

The Threat to Israel's Identity in Deuteronomy: Mesopotamian or Levantine?*

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1.

The origin and purpose of the book of Deuteronomy remain, despite significant progress in the two centuries since de Wette, two of the most contested points in biblical scholarship. After a long period of approximate consensus in which Deuteronomy's connection with the book of the law discovered in the temple by Josiah's staff was generally agreed, doubts about the veracity and reliability of the II Kings account have cast the discussion of Deuteronomy's origins once more adrift.¹ Two major strands of interpretation have emerged: one in which the affinities between Deuteronomy, especially chapters 13 and 28, and the Succession Treaty of Esarhaddon are foregrounded and one in which the book's exilic elements are prioritised.² In what follows, I argue that Deuteronomy's in-

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¹ See E. Ben Zvi, *Prelude to a Reconstruction of Historical Manassic Judah*, BN 81 (1996) 31–44; F. Stavrakopoulou, *King Manasseh and Child Sacrifice. Biblical Distortions of Historical Realities*, BZAW 338, 2004; E. A. Knauf, *The Glorious Days of Manasseh*, in: L. L. Grabbe (ed.), *Good Kings and Bad Kings. The Kingdom of Judah in the Seventh Century B.C.E.*, LHBOTS 393, 164–188.

² The former may be further divided: those who see similarities to VTE as reflecting the book's origin in the Assyrian period (e.g., B. M. Levinson, »The Right Chorale«. *Studies in Biblical Law and Interpretation*, 2nd edn. 2011, 112–194; B. M. Levinson, *Textual Criticism, Assyriology, and the History of Interpretation: Deuteronomy 13:7a as a Test Case in Method*, JBL 120 [2001], 236–241; R. D. Nelson, *Deuteronomy*, OTL, 2004, 166–168.326–328; B. Halpern, *Jerusalem and the Lineages in the Seventh Century BCE. Kinship and the Rise of Individual Moral Liability*, in: B. Halpern / D. W. Hobson (eds.), *Law and Ideology in Monarchic Israel*, JSOTSup 124, 1991, 11–107, 28 n. 20; H. U. Steymans, *Deuteronomium 28 und die adê zur Thronfolgeregelung Asarhaddons. Segen und Fluch im Alten Orient und in Israel*, OBO 145, 1995) and those who see it as a feature of Assyrian treaties which persisted into the exilic or postexilic period, whence it made its way into Deuteronomy [E. Otto, *Treueid und Gesetz. Die Ursprünge des Deute-*

terests are located in the Levant rather than Mesopotamia, and that this has implications for our understanding of the book's origins. This questions both major traditions in the interpretation of Deuteronomy.

With regard to views of the book as exilic or postexilic, the issue is primarily a matter of the date at which a Levantine focus is most plausible. There is, as noted, a very strong tradition of interpreters who see the book as an utopian manifesto deriving from the exilic period or later. Contributing to this is that Israelite identity issues are usually supposed to have arisen first and foremost in the exilic period, when the bearers of the tradition found themselves in a foreign land, surrounded by foreign people.³ Combined, these produce a reading of Deuteronomy in which the book originated in a significant way only in an exilic, Mesopotamian context; its interest in identity reflects this exilic background. To question this interpretive tradition is to question its assumption that texts which exhibit a concern with Israelite identity are identifiable, as such, as exilic or postexilic texts. In greater detail elsewhere but also in what follows, I suggest that issues of identity formation and maintenance arose already before 597 BCE; this focus is no obstacle to the book's origin in a Levantine, pre-exilic context.⁴

The other major group of interpreters has – at least in part – located the book's geographical origins in the Levant, in the pre-exilic period, but identified its ideological and intellectual focus in the east, in a purported attempt to subvert Assyrian imperial power. This is linked to the observation of allusions to ancient Near Eastern vassal treaties, the Succession Treaty of Esarhaddon in particular, developing out of an older interpretive strand which saw the nearest links to this material in Hittite treaties.⁵ A detailed address of these allusions is beyond my remit; here I will suggest that they disproportionately dominate the discussion of Deuteronomy's origins and purpose and offer evidence which weighs against the

ronomiums im Horizont neuassyrischen Vertragsrechts, ZABR 2 [1996], 1–52]; C. Koch, *Vertrag, Treueid und Bund. Studien zur Rezeption des altorientalischen Vertragsrechts im Deuteronomium und zur Ausbildung der Bundestheologie im alten Testament*, BZAW 383, 2008, 108–170; T. Veijola, *Das 5. Buch Mose. Deuteronomium. Kapitel 1,1–16,17*, ATD 8,1, 2004; A. D. H. Mayes, *Deuteronomy*, NCB, 1981); this latter group naturally overlaps with the second strand of interpretation.

³ So G. Braulik, *Deuteronomium*, NEchtB 15, 1986; G. Braulik, *Deuteronomium*, NEchtB 28, 1992; Mayes, *Deuteronomy*; E. Nielsen, *Deuteronomium*, HAT I/6, 1995; J. R. Linville, *Israel in the Book of Kings. The Past as a Project of Social Identity*, JSOT-Sup 272, 1998; cf. N. Levtow, *Images of Others. Iconic Politics in Ancient Israel*, *Biblical and Judaic Studies* 11, 2008.

⁴ C. L. Crouch, *The Making of Israel. Ethics and Identity Formation in Deuteronomy*, forthcoming.

⁵ See above. For a recent attempt to reassert the latter connection, see J. Berman, »CTH 133 and the Hittite Provenance of Deuteronomy 13«, *JBL* 131 (2011), 25–44.

interpretation of the book as an attempt to replace an Assyrian imperial framework with a Yahwistic one.

The matter at hand is whether Deuteronomy is concerned with issues pertaining to and reflecting a writer in the exile in Mesopotamia – an author who has adopted the in-the-land narrative perspective for rhetorical reasons – or is actually concerned with issues which make their most sense in a pre-exilic, Levantine context, the author of which may be identified as Levantine by the language and legislation he employs to achieve his end. Anticipating my conclusions, I also aim to consider whether the indications in favour of a Levantine context for the book are accompanied by a cultural focus on the Levant, or if the book's cultural and identity concerns are orientated toward a threat posed by outsiders from Mesopotamia. Geographical origin and intellectual orientation, in other words, need not align; the book may be Levantine in origin but concerned with Mesopotamian politics and culture (the dominant pre-exilic theory, as above).

In this context it is worthwhile to draw explicit attention to the book's Mosaic perspective. This is clearly a narrative device and is all but universally accepted as such. Implicitly, however, this framework is usually understood to mean that the narrative orientation of the text – that is, its self-presentation as legislation designed to apply to life in the land – cannot be used for information about its origins: references to the land must be understood as rhetorical, rather than being real references to life there. I would like to challenge this assumption and to suggest that it ought to be possible to distinguish between references which are actually concerned with their explicit subject – life in the land – and references which use the land as a proxy for the discussion of other issues. I will attempt this in what follows, aiming to locate Deuteronomy and its constituent parts geographically by noting the presuppositions and assumptions made by particular passages with regard to the nature of the audience and the issues it faces.

2.

I begin with the imperatives whose sense seems to demand a Levantine referent, as these are most often argued to derive from other rationales than an audience who is, in fact, in the Levant. (This is especially the case for the interpretive tradition which views the book as a utopian manifesto for a restored Israel.) They are not, accordingly, the most decisive texts for the issue at hand, but they set the stage for those which follow.

Texts in this category include passages which presuppose not only presence in the land but a functioning temple. These include the festival instructions in 16,1–17 and the specifications about cult functionaries

and praxis in 23,18–19.⁶ Such laws, however, are often supposed to be idealistic inclusions relating to some future time, without significance for the book's actual period or location of origin.⁷

More indicative is the legislation about the **אשרה** and the **מצבות** in 16,21–22. This presupposes particular temptations of West Semitic cultic practice – worship of Asherah and Baal and/or the worship of Yhwh as practiced in the land – and makes little sense as an instruction to exiles confronted with Mesopotamian deities.⁸ An imaginative reader might extrapolate to the Mesopotamian context, but the text contains no hint that this is expected. Also presupposing temptations peculiar to a Levantine audience is the injunction against cultic practices involving children in 18,10.⁹ Although the logic of including this issue at the head of a list of divinatory practices is unknown, it refers to a practice of West Semitic origin and one for which there is no Mesopotamian evidence.¹⁰

If the deuteronomic writer intended for these references to West Semitic cultic practices and deities to be read as an encoded rejection of Mesopotamian cultic practices and deities, a key to this code – a sign that when the writer says »Canaan« he really means Mesopotamia, that when he says »Asherah« he really means Ishtar, and so on – ought to be discernable somewhere in the deuteronomic material, either in the immediate vicinity of this particular text or in the preliminary materials which

⁶ 23,18 prohibits a son or daughter of Israel from becoming **קדשה** or **קדש**; 23,19 concerns offerings. Several texts indicate that an association between the **קדש** and the cult is likely (I Reg 14,24; 15,12; 22,46; II Reg 23,7; cf. *qdš(t)* at Ugarit and Mesopotamian *qadištu*) (J.G. Westenholz, Tamar, Qēdēša, Qadištu, Sacred Prostitution in Mesopotamia, HTR 82 (1989), 249–265.); that 23,19 also concerns cult praxis is indicated by the specification that the funds in question are not to cross the bounds of »the house of Yhwh your god« (Nelson, Deuteronomy, 281; Nielsen, Deuteronomium, 223).

The first of the festivals in 16,1–17 is problematic for its conflation of **מצות** and **פסח**; see B. M. Levinson, Deuteronomy and the Hermeneutics of Legal Innovation, 1997; subsequently J. G. McConville, Deuteronomy's Unification of Passover and Maššôt. A Response to Bernard M. Levinson, JBL 119 (2000), 47–58; B. M. Levinson, The Hermeneutics of Tradition in Deuteronomy. A Reply to J. G. McConville, JBL 119 (2000), 269–286.

⁷ On the presence of (post-)deuteronomic elements in these verses see Veijola, Deuteronomium, 327–328; Nielsen, Deuteronomium, 166.

⁸ Christensen, Deuteronomy 1:1–21:9, 363–364; Mayes, Deuteronomy, 263–265; Nelson, Deuteronomy, 218–219; Nielsen, Deuteronomium, 184; J.H. Tigay, Deuteronomy, JPS Torah Commentary, 1996, 161–162. Interpretation of 16,21 depends on the interpretation of **אשרה**; see O. Keel / C. Uehlinger, Göttinnen, Götter und Gottessymbole, 1992, 237–281 with further references.

⁹ On child sacrifice in Israel and Judah, see Stavropoulou, King Manasseh, 141–300; cf. Nielsen, Deuteronomium, 186.

¹⁰ Stavropoulou, personal communication.

dictate how the reader will understand the whole. In the final form of the book we see this kind of material in the book's opening (especially Deut 4,1–40), but material which attempts to apply the Levantine deuteronomistic referents to non-Levantine contexts differ from the core deuteronomistic material in meaningful and significant ways.¹¹ They are accordingly almost universally understood to be later additions to the deuteronomistic text, attempting to code the deuteronomistic material for re-application at a later date. No such encoding of the Levant-orientated material appears within the deuteronomistic text and, although the texts contained the potential for reinterpretation in a later, non-Levantine context, the original text makes no attempt to do so.

The law of the king's presupposition of a ruling monarch categorises it among these laws as well. Its mention as a Levantine geographical indicator, however, is less due to its apparent presupposition of a monarchical context than its declaration that the king be from among the audience's »brothers«, rather than a »foreigner«.¹² This has struck many as odd.¹³ Yet a context which would explain both the explicit concern to appoint a native ruler as well as the implicit issue of distinctiveness which

¹¹ See on Deut 29, below, and also § 4. There is little agreement regarding the redactional history of Deut 4 but universal consensus that it is late; for an overview of theories see Nielsen, *Deuteronomium*, 54–64.

¹² Deuteronomy's description of kingship is a far cry from any historical institution in Judah, leading many to suppose that the law appeared in the wake of the deuteronomistic blaming of bad kings for the fall of Israel and Judah (Braulik, *Deuteronomium*, 1992, 127–128; cf. Nielsen, *Deuteronomium*, 174.178–179; Nelson, *Deuteronomy*, 222–223, who nonetheless considers it pre-exilic). Critical in the context of the deuteronomistic interest in Israelite identity is that legislation for a king – even a severely hobbled one – constitutes dangerous territory. His very existence is confusable with the practices of non-Israelites: rhetorically, at least, the king exists because the population has said »Let me set over myself a king, like all the nations which surround me« (17,14). The fundamental level at which having a king »like all the nations« contradicts everything for which the deuteronomistic material stands highlights the extent to which the existence of such a person is perceived to be an unavoidable necessity: not the product of a period in which the non-existence of a king is not only conceivable but actual (»ein Zugeständnis an die geschichtliche Wirklichkeit«, in von Rad's terms; G. von Rad, *Das fünfte Buch Mose*. *Deuteronomium*, ATD 8, 1964, 85). This is not to insist that the entire passage is deuteronomistic; various parts of 17,14–20 are often considered late, especially 17,18–20, with its anachronistic references to »this law« and to Deuteronomy as a book. See Mayes, *Deuteronomy*, 262, 271–274; Nelson, *Deuteronomy*, 216; Nielsen, *Deuteronomium*, 174.180; von Rad, *Deuteronomium*, 85.

¹³ Suggestions have included a coup by foreign mercenaries (Tigay, *Deuteronomy*, 167); innate temptation posed by the foreignness of the institution (Nielsen, *Deuteronomium*, 185); forcible enthronement of, e.g., Tabeel (Isa 7,6) and Abimelek (Nelson, *Deuteronomy*, 223); the reigns of Omri or Ahab and Jezebel (Mayes, *Deuteronomy*, 272); the son of a foreign wife (Braulik, *Deuteronomium*, 1992, 128).

pervades the entire royal sequence may be identified in the Levant: the appointment of a puppet ruler and, ultimately, a governor in lieu of a scion of the native royal house, in cases of a vassal state's persistent rebellion.¹⁴ Although there are various redactional issues in this chapter, it is thus one of a number of texts which tend to indicate a true Levantine referent.

Also emphasising a persistent Levantine orientation are the war laws in Deut 20. This text contains an all-but-explicit dismissal of non-Levantine affairs from the deuteronomic remit, as 20,15–18 limit the militarily sensible but relatively mild instructions in 20,10–14 to only those populations which are beyond Israel's immediate proximity (»all the cities which are very distant from you«).¹⁵ Those who are nearby are to be wholly eliminated. The deuteronomic material concentrates on the Levant rather than distant Mesopotamia; the phrasing emphasises that the author is not particularly concerned about a threat to the Israelites in the form of Mesopotamian populations. The worry is the local population of the southern Levant.

2.2

It is equally remarkable that there are no references, even veiled, to Mesopotamian deities or religious practices in the deuteronomic legislation. We know from the exilic Isaianic material and already even Ezekiel that the exiles were exposed to and familiar with Mesopotamian religious practice. Yet the only Mesopotamian deities to have ever been identified

¹⁴ See N. Na'aman, Ekron under the Assyrian and Egyptian Empires, *BASOR* 332 (2003), 81–91, 83 on the installation of new dynasties in Ekron and Gaza and the certain knowledge of the former, at least, in Judah. A similar process likely also occurred in eighth-century Israel (M. Van De Mieroop, *A History of the Ancient Near East ca. 3000–323 BC*, 2nd edn. 2007, 248–252).

¹⁵ 20,10–14 is essentially normal ancient Near Eastern practice (C. L. Crouch, *War and Ethics in the Ancient Near East. Military Violence in Light of Cosmology and History*, *BZAW* 407, 2009, 184–188). It is not, however, in keeping with deuteronomic interest in segregating Yahwistic Israelites, and it is unsurprising to see a development in 20,15–18 which ensures that co-mingling does not occur. This is sometimes identified with a deuteronomistic redactor (Nielsen, *Deuteronomium*, 197; Braulik, *Deuteronomium*, 1992, 150). However, the similarity of sentiment between these verses and many deuteronomic texts suggests that there is no need to assume that 20,10–14 is deuteronomic while 20,15–18 must be deuteronomistic; if anything, the lack of concern about a proximate non-Israelite population in 20,10–14 strongly suggests that it is not deuteronomic but pre-deuteronomic, revised in a deuteronomic vein by 20,15–18. The motivation of this revision is the same as that which underlies 18,9–13 and other laws in the deuteronomic material, namely, the threat to the distinctiveness of Israel's identity posed by proximity to and mingling with non-Israelites.

in the deuteronomic text, even tentatively, are the astral pantheon subsumed in the phrase »the sun or the moon or all the host of heaven«. ¹⁶ This is itself ambiguous, however, insofar as astral worship is attested in the West Semitic context as well as in Mesopotamia. ¹⁷ The phrase also appears in the legislative material only in 17,3, a verse often associated with a deuteronomistic editor and the use of the same phrase in 4,19. In a book seriously attempting to address exilic concerns, even through a narrative device locating the ostensible referent in the Levant, we would expect more than one case where the true Mesopotamian referent of the supposedly Levantine narrative framework might be glimpsed. ¹⁸

3.

Aside from the presuppositions of various legislative instructions, several elements of language also support a Levantine background and focus for the deuteronomic material. In particular, certain words and phrases re-

¹⁶ Braulik, *Deuteronomium*, 1992, 125; Mayes, *Deuteronomy*, 266; Nelson, *Deuteronomy*, 216; Nielsen, *Deuteronomium*, 173; von Rad, *Deuteronomium*, 84, all considering the phrase exilic or later.

¹⁷ See M. Cogan, *Imperialism and Religion*, 1974, 84–87; J. McKay, *Religion in Judah under the Assyrians*, 1973, 45–59; J. Tigay, *You Shall Have No Other Gods*, 1986, 95–96; Keel / Uehlinger, *Göttinnen*, 199–429.

¹⁸ The only laws which might have Mesopotamian practices in mind are 23,2, which rejects the eunuch, and 23,19, which rejects offerings described as *מחיר כלב*, »the price of a dog«. 23,2 has been linked to eunuchs in Assyrian administration, although Tadmor argues that both word and practice entered Hebrew via Phoenician; it may thus be an injunction against a Levantine practice (H. Tadmor, *Rab-saris and Rab-shakeh in 2 Kings 18*, in: C. L. Meyers / M. O'Connor [eds.], *The Word of the Lord Shall Go Forth* [Festschrift Freedman], Special Volume Series [ASOR] 1, 1983, 279–285; H. Tadmor, *Was the Biblical saris a Eunuch?*, in: Z. Zevit / S. Gitin / M. Sokoloff [eds.], *Solving Riddles and Untying Knots* [Festschrift Greenfield], 1995, 317–325). The referent of *מחיר כלב* is unknown; suggestions include reference to a dog cemetery in Ashkelon and sacrifice involving canines in Isa 66,3 (see Tigay, *Deuteronomy*, 216; D. L. Christensen, *Deuteronomy 21:10–34:12*, WBC 6B, 2002, 547). The possible Mesopotamian referent involves the *assinnu*, a cult functionary, whose title is associated in some lexical lists with a sign which may be read as »dog«. The sign in question, however, is variably interpreted and no further evidence of such terminology has been found (see J. Assante, *Bad Girls and Kinky Boys? The Modern Prostituting of Ishtar, Her Clergy and Her Cults*, in: T. S. Scheer [ed.], *Tempelprostitution im Altertum. Fakten und Fiktionen*, Oikumene, 6, 2009, 23–54, 37–49; S. M. Maul, *kurgarrû und assinnu und ihr Stand in der babylonischen Gesellschaft*, in: V. Haas [ed.], *Außenseiter und Randgruppen. Beiträge zu einer Sozialgeschichte des Alten Orients*, 1992, 159–171). Both 23,2 and 23,19, therefore, are interpretively uncertain and, although a Mesopotamian background is plausible in each, in neither is it required, nor is it any more likely than any of the Levantine referents (on both of these laws, see Crouch, *Making of Israel* (forth coming)).

veal the relative importance of internal and external matters in the deuteronomic text, especially the text's relative concern with elements within the community *vis à vis* its concern with foreigners. Recognition of this inward-facing focus undermines the interpretation of the deuteronomic material in which it is thought to be subverting Assyrian imperial ideology as well as any interpretation in which the category of persons whom the Israelites are to avoid are true foreigners, such as Mesopotamians and other deportees in Babylonia.¹⁹

3.1

The first of these relates to terms used for non-Israelites. Hebrew has clear terminology to denote foreigners; it uses the term נֹכְרִי, which the deuteronomic writer clearly knows.²⁰ It appears in passages concerning the sale of carrion (14,21), the remission of debts (15,2–3), the sort of king who is not allowed (17,15) and the permission of loans at interest (23,20–21). What is striking when these passages are enumerated, however, is how few times the word appears in a book whose supposed nationalistic bent is one of its most noted characteristics.²¹ The foreigner is simply not a significant part of the book's focus, despite its rhetorical potential for the identity formation project which occupies so much of the deuteronomic attention. While not geographically diagnostic on its

¹⁹ A »true« foreigner is a person of different geographical origin than the writer, by contrast to foreigner terminology in, for example, the post-exilic arguments over whom Israelites may marry (see K. E. Southwood, *Ethnicity and the Mixed Marriage Crisis in Ezra 9–10. An Anthropological Approach*, OTM, 2012, 191–211, with the theoretical discussion at 41–55).

²⁰ HALOT 2, 700, s.v. נֹכְרִי.

²¹ This is sometimes referred to as the book's ethnic sentiment or articulated in terms of the book as a (national) constitution. See, e.g., R. Barrett, *Disloyalty and Destruction. Religion and Politics in Deuteronomy and the Modern World*, LHBOTS 511, 2009, 42–47; M. G. Brett, *Nationalism and the Hebrew Bible*, in: J. Rogerson / P. R. Davies / M. D. Carroll R. (eds.), *The Bible in Ethics. The Second Sheffield Colloquium*, 1995, 136–163, 148–153; S. Grosby, *Kinship, Territory, and the Nation in the Historiography of Ancient Israel*, ZAW 105 (1993), 3–18; S. Grosby, *The Chosen People of Ancient Israel and the Occident. Why Does Nationality Exist and Survive?*, *Nations and Nationalism* 5 (1999), 357–380, 359–360; Mayes, *Deuteronomy*, 55–81; G. J. McConville, *God and Earthly Power. An Old Testament Political Theology*, *Genesis-Kings*, 2007, 74–98; S. D. McBride, Jr., *Polity of the Covenant People. The Book of Deuteronomy*, *Int* 41 (1987), 229–244; E. T. Mullen, Jr., *Narrative History and Ethnic Boundaries. The Deuteronomistic History and the Creation of Israelite National Identity*, *SBLSymS*, 1993, 55–85; Nielsen, *Deuteronomium*, 7–11; H. D. Preuß, *Deuteronomium*, *EdF* 164, 1982, 182–194; K. Sparks, *Ethnicity and Identity in Ancient Israel. Prolegomena to the Study of Ethnic Sentiments and Their Expression in the Hebrew Bible*, 1998, 225–283.

own, a book concerned with an exilic context would be expected to show more of this type of language, given that the exilic experience would have been defined by interaction with and an acute consciousness of »true« foreigners, who could be easily identified as נכרי. If these were the focus of deuteronomic concern, there is no reason that they ought not to have been referenced using נכרי terminology.²²

3.2

Corresponding to this lack of concern with the foreigner and emphasising the focus on internal issues are passages explicitly identifying the threat to Israelite identity as deriving from within the community.²³

Among these are the apostasy laws in Deut 13 and 17,2–7, which clearly see the threat to the community as originating from within it. The second apostasy case in Deut 13, in 13,7–12, deals explicitly with the case of a close family member or friend, while 17,2–7 similarly targets the apostate within the community of Israelites.²⁴ The phrasing of 13,12 reveals the immediacy: »All Israel will hear and will be afraid, and will not act again according to this evil *in your midst*«. The emphatic, repetitive instructions in 13,9 reflect the particular difficulty of responding to a command to execute a member of one's own family (even more so than a member of one's own community), reiterating that not even the family bond may override the demands of exclusive allegiance to Yhwh. In 17,2–7 also, the temptation to worship deities other than Yhwh is mani-

²² This is especially the case given that the rhetorical Other of Deuteronomy is the Canaanite who, in the narrative framework, is just as foreign to the Israelites as any Mesopotamian (whether non-Israelite inhabitants of the land were really of distinct origin is another issue).

²³ Cf. L. Stuhlman, *Encroachment in Deuteronomy. An Analysis of the Social World of the D Code*, JBL 109 (1990), 613–632.

²⁴ The separation of 17,2–7 from Deut 13 has given rise to much redactional theorising. While the general form of the law appears in 17,2–7, three emphatic variants are used for paranetic purposes in Deut 13. There they emphasise the importance of the general principle when applied in its particulars, appearing in advance of the general imperative because – in their hortatory particularity – they follow on from and elaborate the imperative in Deut 12 to worship Yhwh alone, at only one site. (This is contrary to those who would deny an original deuteronomic connection between Deut 12 and 13; Veijola, *Deuteronomium*, 281, for example, contends that »Das Thema von 12,28–13,19 steht in keiner Verbindung mit der vom dtn Gesetz geforderten Kultzentralisation und hat auch keine Entsprechung im Bundesbuch oder in den altorientalischen Gesetzkodizes«. The appearance of the apostasy cases in Deut 13 despite the appearance of the general form of the law in 17,2–7, however, strongly suggests a deliberate principle at work in the location of Deut 13.)

fest in the shape of individuals within the Israelite community.²⁵ The law's interest in persons within the Israelite community is clear from the phrase »in/from your midst« (בקרבך, מקרבך; 17,2.7; cf. 13,12). As the language implies, the issue is less that there are people in the world who worship deities other than Yhwh, or even the suggestion that other deities might exist, so much as the revelation of such a person within a community which is defined by exclusive devotion to Yhwh. Worship of other deities being incompatible with the definition of an Israelite, anyone who does such a thing must be forcibly removed.

In both of these cases the threat envisioned by the deuteronomistic law is internal, not external: the temptation to worship deities other than Yhwh is manifest in the shape of individuals who are, until that point, inside the Israelite community. To reiterate: these are not foreigners. This is not a case of outsiders threatening to overrun the cultural capital of the Yahwistic community but an internal matter, in which insiders are blurring the distinctive features of the community through pursuit of practices identifiable with deities other than Yhwh. This internal orientation, in which the focus is not on an external, foreign threat but a threat from within the group, is affirmed by the repetitive phraseology of things which are »in your midst« or which must be purged »from your midst« throughout these and many other sections of the legal material (13,12; 17,2.7; 19,19.20; 21,8.9.21; 22,24; 24,7).

In addition to indicating against a Mesopotamian context for this material, this focus on the internal affairs of the Israelite community and the lack of interest in the impact of foreigners on its cultural identity allows us to go one step further in analysing the book's interests: not only is the book orientated towards the Levant and cultural practices prevalent there, it is concerned with issues within the community itself. Stated negatively, it is not concerned with outsiders who happen to be resident in the Levant: although the foreigner turns up occasionally, usually in an economic context, he is not the focus of deuteronomistic concern. This focus, or lack thereof, speaks against the interpretation of the deuteronomistic material as constituting a Yahwistic alternative to Assyrian imperial power in Judah.

3.3

Affirming this inward focus is the language used to refer to deities other than Yhwh. To such an extent that the phrase is almost a hallmark of deuteronomistic language, the text uses the terminology of אלהים אחרים

²⁵ Deuteronomistic language in 17,2–7 is noted often but not usually deemed sufficient to source the entire passage from a deuteronomistic hand. For analyses see Nelson, *Deuteronomy*, 216; Nielsen, *Deuteronomium*, 173; Mayes, *Deuteronomy*, 262–263.266.

»other gods« to refer to these deities. While at first this may seem insignificant, a comparison of the deuteronomic terminology with the terminology used by late additions in the book elucidates the phrase's particular connotations. Two passages illustrate the point.

The first is the Song of Moses in Deut 32, particularly the statement in 32,12 that »Yhwh alone will lead him [Israel], and there will be no foreign god with him«. ²⁶ Even in English the difference in nuance between this and the usual deuteronomic expression is slight: whereas the usual formulation refers to »other gods«, 32,12 refers to a »foreign god« (אל נכר). The terminology in 32,12, however, reflects a conflation of ideas which is not present in the אלהים אחרים language: while a foreign god is inherently an »other god«, insofar as he, she or it is not Yhwh, »other gods« are not necessarily foreign, in the sense of being associated with a foreign nation. Deut 32,12 presupposes the identification of gods with nations, whereas the usual formulation does not. ²⁷ Rather, the אלהים אחרים formulation indicates an objection to gods which are not Yhwh regardless of whether they happen to be associated with a foreign nation. In so doing, the normal deuteronomic choice of words highlights an underlying assumption about the nature of the threat: the primary issue in the deuteronomic material cannot be defined in terms of the foreignness of other deities because the deities in question are not unambiguously foreign. This alone ought to tell us that the deities with whom the deuteronomic material is concerned are not those of Mesopotamia or other distant lands, but those who could be interpreted as the native gods of the land alongside Yhwh. It is a result of its Levantine background that the deuteronomic material is obliged to reject non-Yahwistic deities not on the grounds of their foreignness but on their inherent status as gods other than Yhwh. ²⁸

²⁶ Though the origin of the Song is debated its inclusion is overwhelmingly attributed to a separate redactional process, although agreement on this is not universal and agreement beyond is minimal (e.g., Mayes, Deuteronomy, 371–372; Nelson, Deuteronomy, 355–356; Nielsen, Deuteronomium, 273–275; von Rad, Deuteronomium, 135–136.139–140; contrast M. Leuchter, Why is the Song of Moses in the Book of Deuteronomy?, VT 57 [2007], 295–317).

²⁷ This presupposes בני אלהים »sons of God« in 32.8bβ, with 4QDeutⁱ and LXX, in lieu of MT בני ישראל. See Braulik, Deuteronomium, 1992, 229; Christensen, Deuteronomy 21:10–34:12, 796; Mayes, Deuteronomy, 384; Tigay, Deuteronomy, 302–303; von Rad, Deuteronomium, 140 n. 2.

²⁸ Similarly, 32,16a refers to non-Yahwistic objects of worship as זרים »strange things«. While not as strong as נכרי, זר carries connotations of geographical difference: something or someone which is strange because it is from outside the immediate cultural or geographical sphere (HALOT 1, s.v. זר).

Also contributing to the impression that foreign deities are in mind is the use of שדים »demons«; while not unequivocally identifiable as foreign, the Akkadian cognate tends

Deuteronomy 29 is another illustrative case, with the added advantage that it explicitly juxtaposes »other gods« with the gods of other nations. As throughout most of Deuteronomy, the focal point of the material is the danger posed by Israelite worship of gods who are not Yhwh. As in Deut 32, however, the description of these gods is not, in the usual deuteronomic terms, as אלהים אחרים, but rather as אלהי הגוים ההם »the gods of these nations« (29,17). The issue is emphatically that the gods in question are the gods of other nations, in the geographical sense, rather than simply other gods; the material in 29,15–18 describes the Israelites as outsiders, travelling through foreign territories, who must fight the temptation to assimilate the local deities they encounter. Although such an emphasis might be derived from the narrative – that is, from the fact that the context of the injunction is the period of travel between Egypt and the promised land – the very issue under discussion – worship practices outside the land rather than the worship practices inside it – strongly suggests an audience already outside the land, for whom the text is addressing the definition and protection of their identity in the appropriate terms.

Interestingly, it is in 29,25, explaining the means by which the original treaty had been broken, that the language of »other gods« reappears. This suggests that the exilic author is conscious of the difference in the types of temptation posed to different generations of Yahwists. The adherents to the previous treaty – the treaty with the generation who inhabited the land, from the point of view of an exilic audience – were tempted not by the gods of foreign nations but by all »other gods«, those which were near more so than those which were far; the adherents to the new treaty, by contrast, are a generation operating in the shadows of other nations and it is accordingly »the gods of these nations« which tempt them. Furthering the evidence for such awareness on the author's part about the varying nature of the deities toward whom the people will be tempted is the resurfacing of »other gods« again in 30,17, as the temptation which will be presented to the audience specifically in connection to return to the land (30,16).

4.

It is of final import to note that some of these texts exhibit signs of redactional activity consistent with an attempt to reapply material originally orientated toward the Levant and a population surrounded by West

to suggest that deities from outside the land are in mind and that the terminology of strangeness and foreignness is indicative of this (S. R. Driver, *Deuteronomy*, ICC, 1895, 362; Christensen, *Deuteronomy* 21:10–34:12, 806; Mayes, *Deuteronomy*, 387; Nielsen, *Deuteronomium*, 290; Tigay, *Deuteronomy*, 306; HALOT 4, s.v. דָּשׁ).

Semitic culture to an exilic population dealing with Mesopotamian culture. I have already mentioned the appearance of astral deities in 17,3 as one possible case, as well as the wider reorientation undertaken with the additions in Deut 4; 29; and 32. In a similar case, an expansion in 13,8 refers to »the gods of the peoples which surround you, those who are near to you or those who are far from you, from the end of the earth to the end of the earth«. Aside from awkward syntax and erratic choice of person, both clues to its secondary origin, the phrase is also noteworthy for casting a much broader net than that which we have observed in the typical deuteronomic material.²⁹ The terminology of peoples who are near and those which are far appears in the war laws in 20,10–18, but what is striking when these two texts are compared is the contrast in the level of concern the two texts exhibit with regard to outside threats: where 20,10–18 is clearly concerned about a local threat, and not especially troubled by the possibility of cultural contamination from distant peoples, 13,8 is indiscriminate in its warnings about the dangers of all others. The expansive phrase in 13,8 accordingly makes its best sense when understood as an addition to the Levant-orientated deuteronomic material, aimed at widening the scope of concern to include the Mesopotamian deities encountered in exile.

5.

To summarise, close examination of various verbal and legislative indicators in Deuteronomy strongly indicate a truly Levantine context for its interests. Although a narrative device, the Mosaic narrative framework and its concern for life in the land do not serve to disguise a real concern with life in Mesopotamia or with persons originating from there. The book's interests are not Mesopotamian, either with regard to the Mesopotamian deities and practices which would have been encountered in the Babylonian exile or with regard to those which might have been encountered by dint of the Assyrian imperial presence in the Levant in the long seventh century.

The deuteronomic attention to its Levantine context, especially its concern for the definition and defence of a distinctively Israelite cultural and religious practice, were undoubtedly reinterpreted by exilic readers and editors, some of whose attempts to clarify the ongoing significance of the deuteronomic efforts at Israelite identity formation are now visible in the final form of the book. In undertaking this interpretive effort, how-

²⁹ It »expands the perspective beyond indigenous gods to those of neighboring peoples« (Nelson, Deuteronomy, 172). On the probability that this is an addition see Mayes, Deuteronomy, 234; Nielsen, Deuteronomium, 143–145; Veijola, Deuteronomium, 280.

ever, they were merely continuing a line of thought begun already in the Levant itself.

Deuteronomy contains a number of indications which locate its interests in the Levant rather than in Mesopotamia. This observation challenges two major theories of the book's origins: Deuteronomy as pre-exilic attempt to subvert Assyrian imperial power and Deuteronomy as exilic, utopian manifesto for a restored Israel. The indications of a true Levantine context for the deuteronomic interest are identified in both the legal content of the book (passages which presuppose the audience's presence in the land or identify its interests with the southern Levant and its inhabitants) and in its terminology («in/from your midst», «other gods», lack of «foreigner» language). Note is also made of later attempts to reapply material originally orientated toward the Levant to an exilic population dealing with Mesopotamian culture.

Le Deutéronome contient un certain nombre d'indices qui en situent les intérêts au Levant plutôt qu'en Mésopotamie. Ceci met en cause les deux principales théories quant aux origines du livre: soit un essai, pré-exilique, de subversion face au pouvoir impérial assyrien; soit un programme utopique, d'époque exilique, pour un Israël restauré. Les indices en faveur d'un contexte levantin des intérêts du Deutéronomiste sont à relever aussi bien dans le contexte législatif du livre (passages qui présupposent la présence des auditeurs dans le pays ou qui identifient leurs intérêts avec ceux du Levant méridional et de ses habitants) que dans sa terminologie («dans/en-dehors de vous», «les autres dieux», absence de langue «étrangère»). Ce n'est qu'ultérieurement que des textes, qui visaient à l'origine le Levant, ont été appliqués à une population exilique confrontée à la culture mésopotamienne.

Das Deuteronomium enthält eine Reihe von Hinweisen, wonach seine Interessen mehr in der Levante als in Mesopotamien liegen. Das stellt zwei Haupttheorien zur Herkunft des Buches in Frage, nämlich dass es sich beim Dtn um einen vorexilischer Versuch, den assyrischen Großmachtsanspruch zu unterlaufen, oder um ein exilisches, utopisches Programm für ein erneuertes Israel handele. Die Indizien für einen levantinischen Kontext werden sowohl im legislativen Inhalt des Buches (in den Abschnitten, die die Gegenwart der Hörer im Land voraussetzen oder ihre Interessen mit der südlichen Levante und deren Bewohnern identifizieren) als auch in der Terminologie («in/aus eurer Mitte», «andere Götter», das fehlende Sprechen über »Fremde«) gefunden. Erst später seien Texte, die ursprünglich auf die Levante zielten, auf eine exilische Bevölkerung übertragen worden, in Auseinandersetzung mit mesopotamischer Kultur.