of the community nor turning aside from the commandment, either to the right or to the left, so that he and his descendants may reign long over his kingdom in Israel.

¹The levitical priests, the whole tribe of Levi, shall have no allotment or inheritance within Israel. They may eat the sacrifices that are YHWH'S portion ²but they shall have no inheritance among the other members of the community; YHWH is their inheritance, as he promised them.

³This shall be the priests' due from the people, from those offering a sacrifice, whether an ox or a sheep: they shall give to the priest the shoulder, the two jowls, and the stomach. ⁴The first fruits of your grain, your wine, and your oil, as well as the first of the fleece of your sheep, you shall give him. ⁵For YHWH your God has chosen Levi out of all your tribes, to stand and minister in the name of YHWH, him and his sons for all time.

⁶If a Levite leaves any of your towns, from wherever he has been residing in Israel, and comes to the place that YHWH will choose (and he may come whenever he wishes), ⁷then he may minister in the name of YHWH his God, like all his Fellow-levites who stand to minister there before YHWH.

⁸They shall have equal portions to eat, even though they have income from the sale of family possessions.

The Priestly School is insistent that only those of the tribe of Levi who are descended from Aaron can minister as priests. All other Levites carry out only subsidiary roles in the cult. This is not how the Deuteronomic School sees it. Any Levite is entitled to minister as a priest (see 10:8-9; Exodus 32:29; Jeremiah 33:17-22).

Two historical factors stand behind our text. The first is the collapse of the northern kingdom and so of the sanctuaries in the north. This left a lot of refugee Levites without their accustomed livelihood. The second is the vigorous reform of Josiah in closing down all sanctuaries apart from the Jerusalem temple (see 2Kings 23:8-9). The effect of this was that while any Levite could exercise the ministry of priesthood it was difficult to get an opportunity to do so. This accounts for the legislation in verses six to eight: the priests established in Jerusalem are instructed to welcome Levites who come to the sanctuary, and to share their portion of the sanctuary offerings with them.

Intimately connected to the cult as they are, the Levites are a symbolic group within the community. They do not possess their own allotted land (18:1; see 10:9) – a powerful reminder to every Israelite that the land does not belong to them, but to YHWH. They are completely dependent on the generosity of others for their survival – again a powerful symbolic statement that we all depend on YHWH's generous blessing, and that everything we have is a gift. This total dependence is expressed by saying 'YHWH is their inheritance' (18:2) – a reminder that this is true for all Israel (Psalm 16:5-6; 73:26). It is what makes Israel special.

Legislation, however, must be practical, and so those portions of the temple offerings that are set aside for YHWH (that is for the Levites when they are ministering as priests) are specified. The Priestly School is more generous in the portion legislated for the priests (see Leviticus 7:32-34). Over and above this legislation, the Deuteronomic School regularly recommends the Levites to the care of the community (12:12; 14:27, 29).

This is the second time that the subject of prophecy has come up. In 13:1-5 we were warned against false prophets, defined as those who lead us in ways that do not follow YHWH. Prophecy, as the word itself indicates, is exercised by a person who is inspired to proclaim YHWH's word to the people (Greek *phēmi* means to speak, and the prefix *pro* means 'before', with the primary sense of 'out in front'. It is the equivalent of 'proclaim'). A reading of the texts of the prophetic scrolls shows that the primary concern of the prophets was to bring about a conversion of people's lives now. When they branch out and speak of 'the future' it is either a reference to the implications of the present behaviour of the listeners for *their* future, or it is a statement about God, whose providence transcends the ups and downs of human obedience, in which case the terms are always symbolic. The prophets are not gazing into a crystal ball.

Here in chapter eighteen the focus is on the much narrower area of people's felt need to know the future and their desire to control it for their own good. Verses nine to fourteen list the different ways in which the surrounding cultures deal with this need. They are all defined as superstitious. They are the reason why YHWH is 'driving them out' (18:13), and they are all forbidden (18:9).

The fact that the Deuteronomists go to such trouble to list the various practices of divination, magic and sorcery indicates that they were practised widely at the time of writing. The Deuteronomic 'history' of Israel and Judah, and the recorded sayings of the prophets confirm this. If we take one example – the first one mentioned in verse ten – we find king Ahaz criticised for 'making his son pass through fire' (2Kings 16:3). They blame the fall of Samaria on practices which include this (2Kings 17:17). We are told that Manasseh 'made his son walk through fire' (2Kings 21:6; see Jeremiah 32:35). Josiah destroyed the area where this took place (2Kings 23:10). This was in the valley of the sons of Hinnom (Jeremiah 7:31; 19:6; *gē' ben hinnom*; whence 'gehenna'). A list of texts could be assembled that speak out against the other practices listed here in Deuteronomy.

The key point being made is that the future is in the hands of YHWH. We cannot manipulate YHWH to get our own will. We cannot control the future. The religion of Israel does not see the future as fixed and fated or as unrelated to human ethical behaviour. The choices we make now affect the future. We are to be 'completely loyal to YHWH' (18:14), listen to his voice and live the covenant.

⁹When you come into the land that YHWH your God is giving you, you must not learn to imitate the abhorrent practices of those nations.

¹⁰No one shall be found among you who makes a son or daughter pass through fire, or who practices divination, or is a soothsayer, or an augur, or a sorcerer, ¹¹or one who casts spells, or who consults ghosts or spirits, or who seeks oracles from the dead. ¹²For whoever does these things is abhorrent to YHWH; it is because of such abhorrent practices that YHWH your God is driving them out before you. ¹³You must remain completely loyal to YHWH your God. ¹⁴Although these nations that you are about to dispossess do give heed to soothsayers and diviners, as for you, YHWH your God does not permit you to do so.

God will raise up prophets

¹⁵YHWH your God will raise up for you a prophet like me from among your own people; you shall heed such a prophet. ¹⁶This is what you requested of YHWH your God at Horeb on the day of the assembly when you said: "If I hear the voice of YHWH my God any more, or ever again see this great fire, I will die." ¹⁷Then YHWH replied to me: "They are right in what they have said. ¹⁸I will raise up for them a prophet like you from among their own people; I will put my words in the mouth of the prophet, who shall speak to them everything that I command. ¹⁹Anyone who does not heed the words that the prophet shall speak in my name, I myself will hold accountable. ²⁰But any prophet who speaks in the name of other gods, or who presumes to speak in my name a word that I have not commanded the prophet to speak—that prophet shall die." ²¹You may say to yourself, "How can we recognize a word that YHWH has not spoken?" ²²If a prophet speaks in the name of YHWH but the thing does not take place or prove true, it is a word that YHWH has not spoken. The prophet has spoken it presumptuously; do not be frightened by it.

Moses has been the one through whom YHWH has spoken to them. That is what they requested at Horeb (18:16). Moses assures them that YHWH will raise up 'a prophet like me'. Deuteronomy 34:10 seems to indicate that this was understood to be more than a promise that there would be other prophets. The response expected of them is always the same: they are to listen to and *heed* (šema', 18:15, 19; see 6:4).

Prophecy is an important element of the life of Israel. The teachers, kings, and priests are part of the institution. Prophets are not. They are a constant reminder of YHWH's freedom not to be locked into institutions, however sacred.

Verse twenty is a warning that not all claims to be a prophet are genuine. The ultimate punishment (death) is prescribed for those who speak in the name of other gods (see also 13:1-5), but also for those who claim to speak in YHWH's name but who 'speak a word that I have not commanded' (18:20; see Jeremiah 14:14-15; 23:16-33; 27:9-16; 28:15-17; 29:8-9, 21-32; 37:19). This recalls the second commandment (5:11, see commentary on page 73).

The criterion for discerning false prophets that is offered in verses twenty-one to twenty-two is of limited value, referring as it does to a prediction of the near future that can readily be shown not to have been true when 'the thing does not take place'. Every generation seems to spawn such self-proclaimed prophets. It is interesting and disappointing that even when this simple criterion is applied and the acclaimed 'prophets' are shown to have been wrong, it seems to have little affect on those who are determined to follow them. History is littered with predictions that claim to tell us when the end of the world is coming (in spite of Matthew 24:36). They have all been wrong.

The key, as stated on the previous page, is surely to live the present moment – it is the only reality we have – in 'complete loyalty to YHWH' (18:13), while remaining open to the surprise of God's words coming to us through the prophets whose way of life reveals God's presence. As Jesus said: 'You will know them by their fruits' (Matthew 7:16).

Tribal honour required that the nearest relative, the ‘avenger of blood’ (19:6. *go’el haddām*) avenge the killing of his next of kin. Obviously some curb had to put on this or the cycle of revenge killing would be unstoppable. Originally the local sanctuary offered temporary asylum (Exodus 21:12-14), to give time for some reflection to sort out whether the killing was pre-meditated or accidental. With the centralising of the cult, another system had to be devised. This is the point of this legislation.

Moses instructs them to ‘set apart three cities in the land’ (19:2). The fact that this differs from the account of the Priestly School accounts for the later addition of Deuteronomy 4:41-43 (see the commentary there).

Verses eight to nine portray Moses as preparing the way for three more cities of refuge when and if the Israelite territory expands (see 1:7).

They do not soften the punishment for murder (19:12-13), but they are attempting to bring some order into the area of tribal vengeance by creating a space for a properly organised community judgment to take place before vengeance is carried out.

Of course, as the Psalmist continues to remind us, our only ultimate refuge is in YHWH (see Psalm 14:6; 46:1; 142:5).

1When YHWH your God has cut off the nations whose land YHWH your God is giving you, and you have dispossessed them and settled in their towns and in their houses, 2you shall set apart three cities in the land that YHWH your God is giving you to possess. 3You shall calculate the distances and divide into three regions the land that YHWH your God gives you as a possession, so that any homicide can flee to one of them.

4Now this is the case of a homicide who might flee there and live, that is, someone who has killed another person unintentionally when the two had not been at enmity before: 5Suppose someone goes into the forest with another to cut wood, and when one of them swings the ax to cut down a tree, the head slips from the handle and strikes the other person who then dies; the killer may flee to one of these cities and live.

6But if the distance is too great, the avenger of blood in hot anger might pursue and overtake and put the killer to death, although a death sentence was not deserved, since the two had not been at enmity before. 7Therefore I command you: You shall set apart three cities.

8If YHWH your God enlarges your territory, as he swore to your ancestors—and he will give you all the land that he promised your ancestors to give you, 9provided you diligently observe this entire commandment that I command you today, by loving YHWH your God and walking always in his ways—then you shall add three more cities to these three, 10so that the blood of an innocent person may not be shed in the land that YHWH your God is giving you as an inheritance, thereby bringing bloodguilt upon you.

11But if someone at enmity with another lies in wait and attacks and takes the life of that person, and flees into one of these cities, 12then the elders of the killer’s city shall send to have the culprit taken from there and handed over to the avenger of blood to be put to death. 13Show no pity; you shall purge the guilt of innocent blood from Israel, so that it may go well with you.

¹⁴You must not move your neighbour's boundary marker, set up by former generations, on the property that will be allotted to you in the land that YHWH your God is giving you to possess.

¹⁵A single witness shall not suffice to convict a person of any crime or wrongdoing in connection with any offense that may be committed. Only on the evidence of two or three witnesses shall a charge be sustained. ¹⁶If a malicious witness comes forward to accuse someone of wrongdoing, ¹⁷then both parties to the dispute shall appear before YHWH, before the priests and the judges who are in office in those days, ¹⁸and the judges shall make a thorough inquiry. If the witness is a false witness, having testified falsely against another, ¹⁹then you shall do to the false witness just as the false witness had meant to do to the other. So you shall purge the evil from your midst. ²⁰The rest shall hear and be afraid, and a crime such as this shall never again be committed among you.

²¹Show no pity: life for life, eye for eye, tooth for tooth, hand for hand, foot for foot.

There is no logic connecting verse fourteen with what goes before or comes after. Its legislation is basic in a community that holds that the land is given to its occupants by YHWH. Its aim is to protect the vulnerable from being taken over by the rich and powerful (see Hosea 5:10; 1Kings 21). Would that every society had a similar law.

Verses fifteen to twenty-one are about due process. It has already been stated in 17:6 that two or three witnesses are required before a person accused of enticing others to idolatry can be put to death. Here this is established as a general principle in the administration of criminal justice.

The bulk of the legislation focuses on how to deal with false witness, already condemned in the eighth commandment (5:20). Amos laments the lack of truth in the justice system of his day:

Ah, you that turn justice to wormwood,
and bring righteousness to the ground! ...
They hate the one who reproves in the gate,
and they abhor the one who speaks the truth.

– Amos 5:7, 10

When a witness's statement is disputed the matter must go to the central court (see 17:9). If it becomes evident that the witness has been lying, he is to suffer the same fate as would have happened to the innocent person whom he was falsely accusing. This is summed up in the traditional formula (19:21, sometimes referred to as the 'lex talionis', from the Latin *talis*, 'such' (as is the crime, such is the punishment). This principle, found in other ancient Near Eastern codes, also sets a limit on retaliation, thus providing some protection against the tyranny of the powerful.

However, Jesus says: 'You have heard that it was said: An eye for an eye and a tooth for a tooth' (Matthew 5:38). He goes on to transcend this ancient principle, telling us not to retaliate in kind, but to continue loving. Paul offers sound counsel:

Do not be overcome by evil, but overcome evil
with good.

– Romans 12:21

Evil must be opposed, but only by good (by love).

The legislation here in chapter twenty is an attempt to put a check on the barbarity of war as it was carried out in the world of which Israel was part. At the same time there is no questioning of the idea that Israel's enemies are YHWH's enemies and that Israel fights wars in God's name. Indeed, the army is led by YHWH and the victory belongs to their warrior God (20:1, 4; see 3:22).

While the war that is the focus of this text is a war of aggression, by the time the Deuteronomists are writing, Israel and then Judah were desperately trying to defend themselves against the might of Assyria and then Babylon.

The presence of the priest is a sign that the war in which the Israelites are about to be engaged in Canaan is seen as a holy war. Isaiah has YHWH say:

I myself have commanded my consecrated ones, have summoned my warriors, my proudly exulting ones, to execute my anger.

– Isaiah 13:3

The priest's opening words 'Hear, O Israel' (20:3) take us back to 5:1 and 6:4. He goes on to tell them, in YHWH's name:

Do not lose heart, or be afraid, or panic, or be in dread of them.

– Deuteronomy 20³

The speech of the sergeant who is in charge of mustering the troops introduces the first humane touch as certain men are exempted from the obligation to fight (30:5-7). Verse eight is different: those who do not put their trust in YHWH are excluded from the fighting force. Victory depends on this trust, they would weaken the army.

¹When you go out to war against your enemies, and see horses and chariots, an army larger than your own, you shall not be afraid of them; for YHWH your God is with you, who brought you up from the land of Egypt. ²Before you engage in battle, the priest shall come forward and speak to the troops, ³and shall say to them: "Hear, O Israel! Today you are drawing near to do battle against your enemies. Do not lose heart, or be afraid, or panic, or be in dread of them; ⁴for it is YHWH your God who goes with you, to fight for you against your enemies, to give you victory."

⁵Then the officials shall address the troops, saying, "Has anyone built a new house but not dedicated it? He should go back to his house, or he might die in the battle and another dedicate it. ⁶Has anyone planted a vineyard but not yet enjoyed its fruit? He should go back to his house, or he might die in the battle and another be first to enjoy its fruit. ⁷Has anyone become engaged to a woman but not yet married her? He should go back to his house, or he might die in the battle and another marry her." ⁸The officials shall continue to address the troops, saying, "Is anyone afraid or disheartened? He should go back to his house, or he might cause the heart of his comrades to melt like his own." ⁹When the officials have finished addressing the troops, then the commanders shall take charge of them.

¹⁰When you draw near to a town to fight against it, offer it terms of peace.

¹¹If it accepts your terms of peace and surrenders to you, then all the people in it shall serve you at forced labour.

¹²If it does not submit to you peacefully, but makes war against you, then you shall besiege it; ¹³and when YHWH your God gives it into your hand, you shall put all its males to the sword. ¹⁴You may, however, take as your booty the women, the children, livestock, and everything else in the town, all its spoil. You may enjoy the spoil of your enemies, which YHWH your God has given you. ¹⁵Thus you shall treat all the towns that are very far from you, which are not towns of the nations here.

¹⁶But as for the towns of these peoples that YHWH your God is giving you as an inheritance, you must not let anything that breathes remain alive. ⁷You shall annihilate them—the Hittites and the Amorites, the Canaanites and the Perizzites, the Hivites and the Jebusites—just as YHWH your God has commanded, ¹⁸so that they may not teach you to do all the abhorrent things that they do for their gods, and you thus sin against YHWH your God.

¹⁹If you besiege a town for a long time, making war against it in order to take it, you must not destroy its trees by wielding an ax against them. Although you may take food from them, you must not cut them down. Are trees in the field human beings that they should come under siege from you?

²⁰You may destroy only the trees that you know do not produce food; you may cut them down for use in building siegeworks against the town that makes war with you, until it falls.

Verses ten to fifteen give the rules of engagement in battles fought outside Canaan. They are to give the enemy city the chance to surrender. If they surrender ‘all the people in the city shall serve you at forced labour’ (20:11). This is the main source of slaves, and slavery was part of the economic structure of the ancient Near East. If the city refuses to surrender, when YHWH gives victory to Israel they are to put all the males to the sword. Everything else is considered the spoils of war.

All we can say is that this is lenient when we compare it to what normally went on in war. Amos gives us some idea. YHWH is going to punish Aram, because ‘they have threshed Gilead with threshing sledges of iron’ (Amos 1:3), and Ammon because ‘they have ripped open pregnant women in Gilead in order to enlarge their territory’ (Amos 1:13).

However, when it comes to fighting against the inhabitants of Canaan (see page 89), there is no limit to the brutality that is authorised by YHWH. ‘Annihilate’ (20:17) translates *ḥāram*. This idea of the Deuteronomic School has been noted already a number of times (see 2:34, 7:2, 26; 13:15, 17; see also Exodus 23:33). It had no relevance in the context in which the Deuteronomists were writing, as the inhabitants of Canaan were by then all Israelites. It is a retrojection to the beginnings of Israel in Canaan, and its purpose, as is clearly stated in verse eighteen, is to insist that Israel not be contaminated by the pagan religion and lose the purity of its total allegiance to YHWH. The problem the Deuteronomists were facing came from external enemies and the unconverted instincts of their own people.

Sparing the trees is another touch of sanity.

The conviction out of which this piece of legislation flows is perhaps best expressed in Numbers:

You shall not pollute the land in which you live; for blood pollutes the land, and no expiation can be made for the land, for the blood that is shed in it, except by the blood of the one who shed it.

– Numbers 35:33

The blood of a murdered man cries out to YHWH (see Genesis 4:10). If a murderer is not punished by having to shed his own blood, the land remains defiled. This threatens the presence of YHWH in the land. If YHWH abandons the land, all is lost.

The problem this legislation is dealing with is the situation in which the murderer cannot be found. The ceremony is clearly a very ancient way of dealing with a very ancient taboo. A ‘pure’ unworked heifer (21:3) stands in for the unknown murderer. Its blood is shed in place of his, in a pure unworked stream (21:4).

The priests are included to ensure that the ritual is done properly (21:5). The locals through their elders attest to their innocence (21:7), and pray to YHWH to absolve (kipper) them from the blood-guilt incurred by a murder committed on their land (21:8).

¹If, in the land that YHWH your God is giving you to possess, a body is found lying in open country, and it is not known who struck the person down, ²then your elders and your judges shall come out to measure the distances to the towns that are near the body. ³The elders of the town nearest the body shall take a heifer that has never been worked, one that has not pulled in the yoke; ⁴the elders of that town shall bring the heifer down to a wadi with running water, which is neither plowed nor sown, and shall break the heifer’s neck there in the wadi. ⁵Then the priests, the sons of Levi, shall come forward, for YHWH your God has chosen them to minister to him and to pronounce blessings in the name of YHWH, and by their decision all cases of dispute and assault shall be settled. ⁶All the elders of that town nearest the body shall wash their hands over the heifer whose neck was broken in the wadi, ⁷and they shall declare: “Our hands did not shed this blood, nor were we witnesses to it. ⁸Absolve, YHWH, your people Israel, whom you redeemed; do not let the guilt of innocent blood remain in the midst of your people Israel.” Then they will be absolved of bloodguilt. ⁹So you shall purge the guilt of innocent blood from your midst, because you must do what is right in the sight of YHWH.

¹⁰When you go out to war against your enemies, and YHWH your God hands them over to you and you take them captive, ¹¹suppose you see among the captives a beautiful woman whom you desire and want to marry, ¹²and so you bring her home to your house: she shall shave her head, pare her nails, ¹³discard her captive's garb, and shall remain in your house a full month, mourning for her father and mother; after that you may go in to her and be her husband, and she shall be your wife. ¹⁴But if you are not satisfied with her, you shall let her go free and not sell her for money. You must not treat her as a slave, since you have dishonoured her.

¹⁵If a man has two wives, one of them loved and the other disliked, and if both the loved and the disliked have borne him sons, the firstborn being the son of the one who is disliked, ¹⁶then on the day when he wills his possessions to his sons, he is not permitted to treat the son of the loved as the firstborn in preference to the son of the disliked, who is the firstborn. ¹⁷He must acknowledge as firstborn the son of the one who is disliked, giving him a double portion of all that he has; since he is the first issue of his virility, the right of the firstborn is his.

This legislation carries on from chapter twenty. We are in an unashamedly male dominated culture. There are no restrictions on a soldier desiring (21:11) and taking (21:12) a foreign woman as part of the spoils of war. If he decides he does not want her any more, he may simply get rid of her (21:14).

The women are, however, given some rights, but only by restricting what the man is entitled to do. He must allow her a month to mourn her loss (21:13), and he may not sell her into slavery (21:14). This is in accordance with Exodus 21:8, and it is an attempt to put some restraint on the actions of soldiers in the heat of battle and afterwards.

Verses fifteen to seventeen are there to protect the traditional right of the first born son to inherit the family property. Obviously YHWH is free to transcend this custom (Jacob is favoured over Esau, Genesis 25-27, and Ephraim over Manasseh, Genesis 48:13-20), but fathers are not at liberty to use this as an invitation for them to do the same in order to please a favoured wife. For 'loved' and 'disliked' (literally 'hated', *šānâ*) see Genesis 29:30-31 where Rachel is 'loved' and Leah 'unloved'. The focus is primarily on preference. 'Hate' in this contrast does not require having bad feelings towards the one less favoured..

The Hebrew words translated here as 'double portion' (21:17) may mean that the first born gets twice as much as each of the other sons. Others interpret it as meaning that he inherits two thirds of the estate, and the rest is divided up among his brothers.

The Covenant Code required the punishment of death for a son who strikes (Exodus 21:15) or curses (Exodus 21:17) a parent. Deuteronomy goes further applying the same punishment to a son who does not ‘obey/heed’ them (21:18,20). The fact that the Hebrew š‘ma‘ occurs three times in this short passage explains the severity of the legislation. At the heart of the religion of Israel is the command to listen to and obey YHWH (see 6:4). The son learns this through his parents.

The parents must submit the case to the elders for their judgment, and if it is decided to punish the boy everyone is to take part in the stoning, for the boy’s refusal to listen affects everyone. Presumably the threat of the punishment was enough to have its desired effect.

How different this legislation is from Jesus’ parable of the prodigal son (Luke 15:11-32). Jesus is confident that while love is not guaranteed success (we do not know what the older brother decided), it is a far stronger power than the threat of punishment.

After the criminal is executed he is hung (not ‘hanged’, for he is already dead) on a tree as a visible witness that the community has carried out its duty. However, so long as his body is exposed the defilement (tamē’, 21:23) of his deed affects the land. He must be buried before the powers of darkness can work more mischief.

The quick burial of Jesus is in compliance with this law. However, because of the way Jesus was killed, verse twenty-three must have been used against the followers of Jesus by those who saw Jesus’ death as a sign of God’s curse. Paul counters this argument in Galatians 3:13 (see the Introduction, page 4).

¹⁸If someone has a stubborn and rebellious son who will not obey his father and mother, who does not heed them when they discipline him, ¹⁹then his father and his mother shall take hold of him and bring him out to the elders of his town at the gate of that place. ²⁰They shall say to the elders of his town, “This son of ours is stubborn and rebellious. He will not obey us. He is a glutton and a drunkard.” ²¹Then all the men of the town shall stone him to death. So you shall purge the evil from your midst; and all Israel will hear, and be afraid.

²²When someone is convicted of a crime punishable by death and is executed, and you hang him on a tree, ²³his corpse must not remain all night upon the tree; you shall bury him that same day, for anyone hung on a tree is under God’s curse. You must not defile the land that YHWH your God is giving you for possession.

¹You shall not watch your neighbour's ox or sheep straying away and ignore them; you shall take them back to their owner. ²If the owner does not reside near you or you do not know who the owner is, you shall bring it to your own house, and it shall remain with you until the owner claims it; then you shall return it. ³You shall do the same with a neighbour's donkey; you shall do the same with a neighbour's garment; and you shall do the same with anything else that your neighbour loses and you find. You may not withhold your help. ⁴You shall not see your neighbour's donkey or ox fallen on the road and ignore it; you shall help to lift it up.

⁵A woman shall not wear a man's apparel, nor shall a man put on a woman's garment; for whoever does such things is abhorrent to YHWH your God.

⁶If you come on a bird's nest, in any tree or on the ground, with fledglings or eggs, with the mother sitting on the fledglings or on the eggs, you shall not take the mother with the young. ⁷Let the mother go, taking only the young for yourself, in order that it may go well with you and you may live long.

⁸When you build a new house, you shall make a parapet for your roof; otherwise you might have bloodguilt on your house, if anyone should fall from it.

⁹You shall not sow your vineyard with a second kind of seed, or the whole yield will have to be forfeited, both the crop that you have sown and the yield of the vineyard itself.

¹⁰You shall not plough with an ox and a donkey yoked together.

¹¹You shall not wear clothes made of wool and linen woven together.

¹²You shall make tassels on the four corners of the cloak with which you cover yourself.

Here the Deuteronomists are following the Covenant Code, except that they use the word 'neighbour' in place of 'enemy'. This seems to soften the remarkable requirement of the more ancient code:

When you come upon your enemy's ox or donkey going astray, you shall bring it back. When you see the donkey of one who hates you lying under its burden and you would hold back from setting it free, you must help to set it free.

– Exodus 23:4-5

It seems that at the time of Jesus this kind of neighbourly assistance was offered even on a sabbath. Jesus quotes it against those who accused him when he healed a man with a withered hand on the sabbath:

Suppose one of you has only one sheep and it falls into a pit on the sabbath; will you not lay hold of it and lift it out?

– Matthew 12:11

Verses six to seven are concerned not to interfere with the order created by God. Verse eight is concerned with avoiding blood guilt.

Verse five and verses ten and eleven are concerned with not mixing categories. This must have been a deep-seated concern as we find it also in the legislation of the Priestly School (see Leviticus 19:19).

Verse twelve is concerned that the dress of an Israelite be distinctive. The Priestly School see the tassels as a reminder of YHWH's commandments (see Numbers 15:37-41).

There is no hiding the primitive patriarchal nature of this legislation. It is all about men, their expectations, privileges and entitlements. A husband is entitled to have a virgin wife. A father is entitled to have his reputation intact, the neighbours knowing that he has kept his daughter a virgin.

The husband's accusations are seen as one man causing affront to another. It can be sorted out, man to man, by a public punishment (Josephus says it consists in thirty-nine lashes, *Antiquities* iv.8.23) – which removes any shame from the father – and a financial deal. The husband also loses the right to ever divorce her.

If the woman is in fact not a virgin (or if her virginity cannot be proven) she is stoned to death. The men of the village can give unrestrained vent to their indignation that a woman has dared to disrupt the male, social order.

In the case where it is proven that her husband has lied to get rid of her, why is he not killed in accordance with 19:18-19? No one seems to care to ask whether she wants to stay with him. She has no alternative. If she has lost her virginity she becomes an object of male lust for punishment. No one seems to care who the man was who helped her lose her virginity.

Whatever one might think of such legislation in its own time and context, the fact that it took on the aura of being God's will meant that it influenced people's thinking for centuries, well after society had come to a new place in regard to the dignity of woman, even in 'Christian' communities which had the example of Jesus to confront and convert them.

We understand that these deep-seated attitudes are resistant to conversion, but to continue them in God's name is a disgrace. It takes us back to the need to examine what we mean by inspiration and truth in regard to the scriptures (see Introduction pages 7-14).

¹³Suppose a man marries a woman, but after going in to her, he dislikes her ¹⁴and makes up charges against her, slandering her by saying, "I married this woman; but when I lay with her, I did not find evidence of her virginity." ¹⁵The father of the young woman and her mother shall then submit the evidence of the young woman's virginity to the elders of the city at the gate. ¹⁶The father of the young woman shall say to the elders: "I gave my daughter in marriage to this man but he dislikes her; ¹⁷now he has made up charges against her, saying, 'I did not find evidence of your daughter's virginity.' But here is the evidence of my daughter's virginity." Then they shall spread out the cloth before the elders of the town.

¹⁸The elders of that town shall take the man and punish him; ¹⁹they shall fine him one hundred shekels of silver (which they shall give to the young woman's father) because he has slandered a virgin of Israel. She shall remain his wife; he shall not be permitted to divorce her as long as he lives.

²⁰If, however, this charge is true, that evidence of the young woman's virginity was not found, ²¹then they shall bring the young woman out to the entrance of her father's house and the men of her town shall stone her to death, because she committed a disgraceful act in Israel by prostituting herself in her father's house. So you shall purge the evil from your midst.

²²If a man is caught lying with the wife of another man, both of them shall die, the man who lay with the woman as well as the woman. So you shall purge the evil from Israel.

²³If there is a young woman, a virgin already engaged to be married, and a man meets her in the town and lies with her, ²⁴you shall bring both of them to the gate of that town and stone them to death, the young woman because she did not cry for help in the town and the man because he violated his neighbour's wife. So you shall purge the evil from your midst.

²⁵But if the man meets the engaged woman in the open country, and the man seizes her and lies with her, then only the man who lay with her shall die. ²⁶You shall do nothing to the young woman; the young woman has not committed an offense punishable by death, because this case is like that of someone who attacks and murders a neighbour. ²⁷Since he found her in the open country, the engaged woman may have cried for help, but there was no one to rescue her.

²⁸If a man meets a virgin who is not engaged, and seizes her and lies with her, and they are caught in the act, ²⁹the man who lay with her shall give fifty shekels of silver to the young woman's father, and she shall become his wife. Because he violated her he shall not be permitted to divorce her as long as he lives.

³⁰A man shall not marry his father's wife, thereby violating his father's rights.

Verse twenty-two requires that those involved in adultery, forbidden in the decalogue (Deuteronomy 5:18), must suffer the ultimate penalty. Note the restrictive definition of adultery. It is an act against the rights of the woman's husband. A married man having intercourse with an unmarried woman is not defined as adultery. No male rights have been offended, and she has no rights.

Betrothal is a formal contract, so that intercourse between a man and a betrothed woman has the same penalty (22:23-24). A wedge of enlightenment occurs here, by the recognition that the woman may not have consented, but may have been unable to get help (22:25-27).

Verses twenty-eight to twenty-nine remind us of the previous passage (22:13-21). In this case the woman is not betrothed and so no husband's rights have been offended. A financial deal with the father is all that is required, and the man is forced to marry the woman that he violated. No one thinks of consulting the woman.

'His father's wife' is not his mother, but a step-mother. The Priestly Code includes this in its long list of what constitutes incest (Leviticus 18:8). The Deuteronomists include it here, which suggests that it was a common practice (see Ezekiel 22:10).

The desire to be a holy people giving full allegiance to YHWH leads naturally to a concern to determine who is and who is not to be admitted to the holy assembly. To be excluded are eunuchs (they cannot hand on the blessing) – though Isaiah 56:4-5 does not agree. Also excluded are those who are born of unions that are not in accordance with God's will (see the details – mostly concerning incest – listed by the Priestly School, Leviticus 18:6-20; 20:10-21).

The Deuteronomists then look at issues of ethnicity. Moabites and Ammonites are permanently excluded (to the tenth generation means never). According to Genesis 19:30-38 they are descended from incest between Lot and his daughters-in-law. The reasons offered here, however, speak of failure in the basic duty of hospitality, and recall the episode with Balaam (see Numbers 22-24). This does not fit well with 2:9-21, and we should remember that Ruth, though a Moabite, is David's great-grandmother (Ruth 4:17 and Matthew 1:5-6). The over-zealous concern for ethnic purity at the time of the return from exile was not welcomed by everyone (see Isaiah 56:6-8).

The legislation concerning Edom is less stringent and fits with the constant reminders in the Torah that Esau and Jacob were brothers (see 2:4-6). In spite of the constantly negative words about Egypt, this text remembers that Israel was once 'an alien residing in their land' (23:7). Grandchildren of an Egyptian union can be accepted into the assembly.

¹No one whose testicles are crushed or whose penis is cut off shall be admitted to the assembly of YHWH.

²Those born of an illicit union shall not be admitted to the assembly of YHWH. Even to the tenth generation, none of their descendants shall be admitted to the assembly of YHWH.

³No Ammonite or Moabite shall be admitted to the assembly of YHWH. Even to the tenth generation, none of their descendants shall be admitted to the assembly of YHWH,

⁴because they did not meet you with food and water on your journey out of Egypt, and because they hired against you Balaam son of Beor, from Pethor of Mesopotamia, to curse you. ⁵(Yet YHWH your God refused to heed Balaam; YHWH your God turned the curse into a blessing for you, because YHWH your God loved you.) ⁶You shall never promote their welfare or their prosperity as long as you live.

⁷You shall not abhor any of the Edomites, for they are your kin. You shall not abhor any of the Egyptians, because you were an alien residing in their land. ⁸The children of the third generation that are born to them may be admitted to the assembly of YHWH.

⁹When you are encamped against your enemies you shall guard against any impropriety.

¹⁰If one of you becomes unclean because of a nocturnal emission, then he shall go outside the camp; he must not come within the camp.

¹¹When evening comes, he shall wash himself with water, and when the sun has set, he may come back into the camp.

¹²You shall have a designated area outside the camp to which you shall go. ¹³With your utensils you shall have a trowel; when you relieve yourself outside, you shall dig a hole with it and then cover up your excrement.

¹⁴Because YHWH your God travels along with your camp, to save you and to hand over your enemies to you, therefore your camp must be holy, so that he may not see anything indecent among you and turn away from you.

¹⁵Slaves who have escaped to you from their owners shall not be given back to them. ¹⁶They shall reside with you, in your midst, in any place they choose in any one of your towns, wherever they please; you shall not oppress them.

¹⁷None of the daughters of Israel shall be a 'temple prostitute'; none of the sons of Israel shall be a 'temple prostitute'.

¹⁸You shall not bring the fee of a prostitute or the wages of a male prostitute into the house of YHWH your God in payment for any vow, for both of these are abhorrent to YHWH your God.

Verses nine to thirteen speak of nocturnal emissions and excrement. The reason for their inclusion here is made explicit in verse fourteen:

Because YHWH your God travels along with your camp, to save you and to hand over your enemies to you, therefore your camp must be holy, so that he may not see anything indecent among you and turn away from you.

'Anything indecent' translates the Hebrew 'erwat dābār. 'erwah is found forty-one times in the Torah and is translated 'nakedness'. 'erwat dābār, however, is found only here and in 24:1.

The regulation concerning escaped slaves connects with Israel's awareness of its own beginnings as slaves, and how YHWH redeemed them. It expresses a fine ideal but goes against the laws of all Israel's neighbours and, if followed, would undercut the basic institution of slavery in Israel itself (but see 15:12-18).

Since there is no evidence of temple prostitution being carried out in any of the cultures of the ancient Near East we should be careful when translating the female q^cdēšâ and its male equivalent in verse seventeen as 'temple prostitute'. 'Female prostitute' (zōnâ) occurs in verse eighteen, but not seventeen. It is not certain that keleb (literally 'dog') should be translated 'male prostitute'.

It is important to remember that loans within Israel were not envisaged as enabling a borrower to invest in a profitable enterprise. They were to relieve distress when someone fell on bad times. The statute against taking advantage of the poor in order to charge interest is found in the oldest code (also Leviticus 25:36-37):

If you lend money to my people, to the poor among you, you shall not deal with them as a creditor; you shall not exact interest from them.

– Exodus 22:25

It is repeated throughout the Bible (see Ezekiel 18:8, 13, 17; 22:2; Proverbs 28:8; Psalm 15:5). When the reason for borrowing changed, the legislation against taking interest necessarily changed as well.

If someone makes a solemn promise to God to do something, and if his prayers are answered, he is obliged to fulfil his vow. The Psalms often state how the one praying has fulfilled or will fulfil his vows:

I will pay my vows to YHWH in the presence of all his people.

– Psalm 116:14 (see 61:5; 22:25; 61:8; 65:1)

Verses twenty-four and twenty-five strike a nice balance between sensibly allowing passes by to pick fruit, while protecting the owner's right to the harvest. When the pharisees attacked Jesus because 'his disciples were hungry, and they began to pluck heads of grain and to eat' (Matthew 12:1), it was because they interpreted the action of the disciples as a form of threshing which was forbidden on the sabbath. Jesus does not agree with their interpretation of the law and quotes from the Torah, seemingly to no avail.

¹⁹You shall not charge interest on loans to another Israelite, interest on money, interest on provisions, interest on anything that is lent.

²⁰On loans to a foreigner you may charge interest, but on loans to another Israelite you may not charge interest, so that YHWH your God may bless you in all your undertakings in the land that you are about to enter and possess.

²¹If you make a vow to YHWH your God, do not postpone fulfilling it; for YHWH your God will surely require it of you, and you would incur guilt. ²²But if you refrain from vowing, you will not incur guilt.

²³Whatever your lips utter you must diligently perform, just as you have freely vowed to YHWH your God with your own mouth.

²⁴If you go into your neighbor's vineyard, you may eat your fill of grapes, as many as you wish, but you shall not put any in a container.

²⁵If you go into your neighbor's standing grain, you may pluck the ears with your hand, but you shall not put a sickle to your neighbor's standing grain.

¹Suppose a man enters into marriage with a woman, but she does not please him because he finds something objectionable about her, and so he writes her a certificate of divorce, puts it in her hand, and sends her out of his house; she then leaves his house ²and goes off to become another man's wife. ³Then suppose the second man dislikes her, writes her a bill of divorce, puts it in her hand, and sends her out of his house (or the second man who married her dies); ⁴her first husband, who sent her away, is not permitted to take her again to be his wife after she has been defiled; for that would be abhorrent to YHWH, and you shall not bring guilt on the land that YHWH your God is giving you as a possession.

Custom made divorce an assumed male right in patriarchal Israelite society. The aim of this statute is to establish some legal processes to regulate it. Firstly there must be grounds – expressed here by the expression ‘erwat dābār’ (‘something objectionable’, 24:1; see 23:14). Secondly, the husband must provide a properly formulated legal document stating that he is divorcing his wife. Thirdly, he must formally hand it to her. Finally, he must formally send her from his house. In this way the law protects a wife from a husband's capricious whim. Furthermore, if she enters a second marriage and it ends with divorce or the death of her second husband, the first husband cannot remarry her.

The prophet Malachi (5th century BC) bemoans the climate of divorce current in his day:

And this you do as well: You cover YHWH's altar with tears, with weeping and groaning because he no longer regards the offering or accepts it with favour at your hand. You ask, “Why does he not?” Because YHWH was a witness between you and the wife of your youth, to whom you have been faithless, though she is your companion and your wife by covenant. Did not one God make her? Both flesh and spirit are his. And what does the one God desire? Godly offspring. So look to yourselves, and do not let any one be faithless to the wife of his youth. For I hate divorce, says YHWH, the God of Israel, and covering one's garment with violence, says YHWH of hosts. So take heed to yourselves and do not be faithless.

– Malachi 2:13-16

However, in the 2nd century BC we hear Sirach encouraging the husband to keep his wife in her place:

Allow no outlet to water, and no boldness of speech to an evil wife. If she does not go as you direct, separate her from yourself.

– Sirach 25:25-26

Since ‘erwah means nakedness, most interpreted ‘erwat dābār to refer to the area of sexual misconduct (not adultery, as that required the death penalty). This is how it was interpreted by the school of Shammai (first century BC). However, others took a wider view. Hillel permitted divorce for any cause, including bad cooking or simply the fact that the husband fancied another woman.

Jesus was asked where he stood in terms of the debate: ‘Is it lawful for a man to divorce his wife for any cause?’ (Matthew 19:3). In effect they are asking him if he agrees with Hillel. Jesus begins by undercutting the whole debate and reminding them of the reason for marriage as they find it expressed in the Torah. He quotes Genesis 1:27 and 2:24.

He answered, “Have you not read that the one who made them at the beginning ‘made them male and female,’ and said, ‘For this reason a man shall leave his father and mother and be joined to his wife, and the two shall become one flesh’? So they are no longer two, but one flesh. Therefore what God has joined together, let no one separate.”

– Matthew 19:4-6

These texts demonstrate, in a way that the Pharisees would have to respect, that in God’s original design marriage is not about male rights, but about male-female communion. Human beings have no right to use human legislation to bypass God’s will. It is at this point that the Pharisees introduce the text from Deuteronomy:

They said to him, “Why then did Moses command us to give a certificate of dismissal and to divorce her?” He said to them, “It was because you were so hard-hearted that Moses allowed you to divorce your wives, but from the beginning it was not so. And I say to you, whoever divorces his wife, except for unchastity, and marries another commits adultery.”

– Matthew 19:7-9

It is important firstly to note that both the Pharisees and Jesus see Deuteronomy 24:1-4 as being from Moses. Clearly Jesus does not see it as expressing the will of God. On the contrary. At the same time Jesus recognises that not all marriages are ‘what God has joined together’. He is saying that, on the assumption that a particular union of man and woman is a true marriage, men cannot claim rights for themselves that ignore the rights of women, or that cut across the very purpose of marriage which is that man and woman be bound into an ever deeper communion of love. It is especially in our ability to love that men and women are made in God’s image and likeness. God’s covenant with the people is sometimes compared to a marriage (see Jeremiah 3:1-12; Ezekiel 16,23; Isaiah 54:6). God is faithful to love; it should be the same for us.

Matthew present Jesus as accepting the appropriateness of divorce ‘for unchastity’ (see also Matthew 5:32). Some interpret this as indicating that Jesus agrees with Shammai, as against Hillel. Others understand that he is making an exception only when the marriage itself was entered into against the law (see Leviticus 18:6-18). These laws applied not only to Jews but to Gentiles living in the community (see Leviticus 18:26), so Jewish Christians would have continued to follow them and would have expected Gentile Christians to do the same. Confirmation for this interpretation comes from the decisions of the Jerusalem Assembly. Those at the Assembly were concerned for the social harmony of Christian groups in largely Jewish settings. It was agreed that Gentile Christians did not have to follow Jewish Law. Exceptions were made, however, for certain social customs that had a long history and that had always been applied to Gentiles. These include the marriage laws (see Acts 15:20, 29). By including the words ‘except for unchastity’, Matthew appears to be reminding his community of the decision of the Jerusalem Assembly. Matthew’s understanding is that when Jesus condemned divorce he was speaking of true marriages, not ones entered into in contravention of the law.

Marriage and Divorce

In principle, Jesus is telling the male lawyers to stop using divorce to support male whims and to go back to God's original intention which is that men and women should be sacraments to each other of God's faithful love. However, as the Assembly of Jerusalem recognised, not all marriages are in accordance with God's will.

In view of the continuing debate among Christians concerning Jesus' teaching in regard to marriage and divorce we will pause here to investigate the matter more closely. The earliest account of Jesus' teaching on this matter is found in Paul's First Letter to the Corinthians, written probably in 54AD, twenty-five or so years prior to Matthew's gospel. Paul is concerned not with the requirements of law but with the breakdown of marriage which can result from a failure to share Christian values. He begins by reminding his readers of Jesus' command:

To the married I give this command-- not I but the Lord-- that the wife should not separate from her husband (but if she does separate, let her remain unmarried or else be reconciled to her husband), and that the husband should not divorce his wife.

– 1Corinthians 7:10-11

The parallel with Matthew's account is obvious. Paul, however, goes on to write:

To the rest I say – I and not the Lord – that if any believer has a wife who is an unbeliever, and she consents to live with him, he should not divorce her. And if any woman has a husband who is an unbeliever, and he consents to live with her, she should not divorce him. For the unbelieving husband is made holy through his wife, and the unbelieving wife is made holy through her husband. Otherwise, your children would be unclean, but as it is, they are holy. But if the unbelieving partner separates, let it be so; in such a case the brother or sister is not bound. It is to peace that God has called you. Wife, for all you know, you might save your husband. Husband, for all you know, you might save your wife.

– 1Corinthians 7:12-16

Paul is writing to a community which included husbands who had joined the Christian community while their wives remained outside, and wives who had joined the community while their husbands remained outside. Sometimes this created conflicts within the marriage that were unresolvable. He admits that he has received no direct teaching of Jesus on the subject, but that does not prevent him from reflecting upon the problem in the light of the gospel.

Paul's first response and final plea are to encourage Christian husbands and wives to remain in their married relationship. However, he acknowledges that there could be situations where this is not possible, and in these circumstances he allows for the possibility, even the need, to separate, and, if appropriate, to enter into another marriage: 'the brother or sister is not bound'. Two values are highlighted by Paul. The first is faith, and the second is peace. It is obvious that an unbelieving partner — one, that is, who is not committed to the values espoused by Jesus — may make it impossible for the believing partner to live his or her Christian life. The failure to share such basic values may make living together in peace quite impossible.

So-called ‘family values’, though most important, are not absolute. Jesus often indicates that they must give way to values of a higher order (see 8:21-22; 10:35-37; 12:50; 19:29). The point Paul is making is that when one of the marriage partners is not a believer this is not, in itself, a reason to divorce. However, when ties, even those as important as marriage, are an obstacle to living as a disciple of Jesus ‘the brother or sister (that is to say the Christian man or woman) is not bound’.

Each community and each married person has to enter into a careful and honest spiritual discernment in this matter. Paul’s words and Matthew’s are a warning to us not to quote Jesus’ words against divorce as absolute. To do so would be an appalling abuse — the kind of abuse for which Jesus himself spoke out so strongly against the Pharisees: the abuse of using the words of Scripture and their own human tradition to ‘break the commandment of God’(Matthew 15:3).

That Jesus was demanding a fidelity to marriage and a commitment to pledged love that went beyond the expectations of his contemporaries of whatever school of thought is obvious from the reaction of his disciples: ‘If such is the case of a man with his wife, it is better not to marry’(Matthew 19:10). Let us listen to Jesus’ response to this objection:

Jesus said to them, “Not everyone can accept this teaching, but only those to whom it is given. For there are eunuchs who have been so from birth, and there are eunuchs who have been made eunuchs by others, and there are eunuchs who have made themselves eunuchs for the sake of the kingdom of heaven. Let anyone accept this who can.”

– Matthew 19:11-12

Jesus does not compromise. Being a disciple is something that is possible only in response to grace. It means dying to oneself (Matthew 16:24), but if disciples lose their lives because of following Jesus, he promises them that their lives will be saved (see Matthew 16:25). The present passage examines a key situation in which this dying to self is to be realised. Being a disciple of Jesus does not protect a person against the ordinary situations of hurt or misunderstanding or being the victim of another person’s infidelity that are part of the human condition. The fact that two disciples of Jesus pledge their love to each other in faith does not guarantee them against marriage breakdown. Love does not control and one partner cannot prevent the sin or the infidelity or the breaking of the covenant by the other.

On the assumption that two people have a real marriage, Jesus is telling his disciples that they must remain faithful to their marriage vows. For some whose marriage has broken down, this will mean a life of complete continence. It will mean that they will be choosing in effect to live like eunuchs ‘for the sake of the kingdom of heaven’. They will be graced to do it, and Jesus ends with the plea that if their hearts are large enough to take in this teaching, they should take it in. With the instruction comes the promise that, in the mystery of God’s providence, they will not lack love in their lives and the goal of their marriage will, by grace, be achieved in a way that transcends their expectations. Jesus is offering life to his disciples. In the area of marriage, it will be a life of self-sacrifice, of service, of forgiveness, and a sacrament of God’s fidelity. It will involve the cross, but it is life that he is offering, and the grace to sustain a trust, committed for life and held through the journey of the cross to the glory of the resurrection.

Eunuchs for the sake of the kingdom

According to the law of Deuteronomy (23:1) eunuchs were excluded from the Lord's assembly. As already noted, the disciples of Isaiah did not judge this ruling to be an expression of God's will:

Thus says YHWH: To the eunuchs who keep my Sabbaths, who choose the things that please me and hold fast my covenant, I will give, in my house and within my walls, a monument and a name better than sons and daughters; I will give them an everlasting name that shall not be cut off.

– Isaiah 56:4-5

Being faithful to one's marriage may mean for some a life of continence, but it will not mean a life without love, for a disciple will know the intimate love of God, shared with Jesus. This seems to be Matthew's reason for including the saying on eunuchs in this context.

However, to diverge for a moment from the subject raised in Deuteronomy 23:1-4, it is likely that Matthew has chosen from the tradition a saying of Jesus originally given in response to those who laughed at his remaining unmarried, accusing him of being a 'eunuch'. In its original context, then, it was probably a declaration by Jesus that he is celibate by choice, because of the special intimacy of his love-communion with God his Father, and because of the special demands of his mission to announce and realise the kingdom of his Father in this world.

From the beginning there have been those in the Christian community who have wanted to be like Jesus even in his celibate way of loving. Paul is a prime example (see 1 Corinthians 7:7,32-35). The celibate disciple was seen in a special way by the Christian community as a symbol of the love of Christ whose heart was open to all to 'draw all to myself' (John 12:32). It was also seen as a special consecration in love to Jesus himself, and so was a sign of love and an encouragement towards love for the community. It was seen as a special symbol of the reality of the transcendent.

It is appropriate that Matthew 19:12 has been used throughout the church's history to support the choice by some disciples to live a celibate life after the example of Jesus. In this context, Jesus' final words are particularly apt. The NRSV translates: 'Let anyone accept this who can'. The Greek verb used here is *chorein* from which comes our English word 'choreography'. The image is one of space. A better translation might be: 'If you have room in your heart for this, do it!' The miracle of celibate love is indeed a fruit of grace. It is possible only where a heart has been expanded by the Spirit to share in the love that fills the heart of Jesus.

Verse five adds to the regulations found earlier in 20:5-7. It is alluded to in Luke 14:20 where a man's recent marriage is used as an excuse not to follow Jesus.

Every household had a mill for grinding grain (see Exodus 11:5; Isaiah 47:2). To take it (24:6) is to deprive the family of basic food.

Verse seven repeats the Covenant Code (see Exodus 21:16). We think of Joseph's brothers selling him to the traders from Midian (Genesis 37:26-28).

In spite of a long history of mistranslation, what is being described in verses eight to nine is certainly not leprosy (Hansen's disease). This was unknown in the Near East till the hellenistic period (late fourth century BC). The description of symptoms given in Leviticus 13-14 seem to point to forms of psoriasis or fungal infection. The problem seems to have been that the scaling of the skin has the *appearance of death*. It is the link with death that is the problem. The story of Miriam is told in Numbers 12:10-15.

Verses ten to twelve build on the statement in the Covenant Code:

If you take your neighbour's cloak in pawn, you shall restore it before the sun goes down.

– Exodus 22:25-26

Amos speaks out against those who abuse the poor by depriving them of their only means of keeping warm at night. Moreover they use these garments taken in pledge in offering worship to YHWH:

They lay themselves down beside every altar on garments taken in pledge.

– Amos 2:8

The prophet assures them that YHWH does not accept such hypocritical piety.

⁵When a man is newly married, he shall not go out with the army or be charged with any related duty. He shall be free at home one year, to be happy with the wife whom he has married.

⁶No one shall take a mill or an upper millstone in pledge, for that would be taking a life in pledge.

⁷If someone is caught kidnaping another Israelite, enslaving or selling the Israelite, then that kidnaper shall die. So you shall purge the evil from your midst.

⁸Guard against an outbreak of a *scaly* skin disease by being very careful; you shall carefully observe whatever the levitical priests instruct you, just as I have commanded them. ⁹Remember what YHWH your God did to Miriam on your journey out of Egypt.

¹⁰When you make your neighbour a loan of any kind, you shall not go into the house to take the pledge. ¹¹You shall wait outside, while the person to whom you are making the loan brings the pledge out to you. ¹²If the person is poor, you shall not sleep in the garment given you as the pledge. ¹³You shall give the pledge back by sunset, so that your neighbour may sleep in the cloak and bless you; and it will be to your credit before YHWH your God.

¹⁴You shall not withhold the wages of poor and needy labourers, whether other Israelites or aliens who reside in your land in one of your towns. ¹⁵You shall pay them their wages daily before sunset, because they are poor and their livelihood depends on them; otherwise they might cry to YHWH against you, and you would incur guilt.

¹⁶Parents shall not be put to death for their children, nor shall children be put to death for their parents; only for their own crimes may persons be put to death.

¹⁷You shall not deprive a resident alien or an orphan of justice; you shall not take a widow's garment in pledge. ¹⁸Remember that you were a slave in Egypt and YHWH your God redeemed you from there; therefore I command you to do this.

¹⁹When you reap your harvest in your field and forget a sheaf in the field, you shall not go back to get it; it shall be left for the alien, the orphan, and the widow, so that YHWH your God may bless you in all your undertakings. ²⁰When you beat your olive trees, do not strip what is left; it shall be for the alien, the orphan, and the widow.

²¹When you gather the grapes of your vineyard, do not glean what is left; it shall be for the alien, the orphan, and the widow.

²²Remember that you were a slave in the land of Egypt; therefore I am commanding you to do this.

The concern of the Deuteronomists shown in verses fourteen to fifteen is typical (see 10:18; 14:29; 15:1-11), as is the reason: 'they might cry to YHWH against you' (see 15:9; compare James 5:4).

Verse sixteen represents a new insight (see also 7:10). Traditionally the group was considered responsible for the actions of any member of the group. The notion of restricting culpability to the person who committed the crime is found also in Jeremiah 31:29-30 and Ezekiel 18. Both prophets are aware that their teaching cuts across traditional thinking.

The motive for exercising justice towards the most vulnerable (24:17-18) is found also in the decalogue as presented by the Deuteronomists (see 5:15; see also 15:15, 16:12). The Covenant Code also demands this justice (see Exodus 22:21-23; 23:6).

Verses nineteen to twenty-one add to the legislation already set down in 23:24-25. That Statute gave permission to the poor to glean. Here the owner is told to respect that right. Similar legislation is found in the writings of the Priestly School (see 19:9-10; 23:22).

They were slaves in Egypt. Now their lord is YHWH and they must obey his commands (24:22).

In a climate in which severe punishment was taken for granted as necessary to keep law and order, verses one to three legislate for restraint, insisting that even a criminal has a dignity that must not be denied. To safeguard against breaking this statute, the practice was to limit the punishment to thirty-nine lashes (see 2Corinthians 11:24). Lashing seems to be intended by Deuteronomy 22:18.

Verse four is another example of the Deuteronomists concern that animals be well treated (see 22:6-7). This verse is quoted by Paul in 1Corinthians 9:9 and 1Timothy 5:18 to underline the obligation on the Christian community to care for those who are devoting their lives to preaching and teaching.

Verses five to ten concern what is customarily called 'levirate marriage', from the Latin levir (one's husband's brother). The purpose is to ensure that the family name continues. This practice is known in other cultures. Here it is limited to the situation where the deceased man has left no (probably male) heir, and where the brother's are living on the same estate. Sons born of the second union take the name (and inheritance) of their mother's first husband, not their father.

This Deuteronomic statute gives legal standing to what must have been a very ancient practice. However, in the Priestly code the custom is explicitly forbidden:

You shall not uncover the nakedness of your brother's wife; it is your brother's nakedness.

– Leviticus 18:16 (also 20:21)

In spite of this, the Sadducees use it in their confrontation with Jesus (see Matthew 22:23-33).

¹Suppose two persons have a dispute and enter into litigation, and the judges decide between them, declaring one to be in the right and the other to be in the wrong. ²If the one in the wrong deserves to be flogged, the judge shall make that person lie down and be beaten in his presence with the number of lashes proportionate to the offense. ³Forty lashes may be given but not more; if more lashes than these are given, your neighbour will be degraded in your sight.

⁴You shall not muzzle an ox while it is treading out the grain.

⁵When brothers reside together, and one of them dies and has no son, the wife of the deceased shall not be married outside the family to a stranger. Her husband's brother shall go in to her, taking her in marriage, and performing the duty of a husband's brother to her, ⁶and the firstborn whom she bears shall succeed to the name of the deceased brother, so that his name may not be blotted out of Israel. ⁷But if the man has no desire to marry his brother's widow, then his brother's widow shall go up to the elders at the gate and say, "My husband's brother refuses to perpetuate his brother's name in Israel; he will not perform the duty of a husband's brother to me." ⁸Then the elders of his town shall summon him and speak to him. If he persists, saying, "I have no desire to marry her," ⁹then his brother's wife shall go up to him in the presence of the elders, pull his sandal off his foot, spit in his face, and declare, "This is what is done to the man who does not build up his brother's house." ¹⁰Throughout Israel his family shall be known as "the house of him whose sandal was pulled off."

¹¹If men get into a fight with one another, and the wife of one intervenes to rescue her husband from the grip of his opponent by reaching out and seizing his genitals, ¹²you shall cut off her hand; show no pity.

¹³You shall not have in your bag two kinds of weights, large and small. ¹⁴You shall not have in your house two kinds of measures, large and small. ¹⁵You shall have only a full and honest weight; you shall have only a full and honest measure, so that your days may be long in the land that YHWH your God is giving you.

¹⁶For all who do such things, all who act dishonestly, are abhorrent to YHWH your God.

¹⁷Remember what Amalek did to you on your journey out of Egypt, ¹⁸how he attacked you on the way, when you were faint and weary, and struck down all who lagged behind you; he did not fear God.

¹⁹Therefore when YHWH your God has given you rest from all your enemies on every hand, in the land that YHWH your God is giving you as an inheritance to possess, you shall blot out the remembrance of Amalek from under heaven; do not forget.

Perhaps the situation described in verses eleven and twelve is to exemplify how the principle of the *lex talionis* (19:21) is to be carried out when it cannot be applied literally. We are dealing with primitive (and male) law.

Verses thirteen to sixteen demand honesty in trade. The equivalent in the Priestly School is Leviticus 19:35-36. As we would expect it is an issue that concerned the prophets (see Hosea 12:7; Micah 6:10). Amos speaks out against those who say:

When will the new moon be over so that we may sell grain; and the sabbath, so that we may offer wheat for sale? We will make the ephah small and the shekel great, and practice deceit with false balances, buying the poor for silver and the needy for a pair of sandals, and selling the sweepings of the wheat.

– Amos 8:5-6

The Amalekites were Israel's first enemies on their journey to the promised land (see Exodus 17:8-16). They are fixed in their memory as a symbol of the need for Israel never to forget. They were not a threat during the time the Deuteronomists were writing, so, like other 'statutes' it is more to do with being determined not to compromise their faith than anything else. However the bellicose language is unfortunately typical, and has supported many atrocities since.

Writing in exile the Isaiah School gives a contrary message. They underline Israel's mission to convert the nations. Speaking of foreigners they say:

This one will say, "I am YHWH's," another will be called by the name of Jacob, yet another will write on the hand, "YHWH's," and adopt the name of Israel.

– Isaiah 44:5

Turn to me and be saved, all the ends of the earth! For I am God, and there is no other. By myself I have sworn, from my mouth has gone forth in righteousness a word that shall not return: "To me every knee shall bow, every tongue shall swear. "Only in YHWH, it shall be said of me, are righteousness and strength; all who were incensed against him shall come to him and be ashamed.

– Isaiah 55:22-24