



Deuteronomy – Part 2

Ancient Treaties

A key moment in modern Deuteronomy studies came when scholars began to compare how this book is framed against other political treaties from the ancient Near East. Archaeological findings within the last century of other ancient Hittite, Assyrian, Mesopotamian, and Babylonian treaties have made this comparison possible. These discoveries indicate that there was a set literary formula for these kinds of treaties in the ancient world.

Also called “vassal treaties,” these ancient documents typically outline a series of stated obligations between a dominant imperial power and their subordinate vassal. They begin with a historical prologue that establishes how and why the treaty is being formed. Other features include invocations of witnesses and various deities on both sides, instructions for maintenance and logistics to uphold the treaty over time, as well as blessings and/or curses (if the treaty is or isn’t being kept).

Scholars have found that Deuteronomy closely mirrors the basic structure found in other ancient treaties. Moses’s prologue, for example, is similar to some prologues found in Hittite and Assyrian documents. He begins by reminding the people who they are, how they got there, and why (“remember you were slaves in Egypt,” etc.). This idea is recapitulated again in Deuteronomy 26.

Given that Deuteronomy itself both adds to and takes away from previous legal documents, the book’s condemnation of revision is somewhat ironic: “You must diligently observe everything that I command you; do not add to it or take anything from it” (Deut 12:32 and 4:2). Rhetorical calls to no longer revise documents like these found in Deuteronomy are sometimes called the “canonical formula.”

The *Shema*

Chapter 6:1-9 contains a famous text called the *Shema*, which declares: “Hear O Israel: You shall love the LORD your god with all your heart and all your soul and all your might.” The use of the word “love” here is interesting because it also shows up in the vassal treaty of Esarhaddon in the context of an oath of loyalty in succession. In the case of Esarhaddon, the treaty requires people to swear to “love” the king’s son Aššurbanipal once he ascends to the throne. “Love” in these treaties thus implies absolute devotion and singular loyalty. Echoes of this theme may be

found in covenantal marriage metaphors throughout the Hebrew Bible. Above all, Deuteronomy insists that the Israelites must “love” God by showing absolute loyalty and devotion to none other than YHWH.

Prophecy & Authority

Chapter 13 expands upon the theme of loyalty, emphasizing the need for Israel to remain devoted only to YHWH. Deuteronomy 13:3 reads: “you must not heed the words of those prophets ... for the LORD your God is testing you to know whether you indeed love the LORD your God with all your heart and soul.” This is a political issue for ancient Israel. Prophets were viewed as agents of other gods. Deuteronomy’s stakeholders were concerned that listening to other prophets might seduce Israelites into worshipping gods other than the God of Israel.

While prophets are “allowed” in Deuteronomy, they are accepted only when they speak on behalf of YHWH’s *law*. The priests’ responsibility was to teach the law. This book’s primary concern is thus to concentrate all authority within itself. In this way, Deuteronomy is perhaps the most “self aware” book in the entire Hebrew Bible. It constructs itself intentionally to fit its own self image as a sacred text meant to be read, repeated, disseminated, and unchanged over time. This is arguably the first time that the idea of “The Law” as the highest authoritative entity in the faith emerges. The idea that “the law” or a single book/text can become the central expression of a religious faith begins in Deuteronomy.

Although the book of Deuteronomy was probably created under a monarchy, the king is never assigned credit for writing the laws. Even when Josiah reinstates Deuteronomic law in 2 Kings, the story is clear that he could not have written these laws himself. The book’s only reference to monarchy (found in chapter 17) explains that kings must always be subservient to the law. This is an unusual reversal of expectations for monarchical power. Where other monarchies position the king as the highest authority and arbiter of the law, Deuteronomy instead positions *itself* as the highest authority.

Becoming “The Law”

Some scholars read Deuteronomy as a form of constitutional law. Although this general view is over-simplistic, Deuteronomic law *is* comparable to a constitution insofar as it concentrates authority within itself. The fact that this text was (and is) famously repeated and retaught over generations with priests as its primary “keepers” is unlike anything else from this period. Deuteronomy is arguably the most influential text of the Pentateuch. The authoritative role of “the law” gradually expands over time beyond Deuteronomy to encompass the entire Pentateuch.