



Deuteronomy – Part 1

“The Second Law”

The book of Deuteronomy is named “the second law” because this is the second time Moses shares God’s laws with the Israelites. Although it is clear that the laws in this book were not given in the same time or place as others earlier in the canon, tradition still contends that *almost* all biblical laws were given at Mount Sinai. After receiving the original Ten Commandments Moses says that God called him back up Mount Sinai to receive more laws. Right before his people enter the promised land, Moses decides that he is finally ready to relay the rest of the laws given to him by God at Sinai 40 years prior. Some strands of Jewish tradition suggest that these laws are not meant to be read as a direct transliteration of God’s own words, but rather as *Moses’s* words. This idea reinforces the notion that “the law” in the Hebrew Bible is constantly being retold and reformulated over time.

Historical Context

The book of Deuteronomy was written much later than the time of Moses. There are many parallels between the wording and content found in Deuteronomy’s laws and 2 Kings. According to 2 Kings, a book of God’s law was “rediscovered” in the temple early during the reign of King Josiah. The young king then “tears his clothes,” laments that the Israelites had not been keeping these laws, and begins to tear down all the “high places” as his first act of reform.

The “high places” were small rural places of worship scattered throughout the countryside where most people would have expressed their religiosity. Deuteronomy says that one should go into the land and worship God *only* in “the place that the Lord has chosen” (Deut. 12:5). Although we don’t know precisely *where* that place is, most scholars think that the Lord’s chosen place of worship is meant to be Jerusalem. The vagueness of this prediction, however, is likely an intentional rhetorical device that allows for multiple possibilities as the plot unfolds.

Revisions & Ethics

In the history of the development of the biblical text, Deuteronomy also marks the first time in which a festival calendar is given for all of Israel. There are new laws outlined for the forgiveness of debts (every seven years), as well as stipulations that both enslaved Hebrew men *and* women are to be released after six years of bondage. This notably updates the earlier law in Exodus, which claims that only male slaves were to be released. For the reader of the final

form of the Pentateuch, the conflict between these two laws, like so many others, remains unresolved.

For the most part, Deuteronomy reads like a civil code of moral ethics. Some laws in Deuteronomy seem to have a humane bent. In chapter 22, for example, there are commands to return escaped sheep and oxen to your neighbors and not to remove baby birds from their nest with the mother. It is arguably one of the more humane books of the Hebrew Bible. There are regular references to caring for those most vulnerable in society (the widow, the orphan, the stranger, etc.). Caring for “aliens” in particular, refers to those from foreign lands who have come to reside in Israel.

The Problem of *Herem*

Deuteronomy’s legal code is found mostly in chapters 12-26. The first 11 chapters are framed with a homiletical tone, but contain an explanation of what the people are expected to do with those who already inhabited the land before them: *herem* (see Deut. 7:25-26, 13:17). While there is no direct translation for this word, it is sometimes called “the ban” or “proscription.” What is ultimately being described is complete and total annihilation. In other military contexts, the law outlines procedures to meet with inhabitants’ leaders, request treaties, etc. In the context of Canaan’s conquest, however, it seems this rule does not apply. The reason given for these extreme measures is that previous inhabitants might tempt the Israelites to worship other gods.

The notion of *herem* also comes up later in the book of Joshua. It is important, however, to remember that these conquests are not historical fact. They are rather stories that reveal someone’s later idea of what *should* have happened. Still, the fact that total annihilation was someone’s ideal remains troubling. This text has a problematic history of interpretation and application; a history in which people have seen themselves fulfilling this kind of violent ideal outlined in the ancient text. For example, during the conquests of the Americas, European colonists justified the mass killings of Native Americans using these stories and laws. This is the dark side of the Deuteronomy’s legacy.