

The destruction of the nations and the promise of return: hermeneutical observations on the book of Deuteronomy*

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ABSTRACT

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Many Israelis, but also many Christian Palestinians, today understand the current conflict around the possession of the land in a Bible-oriented way. They associate it with the radical destruction of all inhabitants of the land and its subsequent occupation as it is formulated in Deuteronomy, namely as an instruction of God, and as portrayed in the book of Joshua, namely as an historical event. This typologising form of common hermeneutics contradicts both modern historiography on ancient Israel and the historic-critical exegesis of the two books as well as their interpretation in Jewish tradition. The campaign of the twelve-tribe nation under Joshua and the destruction of the peoples of Canaan is a theological, fictitious image of radical trust in God, which was designed under King Josiah for mythical ancient times. Neither the laws on warfare nor the promises of return in a synchronically read Deuteronomy know about any future violent conquest of the land of Canaan. The article analyses Israel's relation to the inhabitants of the land, especially in chapters 29-30, which are decisive for Moses' vision of the future. Based on this analysis, it develops the hermeneutics of Deuteronomy for the directives on the destruction of the nations. Applying these directives typologically proves to be ruled out, both for the wars following the conquest of the land and for the return of Israel from exile.

*For further information see my article "Die Völkervernichtung und die Rückkehr Israels ins Verheißungsland. Hermeneutische Bemerkungen zum Buch Deuteronomium", 2001. My appreciation to Hanneke Friedl for the English Translation.

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1 INTRODUCTION

Fifty-five years after the founding of the modern state of Israel, the conflict between its Jewish and Arab populations is still sparked off by the question: “*Whom does the land belong to?*” (Cf., e.g., Nieswandt 1998). That which is special about this confrontation, that which sets it apart from other apparently similar situations, is the fact that the Bible, especially the Hebrew Tanach or the *Old Testament*, also plays an important part in the conflict between Israel and Palestine. This applies *for both sides*. The Israelis realise this whether they read the Tanach – the Hebrew Bible – mediated by the Talmudic and Rabbinic tradition, or consider it their secular national literature. We however quite often forget that on the other, that is, on the Palestinian side, there are not only Muslims but also many Arabic Christians and that they, too, consider the Old Testament as Holy Scripture. In the following, I will omit the aspect of its importance for the Muslim majority of the Arabs. Thus the two parties, Israelis and Christian Arabs, meet each other in the sphere of the Old Testament.

Concerning the occupation of Palestine, the biblical books of *Deuteronomy and Joshua* especially come into question. Deuteronomy even develops a specific theology of military dedication to destruction for the war of conquest of the land, which is recounted in the Book of Joshua. The Book of Joshua subsequently gives a detailed report on how this conquest and settlement as well as the destruction of the inhabitants took place, on how they were performed on the command of God.

The *Israeli people* who today read in the Bible about the promise of the land to their nation, at least partly interpret the story of the fight of Joshua and his twelve tribes as an encouragement to fight for the land themselves, because not only it is a right to settle there, but, according to the Torah, even a duty. As a result, the Palestinians are only too easily identified with the erstwhile inhabitants of the land. It seems to be widely forgotten that the classical Jewish interpretational tradition – compare Moses Maimonides – was of a different opinion. The books of Deuteronomy and Joshua are also read to the *Christian Palestinians* as their own history. Suddenly, they see themselves as being forced into the role of the seven peoples of Canaan, who were destroyed by Joshua on the command of God. As much as the ways of understanding of both Israelis and Christian Palestinians might ultimately contradict each other, they nevertheless resemble each other in their basic approach. Both sides read the *destruc-*

tion of the nations and the promise of return in the books of Deuteronomy and Joshua “typologically”. Norbert Lohfink wrote an excellent article on the theme in 1997. He explains this interpretation as follows: “... when the Israelites first entered into their land, this was the ‘type’ of an event that today recurs as ‘anti-type’, namely the settling of a people chosen by God in this land of Palestine. Therefore, according to the typological point of view, things should happen today as they used to happen long ago. The orders that God gave then, are the same even for today” (Lohfink 1997: 8f)¹. The Jewish settlers can legitimate their position by the same token as the Christian Palestinians can feel themselves rejected by this Old Testament. And both groups can find the motivation for their commitment to God-ordained violence right here².

This *common hermeneutics* is incorrect, and I will subsequently *falsify it from the standpoint of the book of Deuteronomy*. Concerning the history of law, its blueprint for world and society I consider to be the last – in any event the hermeneutically decisive – words of Moses in the Pentateuch. They also treat the wars of conquest and destruction that Israel fought on their entry into the promised land (Lohfink 2003). This is a result of the judicial self-image of Deuteronomy. I will start with a few historical and literary-historical remarks on the destruction of the nations, the *••rem* of Deuteronomy. I can however keep these remarks short, because this is a well-researched theme (cf., fundamentally, Lohfink 1982. Furthermore e.g. Niditch 1993; Kang 1989; Stern 1991; Schäfer-Lichtenberger 1994; Nelson

1 “...als die Israeliten erstmals in ihr Land einzogen, ereignete sich der ‘Typos’ eines Geschehens, das in unseren Tagen als ‘Antitypos’ wiederkehrt. Es ist die Einwanderung eines von Gott erwählten Volkes in dieses Land Palästina, damals wie heute. Deshalb gilt nach der typologischen Sicht: Wie es damals vor sich ging, soll es auch heute vonstatten gehen. Was Gott damals an Weisung gab, das ist auch seine Weisung für heute”.

2 The fact that social or public interests can also create a specific interpretation of texts with Christian readers of our times and that exegesis therefore should not be purely directed towards reception aesthetics, but also be critical of ideology and cautious against the merging of horizons, was excellently illustrated by Deist (1994), using the example of the naively realistic reading of Deuteronomy by Afrikaans speaking Calvinist South Africans. This reading created a special feeling of chosenness in them. It furthermore formed the basis of apartheid as a natural order institutionalised by God and it authorised racist discrimination, the prohibition of mixed marriages as well as the occupation of the whole land as God-ordained.

1997). In the main part of the paper, I will deal with the chapters which are decisive for our theme, namely 29-30, in which I will be interpreting the given end text. I will thus methodologically be moving on a synchronic level. In this process, I take into account both the intratextual cross-references and the sequence of reading within the book, which is designed to form a unified structure of meaning.

2 REMARKS ON THE HISTORY OF THE ••*rem*-COMMAND IN DEUTERONOMY

Despite all scientific controversies around ancient Israel, vehemently carried out today, one fact remains clear and undisputed: historically, there never was any conquest of the land that took place amidst imperialistic terror and according to a military strategy of destruction. Such a conquest is an ideal construct. *The deuteronomic ••rem-command* and the accounts in the book of Joshua about the wars of conquest were written more than half a millennium after the emergence of Israel (cf. e.g. Lohfink 1992). The older elements of tradition which they probably contain were deliberately rewritten, systematised and generalised. By the time that the basic conceptualisation for the book of Joshua had taken place, at the end of the monarchic period under king Josiah in the seventh century, Israel had already lost almost all of its land again; only Jerusalem and the regions of Judah surrounding it, had remained. At the time, the texts about the ••*rem*-wars were designed – as Norbert Lohfink (1982) writes – initially as a kind of *literary counter-propaganda to the Assyrian expansion*, and according to the pattern of certain Topoi of Assyrian royal inscriptions. In the seventh century BCE, the Assyrians had created an enormous empire. With a degree of brutality that until then had been unheard of in the Ancient Near East, they deported or even destroyed whole nations. For their propaganda, they inspired fear of approaching terror in the people whom they subjected or wanted to subject. This imperialistic and violent rhetoric was the disguise for a substantially more cautious political praxis. In order to immunise the half-independent vassal state of Judah against this kind of psychological warfare of the Assyrians and at the same time discourage potential adversaries, the book of Deuteronomy had designed its own strategy of destruction for the early history of Israel, similarly dripping with blood. The book of Joshua added stories of violent actions carried out by Yahweh. At the same time, the authors took care not to legitimise the destruction of other peoples in their current time with this counter-propaganda. The war of destruction took place only once, in the actions of

Joshua, right at the beginning. Now, in their present time, comparable events were no longer to take place. To guarantee this, the laws on warfare (Dt 20) were added into the then existing version of Deuteronomy. For their time, these laws were unequalled in their humaneness. They clearly distinguish between the first conquest of the land in the days of pioneering and the normal wars in which Israel would later be involved. Therefore they explicitly name the Canaanite peoples who were subject to the ••*rem*-rules, and who had long been extinct by the end of the seventh century. At the same time, a strategy of destruction against any other nation is unequivocally rejected. Had the ruin of the Canaanites been meant as a rule for all times, the Deuteronomic law would have imposed a demand which already then would have been obsolete. Historically seen, Deuteronomy already must have committed its first addressees to something other than a war of destruction. And indeed, its *militant political theology was meant metaphorically and also spiritually*³. In the light of the Assyrian threat to Israel's existence, this theology called for an *uncompromising trust in God*. The violent, radical conquest of the land thus becomes an image representing the kind of radicality that is basically required in faith. This radicalness in turn implies that God is allowed and trusted to do his work in history. In the same way, the book of Joshua, using a grand opening saga with extensive symbolic descriptions, insinuates to its addressees: God gave this land to you. You could keep it and even regain those large parts that you have meanwhile lost, if only you would radically trust in him. He conquers all his adversaries for the sake of those who believe in him.

3 THE SITUATION OF ADDRESS IN THE FICTITIOUS SPEECHES OF MOSES

In the world of Moses' speeches, recounted by Deuteronomy, the structure of addressees is highly reflectional. When Moses proclaims *laws within the book of Deuteronomy*, he addresses an Israel which matured during the Exodus from Egypt and the desert wanderings, and which is now gathered in Moab. He does not however address the actual readers of Deuteronomy, namely the Judaic population in Babylonian exile. One has to look closer at this fiction of address. Most of these laws are permanently effective after

3 Cf the summary of Bovatti (1994: 88-107), written with exegetical and theological competence. McDonald (2003:108-123) sees the •*ērem* in the legislation of chapt. 7 "as an expression of devoted love".

their promulgation and are therefore binding for all future generations who wish to identify themselves with the Israel of the Exodus and the Horeb Theophany. Some of them however are explicitly connected to the land and apply only there. Now the commands or statements concerning the destruction of the inhabitants of the land are definitely confined to the time of the conquest under Moses and Joshua⁴. For the readers of the books of Deuteronomy and Joshua they already belong to those ancient times which were told about and recalled. It is not said that they can claim any validity centuries later in a similar situation. To be precise, they are no real “laws”, but instructions for action in a unique historic situation. On a pragmatic level, the technique of address reaches its goal only in chapters 29-30, for now it concerns the actual readership of Deuteronomy, namely the Judeans in Babylonian exile.

In order to prevent these actual readers from being identified with the addressees in Moab in an undifferentiated way, and furthermore to convey the *temporal difference between these two audiences* – that is, the narrative audience of Moses and the real, present-time listeners – the text-internal *narrator of the book* repeatedly interrupts the speeches of Moses. His interjections are not confined to interruptions of speech (e.g. in 31:1), but also provide additions in content as well as corrections of citations of Moses’ speeches and even of words of God quoted by Moses.

I want to especially name two of these interjections, since they bring in the “destruction of the nations and conquest of the land” in chapter 2, even before Moses recapitulates the ••*rem*-war of Israel against the two Amorite kings and the conquest of Transjordan. These are the *insertions 2:10-12 and 2:20-23*, which are often seen as glosses of an archivist. I quote 2:12:

“Horites used to live in Seir, but the descendants of Esau drove them out. They destroyed the Horites from before them and settled in their place, just as Israel did in the land the Lord gave them as their possession”.

These texts already look back on the conquest of the land across a period of time. With their information about the future neighbours of Israel, they set up the thesis that the nations (2:12, 23) or even Yahweh himself (2:21, 22) have always destroyed whoever happened to be the previous inhabitants of a

4 The following texts are concerned: 2:24-36; 3:1-7; 3:21-22; 4:38; 7*; 8:20; 9:1-6; 12:29-31; 19:1; 20:16-18; 25:17-19; 31:3-6, 7-8.

territory. Theologically, this means that Yahweh is a universal God and Israel no longer occupies a special position. From the viewpoint of the narrator, though, this is to be seen absolutely positively, since he thereby tempers Moses' viewpoint in advance. By universalising the destruction of earlier inhabitants as well as the traditional declaration on the giving of the land to Israel – 2:12 even primarily thinks of Cisjordan – all subsequent wars of conquest and the destruction of peoples by Yahweh and Israel are immediately placed into perspective. These are to be seen in the light of the general deeds of God towards all peoples. Thus they change into an absolutely normal phenomenon within world history.

We will however only be looking at those texts that concern the situation of the audience of the book in Babylonian exile. Moses frames the Deuteronomic law with a kind of *prophetic vision of the future*, so that the audience will not see the fact that the total population of Canaan was dedicated to be destroyed typologically and thus misinterpret it. In chapter four, he announces that, because of its sins, Israel will be driven from the land that it has conquered (4:25-28). He returns to this prediction in the warnings of chapter 28 from verse 47 onwards, and again in chapter 29 from verse 16 (Hebr.:v.15) onwards. In 30:1-10, he even promises the return and restoration of Israel following its exile and repentance. This last-mentioned text, in which Moses acts as prophet of return, is of especial relevance for our question at hand. It is this text that decides whether Deuteronomy places Israel under the obligation to again kill masses of people on its return to its land, as it had happened in the first conquest under Joshua.

4 THE NATIONS IN DEUTERONOMY 29

Deuteronomy 30:1-10 is part of Moses' speech in chapters 29-30. Within the narrated world of Deuteronomy, it summarises the *ritual texts describing the ceremony of the taking of the oath in Moab*. These texts are at least partially fictitious and represent a literary imitation. Before 30:1-10 can be analysed, we have to look at the viewpoint of Deuteronomy 29, since it delineates the horizon for the exilic and post-exilic Israel as well as its relationship with the nations.

In a short review, 29:2b-8 (Hebr.:v.1b-7) summarises the history of the relationship between the two members of the covenant. The deeds of Yahweh in Egypt and his wondrous guidance of Israel in the desert are followed by the conquest and distribution of the Israelite territories east of the Jordan in verses 7-8 (Hebr.:v.6-7):

“When you reached this place, Sihon king of Heshbon and Og king of Bashan came out to fight against us, but we defeated them. We took their land and gave it as an inheritance to the Reubenites, the Gadites and the half-tribe of Manasseh”.

These verses recall the war narratives of Deuteronomy 2-3.

Deuteronomy 29

6a ותבאו אל-המקום הזה

6b ויצא סיחן מלך-חשבון

ועוג מלך-הבשן לקראתנו

למלחמה

ונכם:

7aα ונקח את-ארצם

7aβ ונתנה לנחלה לראובני ולגדי

7b ולחצי שבט המנשי:

Deuteronomy 1-3

1:31b בכל-הדרך אשר הלכתם

עדיבאכם עדי-המקום הזה

2:32 ויצא סיחן לקראתנו

הוא וכל-עמו למלחמה יהצה:

2:33b ונך אתו ואת-בנו ואת-כל-עמו:

2:34a ונלכד את-כל-עריו בעת ההוא

ונחרם את-כל-עיר מתם והנשים והטף

2:34b לא השארנו שריד:

3:1b ויצא עוג מלך-הבשן לקראתנו

הוא וכל-עמו למלחמה אדרעי:

3:3b ונכהו עדי-בלתי השאיר-לו שריד:

3:4a ונלכד את-כל-עריו בעת ההוא

3:6a ונחרם אותם

3:6b החרם כל-עיר מתם הנשים והטף:

3:8a ונקח בעת ההוא את-הארץ

מיד שני מלכי האמרי ...

3:12a ואת-הארץ הזאת ירשנו בעת ההוא

3:12b ... נתתי לראובני ולגדי:

3:13a ויתר הגלעד וכל-הבשן ממלכת עוג

נתתי לחצי שבט המנשה

Their intertextuality with the hypotext at the beginning of the book is informative for the viewpoint of the destruction of the nations. Here, at the end of Deuteronomy, this viewpoint has changed. On comparison, it becomes clear that almost all of the wording of Deuteronomy 29:7-8

(Hebr.:v.6-7) can already be found in the first speech of Moses. The different presentation of the conquest in Transjordan and the avoidance of its characteristic formulations in the summary of 29:7-8 (Hebr.:v.6-7), are all the more distinctly highlighted by the verbal correspondences – these are underlined in the textual synopsis. The changes concern the *••rem* against Sihon in 2:34 and the *••rem* against Og in 3:3, 4 and 6. The subject matter of God-ordained wars of destruction against the two kings of the Amorites would have been absolutely fitting for a résumé. Nevertheless, the Sihon-Og-narrative no longer appears as war of destruction in 29:7-8 (Hebr.:v.6-7). Israel neither conducts this war under the explicit command of Yahweh, nor with his unequivocal assistance. It thus falls short of any sacral dimensions. The qualification of the land being handed over by Yahweh is also left out, although 29:8 (Hebr.:v.7), other than 3:12, describes the allotted land of Transjordan as “inheritance” (*na•ʿlâ*).

In 29:10-15 (Hebr.:v.9-14), Moses lawfully convenes the assembly of Israel for the purpose of a ceremony of establishing a covenant and specifies its participants:

“All of you are standing today in the presence of the Lord your God – your leaders and chief men, your elders and officials, and all the other men of Israel, together with your children and your wives, and the aliens living in your camps who chop your wood and carry your water” (v.10-11) (Hebr.:v.9-10).

The only grouping that receives a short description or definition in this protocoll including people from all social classes, is the grouping named last: “the aliens living in your camps who chop your wood and carry your water” (v.11) (Hebr.:v.10). The remark about the “woodcutters and water-carriers” sounds a bit anachronistic, for its reference can only be understood by the reader that has been informed by the Deuteronomistic account of history. With the phrase “woodcutters and watercarriers”, 29:11 (Hebr.:v.10) alludes to the Gibeonites in Josua 9:21, 23, 27⁵. Joshua 9 will tell the story of how they cunningly succeeded to be spared at the time of Joshua’s campaign of destruction, and how they made a peace treaty with Israel. According to Josua 9:24, the Gibeonites already knew about that which Yahweh had commanded his servant Moses: the commitment to destroy all the peoples of

5 The intertextuality is prepared for in 29:4-5, a retrospect on the desert wanderings, and Jos 9:4-5, 12-13, about the fabricated journey of the Gibeonites.

Canaan, as given in Deuteronomy 7:1-2 and 20:15-17. Although the Gibeonites belong to the inhabitants of Canaan – Josua 9:7 calls them Hivites (cf. 9:1) – they move into the position of the “stranger” (*gēr*) in Deuteronomy 29:11 (Hebr.:v.10). In 29:12-15 (Hebr.:v.11-14) they become partners in the covenant of Yahweh, which is otherwise the privilege of Israel only. In 31:12 they receive the Deuteronomic Torah like all Israelites⁶. Josua 9 merely tries to sustain the theological claims of the *••rem* in the light of the historically given special status of the Gibeonite tetrapolis⁷. In the context of entering into the covenant (cf. 1 Ki 9:20-21) however, Deuteronomy 29:11 (Hebr.:v.10) exemplarily evades the command of destruction (Dt 7:2bα; 20:17) and the prohibition of entering into any treaties with non-Israelite peoples (7,2bβ) with its reference to the “woodcutters and watercarriers”.

In 29:16-21 (Hebr.:v.15-20), Moses warns the people against turning away to the gods of the nations and, as an effect, against secret reservations on hearing the covenantal oath. He therefore reminds them of their collective experiences during their stay in Egypt and their wanderings through the territories of the nations (v.16-17) (Hebr.:v.15-16). He also interprets this early history in a homiletically pointed way to serve the prohibition on worshipping any strange gods (v.18) (Hebr.:v.17).

29:16 (Hebr.:v.15) avoids any association with hostility or suppression:

“You yourselves know how we lived in Egypt and how we passed through the countries on the way here”.

It is as conspicuous that, on mentioning the wanderings through the territories of the nations, the Amorites are omitted and the wars against the two kings Sihon and Og are left out (in contrast, cf. Jos 24:17-18).

29:17-18 (Hebr.:v.16-17) continue:

6 Deuteronomy uses the placing of these expressions to prelude the pilgrimage of the nations to Zion, where they will receive the Torah and be included in the covenant of Yahweh – cf Lohfink (1994).

7 The commandment on destruction is thus changed into the “curse” that they would forever remain “servants, woodcutters and water-carriers” in the house of Yahweh (Jos 9:23). Pardoned thus, the Gibeonites have prevented that the demands of Yahweh be realised. It is their insubordinance that in the end leads them to become Yahweh’s servants – cf Schäfer-Lichtenberger (1986:80).

“You saw among them their detestable images and idols of wood and stone, of silver and gold. Make sure there is no man or woman, clan or tribe among you today whose heart turns away from the Lord our God to go and worship the gods of those nations”.

The threat of Israel possibly turning away from Yahweh and the temptation of serving the gods of the nations, could lead one to expect a reference to the *••rem* against the inhabitants of the land and their idols, as is commanded in 7:1-5 and 25-26 for this same reason. 29:17-18 (Hebr.:v.16-17) however merely polemicises against the “detestable images” and does not speak about the corrupting influence of the nations or the inhabitants of Canaan. Neither does it demand that they therefore be destroyed.

In 29:22-28 (Hebr.:v.21-27) Moses’ prophetic vision of the future first leads into exile. The text is built up according to the scheme of a “cross-questioning” to determine the reasons for the punishment⁸. In the scene that he draws up for the stage of the future world, “all the nations” act as the choir, proclaiming Israel’s tragedy. Together with the remains of the descendants of those that once were Moses’ audience, in verse 24 (Hebr.:v.23) they ask about the reason for the calamity which destroyed the land and drove Israel into exile:

“Why has the Lord done this to this land? Why this fierce, burning anger?”

This quotation describes the nations as ideally being on Israel’s side and also as acknowledging Yahweh as the (only) author of the disaster. The answer that they themselves give to the question, becomes a declaration on covenant theology and a confession of faith in Yahweh, the God of Israel, who historically applied his rights through his judgement in fury. In verses 25-28* (Hebr.:v.25-27*) we read:

“It is because this people [Israel] abandoned the covenant of the Lord, the God of their fathers, the covenant he made with them when he brought them out of Egypt. They went off and worshipped other gods and bowed down to them ... Therefore the Lord’s anger burned against this land ... In furious anger and in great wrath the Lord uprooted them from their land and thrust them into another land ...”.

8 Cf 1 Ki 9:8-9 and Jer 22:8-9.

What is special about this prediction is that every contrast between Israel and the nations disappears in the light of the breaking of the covenant. That which had made the seven peoples of Canaan so dangerous for Israel according to Deuteronomy 7, and because of which Israel had had to destroy them, namely that they could bring Israel to turn away from its God, has now changed into the contrary. The nations have a word to say to Israel about its relation to its God. And the time will come when, together with Israel, all peoples will acknowledge this God as the one that acts in history⁹. For the rest, nothing is said about the nations having any part in the responsibility for Israel's having to live in the Diaspora.

The extent to which the role of the nations against an Israel that broke its covenant and was banned from its land has changed, can especially be seen in *comparison* with 4:26-28 and also with the curses immediately preceding in chapter 28. As does 29:22-28 (Hebr.:v.21-27), 4:26-28 expressly speaks about the banishment and the coming exile; furthermore, 29:22-28 (Hebr.:v.21-27) more than once alludes to 28:45,58-61.

After Moses had called heaven and earth to be his witnesses, 4:26-28 reads:

“You will quickly perish from the land that you are crossing the Jordan to possess. You will not live there long but will certainly be destroyed. The Lord will scatter you among the peoples, and only a few of you will survive among the nations to which the Lord will drive you. There you will worship manmade gods of wood and stone, which cannot see or hear or eat or smell”.

29:22-28 (Hebr.:v.21-27) does not mention such a total break in Israel's association with its land, as is predicted by 4:26 with an unparalleled degree of radicality. Neither can a reference to the dispersion of Israel among the nations, as is announced in 4:27 and 28:64 (also cf. 30:3), be

9 “The nations have been impressed by the perfect law Israel has received (Dt 4:6), but they have also witnessed how poorly Israel has lived out that ideal. The evidence of Israel's destruction will now be seen by the nations; this too can not be hidden. But this punishment can become a source of new life, because this disaster raises questions, and looks for answers; it is teaching. Even in its destruction, Israel is a revelation for the nations ... This particular form, ‘the question of the nations’, therefore, belongs to the many other biblical texts where the nations have a share in revelation. The covenant with Israel is not only concerned about Yahweh and Israel, but it has something to offer to the world” (Vogels 1980:176).

found here. Furthermore, nothing points to Israel's merely surviving as a remnant among the nations, as is warned in 4:27 and almost identically in 28:62a. And finally, other than in 4:28 (and 28:36, 64), nothing is said in 29:22-28 (Hebr.: v.21-27) about Israel serving the gods of the nations made "of wood and stone" as punishment in exile.

According to 29:22 (Hebr.:v.21), God does not use a "nation from far away" for his punishment, as is warned in 28:49, in the chapter of sanction. The "foreigners who come from distant lands" rather come in their function as eye witnesses in order to ask about the reason for the catastrophe, together with the nations¹⁰. Their question and the joint answer in 29:24ff (Hebr.: v.23ff) find themselves in a degree of tension towards the announcements of 4:27-28 and the curses of chapter 28. The reason for this tension is that the question and its answer do not sketch a dark picture of Israel, dispersed and submerged in idolatry, but that they look towards Israel's land (29:24 [Hebr.: v.23]) and the breaking of the covenant which took place there (29:25 [Hebr.:v.24]) and also to the defection to "other gods" that Yahweh "had not given them" (29:26 [Hebr.:v.25]). Of Israel it is merely laconically said that Yahweh uprooted them from their land and "thrust them into another land" (29:28 [Hebr.:v.27]).

The hermeneutically decisive word belongs to 29:22-28 (Hebr.:v.21-27), being the last and most explicit prediction of the exile in Deuteronomy. If it takes up neither the punishment announced in 4:26-28 nor the individual curses of chapter 28 – despite explicit retrospective reference, if the statements on God's fury now for the first time act as aetiology for the devastation of the land and the banishment of Israel, with the nations acting as passive spectators, then all of this implies: the destruction of Israel that was forecast to become a result of the breaking of the covenant, here, at a programatically important point of the narrative, has widely lost its force. And furthermore: the nations are exculpated and free from any responsibility for Israel's Diaspora.

10 Within the Deuteronomic History, 1 Ki 8:41-43 formulates the historical earlier stages of Dt 29:21 (Hebr.:v. 22). 1 Ki 8:41 quotes from Dt 29:21 (22) and even explicitly stresses the fact that the 'foreigner ... from a distant land' does not belong to Israel. It has the foreigner come to the temple to honour Yahweh (1 Ki 8:42), so that "all the peoples of the earth" may know the name of Yahweh and fear him (1 Ki 8:43).

5 THE RETURN OF ISRAEL TO THEIR LAND ACCORDING TO DEUTERONOMY 30:1-10

30:1-10 is the only text in the book of Deuteronomy that explicitly speaks about the return of Israel to their land after the exile¹¹. This return to the land is made dependent on Israel's acceptance of the events of history as God's judgement, as well as on their return to Yahweh. The prophecy culminates in the circumcision of the heart, which God himself would perform on Israel. This would enable his people to at last love him with all their heart and soul (v.6). Yahweh would turn about the fate of his people and he himself would turn towards them. The keyword of the passage is the lexeme *šûb*, which is repeated seven times and is used palindromically, in a concentric structure, in the expressional sequence of the passage. It indicates the kerygmatic zenith of the pericope.

30:1-10 is loosely connected with 29:22-28 (Hebr.:v.21-27[28]). In its view towards the future, though, the perspective has shifted from the land (29:22-28) to the people. Chapter 4 (especially verses 29-31 and 38-39) and particularly the last part of chapter 28 form the actual *interpretational horizon of the conditional promise of blessing in 30:1-10*. The curses of 28:62b-64a are changed into blessings in 30:3b-10a. Moreover, the text surpasses the blessings named at the beginning of the sanctioning chapter, 28, through its future blessings. To these future oriented texts, other passages from the inner parts of Deuteronomy are added. Their formulations are also taken up or incorporated in the pericope. One only realises the full impact of the accentuations of 30:1-10 when reading intra-textually. In the context of cross-reference, it is also important to take note of those elements that are not incorporated, for a zero-statement can actually be a positive statement. Since the literary perception of antique cultures was much more subtle than ours is today, the possibility of such a change in interpretation through the technique of zero-statement was always taken into account.

11 4:29-31 also conveys the hope of a return from exile. Israel is mercifully given a change of heart (v.30); it has not lost its God for ever (v.31). 30:1-10 takes up this affirmation. The promises of land and proliferation are only implicitly present in the covenant with the fathers, whereas there are no remarks on the nations of the promised land at all. These verses are therefore not considered in the following arguments.

The *corresponding themes or formulations of curse and blessing in 28:63-64a and 30:3b-5 are organised palindromically*. I will now briefly treat these. The disobedience of Israel in 28:62b, which causes the catastrophe – “because you did not listen to the voice of the Lord, your god” –, and their return to Yahweh as well as their listening to his voice in 30:10, which made a new beginning possible, form the outer frame (A) for all future expectations. Whereas everything is directed towards Israel’s being dispersed among the nations in 28:62b-64a, the counter-movement in 30:3b starts with Yahweh gathering the scattered ones: “the Lord will gather you again from all the nations where he scattered you”. This about-turn therefore stands at the centre or at the pivotal point (E). Yet, the depiction of Israel’s gathering and their being brought back from among the nations (E2’ and E1’) has double the length¹² of that of the deportation from the land and their scattering (E1 and E2)¹³. Their entrance into and occupation of the land (D), which were nullified by 28:63b, were again brought into play by 30:5a. Analogous to the blessings for the “fathers”, that is, the Moab generation in 28:63a, 30:5b promises prosperity and increase for the people (C). The theological basis for every deed of Yahweh in the past and future is his joy about Israel (B1) or the lack of it (B2): this again is the outer frame (A) in 28:63a and 30:9¹⁴.

12 These proportions are also supported by the fact that Yahweh will bring back (30:5a) those scattered “among all nations, from one end of the earth to the other” (28:64a) even from “the most distant land under the heavens” (30:4a).

13 The syntactic construction that subordinates the entering and taking possession of the land to the uprooting of Israel in a relative clause in 28:63b, but which places ‘gathering’ and ‘leading back’ on an equal level in two main clauses according to the meaning of the expression in 30:4b and 5a, causes different orders of expression in curse (E1 – D – E2) and blessing (E2 – E1 – D).

14 As is the case in 28:63b-64a and 30:3b-4, the fact that the hypotaxis of the blessings within the expressions of delight in 28:63a (B1 – C – B2) syntactically dissolves into the parataxis of 30:5b and 30:9b causes a difference in the order of the two elements (C – B2 – B1).

Deuteronomy 30

cf 2a.8a¹⁵

<u>אשר הפיצך יהוה אלהיך שמה:</u>	3b*	E2'
אם־יהוה נדחך בקצה השמים	4a	
משם יקבצך יהוה אלהיך	b	
ומשם יקחך:		E1'
והביאך יהוה אלהיך אל־הארץ	5a	D
אשר־ירשו אבותיך		
וירשתה		
והיטבך	b	C
והרבך מאבותיך		
לשוש עליך לטוב	9b	B2
כאשר־שש על־אבותיך:		B1
כי תשמע בקול יהוה אלהיך	10a	A

Deuteronomy 28

<u>כִּי־לֹא שִׁמְעַת בְּקוֹל יְהוָה אֱלֹהֶיךָ</u>	62b	A
<u>וְהָיָה כְּאֲשֶׁר־שָׁשׂ יְהוָה עֲלֵיכֶם</u>	63a	B1
	*	
<u>לְהִיטִיב אֹתְכֶם</u>		C
<u>וּלְהַרְבוֹת אֹתְכֶם</u>		
<u>כֵּן יֵשֵׁשׂ יְהוָה עֲלֵיכֶם</u>		B2
וּנְסַחֲתֶם מֵעַל הָאָדָמָה	b	E1
אֲשֶׁר־אַתָּה בֹּא־שָׂמָה לְרִשְׁתָּהּ:		D

<u>וְהִפִּיצְךָ יְהוָה בְּכָל־הָעַמִּים</u>	64a	E2
<u>מִקְצֵה הָאָרֶץ וְעַד־קְצֵה הָאָרֶץ</u>		

The statements about the nations, the act of re-occupying the land and the punishment of the enemies, all of which I will subsequently treat, significantly only appear as secondary themes in 30:1-10.

15 In contrast to 30:2, 8 and similar to 28:62b, 30:10a is formulated as a kî-clause. Concerning its position in the text, 28:62b moreover stands close to the comment on Yahweh's being pleased. For 30:1-10, the conformities to the structure of 28:62b-64a therefore actually only begin after the double statement on restoration in 30:3, with the gathering of Israel.

The *nations* in the Promised Land are not mentioned at all. Only those nations among which Yahweh had scattered or dispersed Israel, are spoken of. In referring to them, 30:1 and 3 allude to 4:27 and 28:64a,65a. In both points of reference, the nations fulfil a specific function within the sanctioning curses. They are more or less drawn into the blessing of Israel from their position within the curses. If Yahweh “gathers” the deportees from all nations and even from the most distant parts of heaven and then “brings them back” as if in one great trek, then this idealised scene evokes images of the first Exodus. However, their thus being lead out lacks the warlike connotations which can be found, though, in the other two references in Deuteronomy, namely in 4:20, where Israel is saved from the crucible of Egypt and in 4:34, where Yahweh removes the nation Israel from the midst of the nation Egypt. This he does in a sevenfold series of violent martial actions which is unparalleled in the book of Deuteronomy. Here we have the first zero-statement. According to 30:4, the deportees will be lead out from the midst of the nations without resistance and the use of violence having to be mentioned.

Likewise – and this is another zero-statement – on returning home, there will be no *••rem*, no destruction of the inhabitants of the land. Because of the legal claim to a renewed *conquest of the land*, 30:5a mentions the conquest of the land by the fathers. (Seen from the future viewpoint of the exile generation, this means, the conquest by the Moab generation):

“He will bring you to the land that belonged to your fathers, and you will take possession of it”.

Factually, the sentence reverses the threat of deportation brought in 28:63b,

“You will be uprooted from the land you are entering to possess”.

The mention of Yahweh bringing Israel into the land according to 30:5, is a citation especially of Deuteronomy 7:1a, that is, the introduction to the command to destroy the nations, which occurs there for the first time.

Deuteronomy 30:5		Deuteronomy 7:1	
<u>והביאך יהוה אלהיך אל-הארץ</u>	a	<u>כי יביאך יהוה אלהיך אל-הארץ</u>	a
<u>אשר-ירשו אבותיך</u>		<u>אשר-אתה בא-שמה</u>	
<u>וירשתה</u>		<u>לרשתה</u>	
היטבך	b		
והרבך מאבותיך		ונשל גוים-רבים מפניך ...	b

7:1 reads:

“When the Lord your God brings you into the land you are entering to possess and drives out before you many nations ...”.

Other than in 7:1, the renewed occupation of Israel in 30:5a is not formulated hypotactically, but paratactically. The earlier entrance of Israel with a view to taking possession of the land as it is classically formulated in 9:4, is thus made into a mere temporal sequence of events on their return. Furthermore, 30:5a uses *yrš q.* for the post-exilic settling of the homeland in a non-military way which can be compared to the redistribution of land in a fallow year. This re-occupation, incidentally, is the only action of the remigrants amidst many Godly actions. Following the leading back of Israel into the land of their fathers in 30:5a, v. 5b mentions two further Godly actions:

“He will make you more prosperous and numerous than your fathers”.

In 7:1b Yahweh “drives out many nations” before the Moab generation on their entrance into the land. In 30:5b, though, he makes the exile generation “numerous”, indeed, even “more numerous than” their “fathers”. For these descriptions, the same lexemic root is used and there is a correspondence to the promise of blessing in 7:13¹⁶. 30:5b also supplements the promise of increase in 7:13 with the assurance that “he will make you (more) prosperous (than your fathers)”. This in turn comes from 28:63a, where it forms a striking contrast with the threat of disaster. However, in 30:5, too, it remains decisive that no statement on the destruction of the nations can be found, despite the hypo-text of 7:1.

30:7 sets apart “your enemies who hate and persecute you” from “all the nations” among whom Israel lives in the Diaspora. Yahweh will “put all curses” on these enemies. This assurance alludes to 7:15 in its formulation, according to which Yahweh will “inflict ... the horrible diseases you knew in Egypt ... on all who hate you”. This indicates what is meant in 30:7 with “all these curses” – namely, “the horrible diseases you knew in Egypt”. And for our question at hand, this in turn implies that it is not the results of military actions of Israel that are meant here. According to 28:60, the

16 Apart from the reference to 7:1, 7:13 can be considered as hypo-text for 30:5, because of the “fathers” (Moab generation) following on the promise to the patriarchs in 7:12. Later, 30:9 also alludes to 7:13.

“diseases of Egypt” were brought upon Israel as a punishment by Yahweh. In future, however, he will smite “those who hate” Israel and – taken from chapter 28 and added in 30:7– their “enemies” with these diseases. And so they can no longer harm Israel. It is, however, left open for interpretation whether enemies within or outside of the Promised Land are meant here. In any event, 30:7 does exclude any violent actions taken by Israel.

6 THE HERMENEUTICS OF THE DESTRUCTION OF THE NATIONS

We can now *summarise* the hermeneutics of the book of Deuteronomy, read on a synchronic level, as follows: The archaic, sacral idea of the *••rem* only survives in the literary fiction of Deuteronomy in the narrated time of the conquest of the land. On the one hand, the destruction of its previous inhabitants is already presented to Israel as a “normal” phenomenon of profane history. This is explained in the learned reflections on the exchange of inhabitants in 2:10-12, 20-23. On the other hand, the statements about the brutal *••rem* on the nations on the occasion of Israel’s conquest of Cisjordan (especially in chapters 7 and 9:1-6)¹⁷, are

17 Deuteronomy 7 and 9 do reckon with a violent conquest of the land – the root *•rm* even frames chapter 7 in 7:2 and 7:26. However, the word may already have been reinterpreted through the context in which it now appears. Lohfink (1982: 209f) and Schäfer-Lichtenberger (1994; further 1996:202f) referred to this possibility. Gomez de Araújo (1999: 231f) summarises as follows: “Zwar ist 7,2 vermutlich in einem textlichen Vorstadium ein Gebot der Vernichtungsweihe gewesen. 20,17 beruft sich in diesem Sinne wohl auch auf den Text. Aber möglicherweise ist in der jetzigen Textabfolge das dann folgende Vernichtungsgebot, Verschwägerungsverbot und Kultstättenvernichtungsgebot als inhaltliche Explikation des *•rm*-Gebots gemeint. Dann wäre *•rm* hier schon im Sinne der Absonderung einzelner Personen oder Personengruppen von der Gemeinde des Gottesvolkes zu verstehen – eine Bedeutung, die das Wort später im Mischna-Hebräischen auf jeden Fall hatte. In 7,25 läge dann auch eine Reduzierung des *hrm* auf einen bestimmten Umgang mit Kultobjekten und eine bestimmte Behandlung von einzelnen Israeliten vor. Die Vorstellung von der allmählichen Beseitigung der Völker des Landes, die in sehr positiv-verheißendem Tonfall in 7,20-24 entwickelt wird, verträgt sich in der Tat auch kaum mit dem Gedanken einer radikalen, einmaligen Vernichtungsweihe durch das ins Land einrückende Israel. Trotz der gewaltigen Bilder, etwa vom verzehrenden Feuer, widerspricht auch der Anfang von Kapitel 9 dieser Konzeption keineswegs, und das Wort *hrm* kommt dort ebensowenig wie in Kapitel 8 noch vor. “In chapters 7 and 9 we are therefore probably dealing with another conception, which is more differentiated than the idea of conquest in the book of Joshua and which reinterprets the latter into a symbolical conception”.

metaphorised theologically and pragmatically given a new fiction. Moreover, Deuteronomy distinguishes between the *••rem*-wars which were limited to the pioneering days and later military confrontations. This distinction already takes place on the level of speech. The texts that are decisive for our theme, namely those which expressly deal with the exile (29:22-28 [Hebr.:v.21-27]) and the return to the land (30:1-10), avoid any negative connotations with the nations, just as they are avoided in the preceding context (29:2-21 [Hebr.:v.1-20]). These texts also temper the sanctions with which Israel is threatened. The wars of destruction against Sihon and Og are now devoid of any sacral glory and triumphalism (29:7-8 [Hebr.:v.6-7]). The “aliens ... who chop your wood and carry your water” – who used to be Canaanites – now even enter into the covenant with Yahweh as partners of Israel (29:11 [Hebr.:v.10]). They also receive the Torah as their rule for the organisation of society (31:12). This practice is in conflict with the command of the destruction of the nations and with the prohibition on entering into treaties with the non-Israelite population of Canaan. Israel’s defection to other gods and the loss of their land are recognised by the nations as the furious judgement of Yahweh (29:24 [Hebr.:v.23]). On their theological question, they receive a “revelation” about Israel’s covenant relationship as answer. The nations allow the people living scattered among them to return home unhindered (3:1-10). The resettling of Israel’s fatherland will take place without any violent actions. Under no circumstances will the *••rem*-command against the non-Israelites living in that land be valid any more on return from the Babylonian exile, and neither does it apply to a new settlement at any later stage. 30:5 even explicitly dissociates itself from its key text in 7:1. Although wars might still take place in future, they will be organised in a comparatively more “humane” way (cf. chapter 20*). No hostile nation may ever be destroyed again.

Nevertheless, the early *••rem*-wars will be recalled every seventh year, in the year of the cancellation of debts (31:10-13), when the Torah is proclaimed in front of the people on the occasion of the Feast of Tabernacles. The spiritual transformation of their violent ethos of war apparently has a lasting function for the Yahweh-religion. Any typological application of the directions on the destruction of the nations in the context of the conquest by Joshua on the return of Israel to their land after the exile, though, is categorically precluded.

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