

Deuteronomy: The Fundamental Dialectic in History—Unity vs. Diversity

One can hardly overstate the importance of Deuteronomy (Deut.) within the Bible as well as for Jewish and Christian traditions. When Jesus was tempted three times by the Devil (Mat. 4:1-11), he defended himself with three quotes from the Hebrew Bible—and they all came from Deuteronomy (8:3; 6:16; 6:13; see also the Great Commandment from Deut. 6:5 in Mark 12:30). In Romans, the classic exposition of his gospel, Saint Paul quotes Leviticus 18:5 as the expression of the justice of the Law (Rom. 10:5), but in Deuteronomy he found the expression of the good news of justification by faith (→ Rom. 10:6-8, quoting Deut. 30:12-14). Thus, for Siegfried Herrman, Deuteronomy represents “the center of Biblical Theology”.¹

As to its place in the Hebrew Bible, Deuteronomy, according to modern theologians, is

- “the theological center of the Old Testament” (Walter Brueggemann);
- “the nuclear center (*die Mitte*) of the Old Testament” (Gerhard von Rad);
- “the most theological book of the Old Testament” (Henning Graf Reventlow).

The book presents itself as the teaching of Moses (13th century BC):

“These are the words that Moses spoke to all Israel...” (1:1).

“This is the teaching that Moses set before the Israelites...” (4:44; see 29:1; 31:1).

However, although it would be hard to deny the possibility that some elements of the book—an indeterminate core—originate in Moses, only a few fundamentalists go on affirming the traditional view that the whole book was written by Moses himself. There are various alternative hypotheses (starting with the German, W. M. L. De Wette in 1805). Although there is still no consensus on details, the majority of modern biblical scholars view the main periods in the history of the writing of Deuteronomy as follows:

- in the 8th century, Levite priests of the North write down and gather traditions;
- with the fall of Samaria (722/21 BC), they bring them to Jerusalem in the South;
- under King Josiah (621 BC), the High Priest discovers the archives of the Temple (2 Kings 22–23), somewhat similar to the central portion of Deuteronomy (4:44–28:8); this provokes radical reform (the elimination of alternative “high places” and the centralization of the cult of the Temple in Jerusalem);
- the last period of composition occurs after the fall of Jerusalem (587/86 BC), in Babylonian exile, with the addition of chapters 1–4:43 and 29–34.

Richard Nelson concludes that “Deuteronomy most likely began as a covert undertaking by dissident Jerusalem scribal circles during the reign of Manasseh and the minority of Josiah, with collaboration from aristocratic families, elements of the priesthood, and those schooled in wisdom,”² thus constituting a diverse subversive network in the face of Assyrian imperial hegemony.³ Deuteronomy’s title (“Second-Law”, or “Repeated-Law”) is based on an erroneous interpretation of Deuteronomy 17:18, where the Hebrew text refers, instead, to a “copy” of the Law, prepared for the king under the supervision of the Levite priests. The fact that Deuteronomy (5:6-21) repeats the Ten Commandments (from Exodus 20:1-17) probably influenced the erroneous interpretation of Deut. 17:18. In fact, however, there are 18 variations between the two versions of the Decalogue, and even more in the case of the other laws in Deuteronomy similar to texts in Exodus, Numbers and Leviticus.

From here on: * = texts only found in Deuteronomy, without any parallels in the other books of the Pentateuch.

Outline of Deuteronomy: The Four Speeches of Moses

I. The First Speech of Moses

1:1–4:43

Introduction: Time (Horeb + 40 years) and Place (Moab)	1:1-5
Last instructions on Mount Horeb (= Sinai)	1:6-18
Incredulity in Kadesh	1:19-33
Instructions of YaHWeH in Kadesh	1:34-46
From Kadesh to the river Arnon	2:1-25
Conquest of the kingdom of Sihon	2:26-37
Conquest of the kingdom of Og	3:1-11
Distribution of Transjordanian among the tribes	3:12-17
The last arrangements made by Moses	3:18-29
Apostasy at Baal-Peor and true wisdom	4:1-8
The revelation on Mount Horeb, and its requirements	4:9-20
Future perspectives punishment and conversion	4:21-31
The greatness of having been chosen by Go	4:32-40
The three cities of exile east of the Jordan	4:41-43

II. The Second Speech of Moses

4:44–28:68

Preface, Decalogue, Four Sermons (5:1; 6:4; 9:1; 10:12)	4:44–11:32
The Deuteronomistic Code (laws, terms of the covenant) (→ detail below; ⁴ Ten Commandments)	12:1–26:15
End of the Second Speech	26:16–28:68
Israel, people of God	26:16-19
The writing of the Law and the twelve curses	26:16–27:26
The Blessings promised to those who are obedient	28:1-14
The curses	28:15-46
Future perspectives of war and banishment	28:47-68

III. The Third Speech of Moses: the Covenant in Moab

28:69–30:20

Historical prologue	28:69–29:8
The covenant	29:9-20
Future perspectives of banishment; → 587/86-538 BC	29:21-28
Return from exile; conversion	30:1-14
The two paths	30:15-20

IV. The Fourth Speech: Last Deeds and Death of Moses

31:1–34:12

Provisions for continuity: Joshua and the preservation of the Law	31:1-27
Song of Moses	31:28–32:52
Blessings of Moses	33:1-29
Death of Moses (// Death of King Josiah, 609 BC)	34:1-12

The Deuteronomic Code (Laws, Terms of the Covenant) 12:2–26:15

Cultic laws: → #1 (of the Ten Commandments), one God only	12:2-32
One single place (the Temple in Jerusalem) 12:2-12	
Details concerning sacrifices 12:13-28	
Against Canaanite cults 12:29-32	
Against the seductions of idolatry; → #2, Images	13:1–14:2
Prophets and false seers 13:1-11	
The abomination of apostasy 13:12-18	
Incisions and tonsures for the dead 14:1-2	
Pure and impure animals; → #3, purity and The Name	14:3-21
Annual (vv. 23-27) and triennial (28-29) tithes; → #4, the Sabbath	14:22-29
Provision for and liberation of the poor	15:1-18
The sabbatical year: loans and cancellation of debts 15:1-11	
Slaves: liberty and liberation 15:12-18	
The firstborn	15:19-23
Feasts	16:1-17
Passover and the Feast of Unleavened Bread 16:1-8	
Pentecost (vv. 9-12), Tabernacles (13-15), summary (16-17) 16:9-17	
Political and religious leadership; → #5, Authorities	16:18–18:22
Judges 16:18-20	
Deviations from cultic practice 16:21–17:7	
Levite judges 17:8-13	
Kings 17:14-20	
Levite priesthood 18:1-8	
Prophets 18:9-22	
Manslayers and the cities of refuge; → #6, Murder	19:1-13
You shall not displace the landmarks	19:14
Two or three witnesses	19:15-20
The law of talion: an eye for an eye	19:21
War, warriors and conquered cities	20:1-20
The case of the unknown murderer	21:1-9
Female captives of war	21:10-14
The right of the firstborn	21:15-17
The disobedient son	21:18-21
Diverse prescriptions	21:22–22:12
Slander against a young woman	22:13-21
Adultery and fornication; → #7, Adultery , 22:13–23:18	22:22-30
Participation in religious assemblies	23:1-8
Purity of the camp	23:9-14
Social and religious laws; → #8, Robbery , 23:19–24:7	23:15-25
Divorce; → #9 False testimony , 24:8-25:4	24:1-4
Measures for protection	24:5–25:4
The levirate law; → #10a, Coveting one’s neighbor’s wife , 25:5-12	25:5-10
Immodest Assault	25:11-12
Appendices; → #10b, To covet.... , 25:13–26:15	25:13-19
First fruits and the triennial tithe	26:1-15

Theological Overview: seven affirmations - *One* God, *one* people, *one* place of worship (the Temple), *one* land, *one* law, *one* king, *one* prophet. Although Deuteronomy emphasizes *unity*, we can synthesize its theology in seven dialectical affirmations concerning unity and diversity.⁵

1 One God, one love and the triune God of the New Testament (Deut. 6:4-5; → Mark 12:29-30).

Hear, O Israel: Yahweh is our God (*Elohim*), Yahweh alone.

You shall love Yahweh your God

with all your heart,

and with all your soul,

and with all your might (Deut. 6:4-5; → Mark 12:29/30, adds “with all your mind”).

Deuteronomy gives special emphasis to Yahweh as the only God, yet the conclusion usually reached is that the book only teaches “henotheism” (that Israel should only worship one God, namely Yahweh). The negation of the existence of other gods and the affirmation of pure monotheism would thus be the contribution, in exile, of Second Isaiah (“there is no other,” Is. 45:14,22; 46:9). Two texts in Deuteronomy (**4:35,39**) also affirm the pure monotheism of Second Isaiah, but they are located in a later section of the book (exilic, dated after Second Isaiah), and not in Deuteronomy’s older textual nucleus.⁶ Such an emphasis on only one God is maintained throughout the Bible in a dialectical relation with a certain diversity, even within the Hebrew Bible (references to “other gods”, the Celestial Assembly, the Angel of Yahweh, the Spirit of Yahweh), and more developed in the New Testament, especially in the “Trinitarian” texts (2 Cor. 13:14; Mt. 20:16-20; John 1:1, 14; 20:28).⁷

2 One people, 12 tribes (Two Kingdoms, north and south).

“These are the words that Moses spoke to *all Israel*...” (Deut. 1:1).

“Before his death, Moses...blessed [the 12 tribes of] Israel...” (Deut. 33:1-29, but Simeon is missing); → Genesis 49:1-28, Jacob blesses his twelve sons.

3 A place of worship (the Temple in Jerusalem) and the omnipresence of the Creator. Among all the legal codes in the Pentateuch, only Deuteronomy stipulates a sole place of worship (chapters 12–18 + 26 and 31:9-13). The key phrase, “*the place* where Yahweh your God will choose to live”, never specifically names Jerusalem (the phrase occurs in **12:5,11,14, 18,21,26; 14:23-25; 15:20; 16:2,6-7,11,15-16; 17:8; 18:6; 26:2 + 31:11**; see Shiloh, followed by Jerusalem, Jer. 7:12; → 1 Kings 8:29,44,48, where Jerusalem is named). Although God’s name dwells in the Temple, God himself is in heaven (Deut. 26:15); see 1 Kings 8:16,27; → John 4:21-24, the adoration of God in spirit and in truth in any location.

4 One promised land, many nations. Deuteronomy is a patriotic and nationalistic text, focusing on the people of Israel, the promised land and the annihilation of the Canaanites (7:1-2; 20:6-7); however, the divine promises made to the patriarchs proclaimed a universal blessing (Gen. 12:2-3; Deut. 32:43; Psalm 117; Is. 42:1-4; 49:6; Mt. 28:16-20; Rom. 4:13).

5 One Law with a supreme commandment, and 613 laws (see the Ten Commandments). Be it either the adoration of only one God (henotheism) or be it the pure monotheism of Second Isaiah negating the existence of other gods, the Book of Deuteronomy spells out the implication of the supreme commandment of love for and total dedication to Yahweh, the Liberating God of the Exodus.⁸

6 One king (Deut. 17:14-20) and the democratization of power. As Bernard Levenson points out, in its structure itself, “Deuteronomy is a counter-treaty: Its authors turned the weapon of imperialism into a bid for freedom, shifting its oath of loyalty from the Assyrian overlord to their divine sovereign.”⁹ Deuteronomy severely limits the king’s power (17:14-20; see section 1.7, **Liberating Justice**, below) and also insists on distributing

power among other authorities: judges and officials who are just and cannot be bribed (1:9-18; 16:18-22), many of whom are the landless Levite priests (17:8-13), but now centralized in Jerusalem.¹⁰

7 One prophet (like Moses) and all the people prophets (Deut. 18:15-22; 13:1-5; 34:10; Jeremiah 28:5-9; Num. 11:29; Joel 2:28-29; Acts 2:14-21; 1 Cor. 12-14). Since they had been designated by God, the prophets, who came from the margins of society, maintained a certain autonomy with regard to the monarchy and other authorities.

Yahweh your God will raise up for you a prophet like me from among your own people; you shall heed such a prophet (Deut. 18:15).

Never since has there arisen a prophet in Israel like Moses, whom Yahweh knew face to face (Deut. 34:10; → John 1:18).

Unity and Diversity. The dialectic of the book of Deuteronomy reflects something similar to the Greek philosophers' problem concerning unity and diversity in human experience. But the problem not only reflects a dialectic in the history of Israel and in Greek philosophy, since all human experience and history point toward the same dialectic:

- The multiplication and diversity of orders in the Medieval church gave way to the even greater conflict between incurable Protestant diversity and the strangulating unity of the Catholic Church after the Council of Trent (Deuteronomy has always been a favorite book among Catholic theologians);
- The diversity of sovereign states (some of them defending their right to perpetuate racial slavery) in conflict with the growing national unity of the United States produced the Civil War / War Between the States from 1861 to 1865—a tension which is evident in almost all modern nations (see the disintegration of the Soviet Union and the conflict between Buenos Aires or Paris and the outlying provinces);
- The Russian Communist Empire, attempting to impose ideological unity and the practice of social justice, yielded with regard to the Capitalist Empire that, in turn, insists on a free market and a diversity of consumers (with little social justice).

The hermeneutic dialectic predominant in Deuteronomy reflects the tension between traditions and their—sometimes radical—adaptation for ensuing generations,¹¹ and the book's theological statements reflect similar tensions.

1. The poor and oppressed. As David Pleins¹² points out, almost all the vocabulary explicitly used to describe the poor and oppressed (15 instances) is concentrated in two key texts (Deut. 15:1-11 and 24:10-15). Deuteronomy is mostly concerned with certain concrete groups of weak people: Levites (landless), immigrants, orphans, widows, slaves and day laborers (see below; cf. → Exodus 21:13). Given the great sapiential influence on Deuteronomy, it is notable that two of that literature's two favorite terms for the poor (*dal*, *rash*; → Proverbs) are absent, which suggests that Deuteronomy's perspectives on poverty tend to follow the Book of the Covenant more closely (→ Exodus 21-23).

The poor:

'ebyon, 15:4, 7, 7, 9, 11, 11; 24:14 (seven occurrences);

'ani, 15:11; 24:12, 14, 15 (four occurrences);

makhsor/khasar, 15:8 (one occurrence);

The oppressed. See 19:16, *violent witness (khamas)*; 4:30, exilic oppression (*tsarar* I):

'ashaq 24:14 to oppress (the day laborer, the poor-oppressed, the needy one); see 28:43 (*'ashaq*);

'ani, 15:11; 24:12, 14, 15 (poor, oppressed, humiliated; four occurrences);

'anah, 22:24,29 (to rape); cf. 8:2-3, 16, where Yahweh Himself “oppresses/humiliates” Israel (*'anah*, three times) and causes famine.¹³

Deut. 15:1-11. Having been quoted by Jesus (“For you always have the poor with you”, Deut. 15:11, quoted in Mark 14:7 // Mt. 26:11 // John 12:8), Deut. 15:1-11 could be the most widely known Bible text concerning the subject of the poor. Moreover, it must be the most frequently misinterpreted text. We commonly tend to ignore not only the phrase in Mark (“and you can show kindness to them whenever you wish”, omitted in Matthew and in John), but also the whole original context in Deuteronomy, with its strong dialectic: “*Every seventh year you shall grant a remission of debts.... There will, however, be no one in need among you.... Since there will never cease to be some in need on the earth, I therefore command you, ‘Open your hand to the poor and needy neighbor in your land.’*” (Deut 15:1,4,11). Commonly quoted by the wealthy as an excuse for doing nothing, the original context in Deuteronomy commands God’s people to take strong measures in order to eliminate poverty—much more than we would have imagined (see the primitive community of believers in Acts, who were able to fulfill the Deuteronomic goal of becoming a community with no poor (→ Acts 2:44-45; 4:32-35; → Leviticus 25).

Deut. 24:10-13, 14-15. The second passage in Deuteronomy that groups together explicit vocabulary to describe the poor is in the casuistic (case) law that attempts to defend the dignity of the poor person asking for a loan (vv. 10-13) and in the apodictic (imperative) law that forbids the oppression of day laborers and commands that their wages be paid daily. (→ James 5:1-6, where the rich are accused of having killed the day laborers because their wages were withheld—in such cases, to “steal” is to “murder”.)

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

14 You shall not oppress (*‘ashaq*, withhold wages) the poor (*‘ani*) and needy (*‘ani*) laborers (*sakir*), whether other Israelites or aliens (*ger*) who reside in your land in one of your towns. 15 You shall pay them their wages daily before sunset, because they are poor (*‘ani*) and their livelihood depends on them; otherwise they might cry to *Yahweh* against you, and you would incur guilt.

Day laborers, who owned no ancestral property, became more and more common during the centuries in which Israel suffered under the yoke of successive empires requiring the payment of high taxes (Assyria, Babylon, Persia, Greece, Rome; Is. 5:8). Then, in the Gospels, Jesus calls attention to the day laborers’ precarious condition in his parables (Mat. 20:1-16; Luke 15:19; 17:7-10; cf. John 10:12-13).

1.1 Levites (*lewi*), 26 times in Deuteronomy, 354 times in the Hebrew Bible (Deut. 10:8-9; 12:12,18-19; 14:27,29; 16:11,14; 17:9,18; 18:1,1,6 [+ *gur*],7; 21:5; 24:8; 26:11-13; 27:9,12,14; 31:9,25; 33:8[-11]). Since the Levites of the North played the main role in the production and preservation of this book (**31:9-13, 24-29; 33:8-11; 17:18**), it is not surprising that the main “option for the poor” in Deuteronomy is in favor of that tribe of landless priests (12:12,18-19; 18:1-2)—mentioned 26 times, more than double the references to widows and orphans. Only after two exhortations to not abandon/forget the Levites (12:19, 14:27), Deuteronomy then mentions them once more, along with other immigrants, the orphans and the widows, as beneficiaries of the tithe (14:28-29; there are similar lists in 16:11,14 and 26:11-13). Perhaps Deuteronomy names the immigrants (*ger*) before naming the orphans and the widows (especially in 26:11) and also more frequently than the latter (22 times) because the Levites of the North themselves were immigrants: they had to emigrate to the South after the fall of Samaria (722/21 BC; Deut. 18:6-8). Although the “P” source as well as → **Ezekiel** make a distinction between the Levites and other high priests (the sons of Zadok), in Deuteronomy and in → **1-2 Chronicles** all the Levites are priests (Deut. 21:5; 24:8; 31:9) and they also fulfill a judicial function along with the judges, either in other cities (21:5) or in Jerusalem itself (17:8-10; 18:6-8.)¹⁴

1.2 Immigrant(s) / foreigner(s) (*ger/im*), 22 times in Deuteronomy. Since Deuteronomy commands war with *kherem* and the destruction of the seven Canaanite nations (7:1-6; 20:15-18) and forbids that neither

Ammonites or Moabites enter the assembly (23:3-8, with Edomites and Egyptians accepted only after three generations), it is surprising to find that the book lays such emphasis on the protection of immigrants (*gerim*)—22 times, twice the amount of texts that mention widows and orphans.¹⁵ For example, Yahweh gives the following command to the judges:

Give the members of your community a fair hearing, and judge rightly between one person and another, whether citizen or resident alien (*ger*, **Deut. 1:16**; see **27:19** + orphans and widows; other dimensions of justice in 27:17, unmoveable boundary markers, and in v. 25, bribes).

The Ten Commandments guarantee sabbatical rest for the *gerim*, but not for the orphans or the widows (**Deut. 5:14** // Ex. 20:10). But, much more than justice, Deuteronomy commands *love* for the immigrant:

18 [Yahweh]...executes justice for the orphan and the widow and...loves (*'ahab*) the strangers (*gerim*), providing them food and clothing. 19 You shall also love (*'ahab*) the stranger (*ger*), for you were strangers (*gerim*) in the land of Egypt (**Deut. 10:18-19**; → **Lev. 19:34**; **Ex. 22:21**; **23:9**; see Abraham, Gen. 12:10; 23:4; → **Hebrews 11:9**; **1 Peter 1:1** and 2:11).

As is common elsewhere in Deuteronomy, the Exodus is presented here as a motive and paradigm for the praxis of the Israelite community, both in its liberating justice and its loving solidarity (“providing him with food and clothing;” → Matthew 25:31-46). Apart from justice in the courts and loving solidarity (clothing and food), Deuteronomy commands that every three years the tithes should be destined to four classes of weak people (the order in which they are mentioned is significant, reflecting the priorities of the “social security” program in the whole book:

The *Levites*, because they have no allotment or inheritance with you, as well as the resident aliens (*gerim*), the orphans, and the widows in your towns, may come and eat their fill (Deut. 14:29; see 26:12-13 and other texts).

Deuteronomy 24:17-21 repeats the former exhortations that reclaim liberating justice and loving solidarity for the three aforementioned weak classes, underscoring the Exodus paradigm:

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

When gathering the sheafs from the field, or the olives or the grapes, Yahweh commanded that the owners leave a portion behind for the three classes of weak people, thus echoing the Exodus paradigm:

21 When you gather the grapes of your vineyard, do not glean what is left; it shall be for the *alien* (*ger*), the *orphan* and the *widow*. 22 Remember that you were a *slave* in the land of Egypt; therefore I am commanding you to do this (Deut. 24: 21-22).

Note: In 24:21 *ger* is best translated as “immigrant”, not as “foreigner”, since the latter word might suggest tourists arriving in a jet and spending two weeks of luxury vacations at the Sheraton. Thus, unlike most translations, we always translate *ger* as “immigrant”, not as “foreigner”. The 11 texts where *ger* occurs along with “widow/s” and “orphans” are: 10:18; 14:29; 16:11,14; 24:17,19,20,21; 26:12,13; 27:19. Furthermore, *ger* occurs in 11 texts that do not mention widows and orphans: 1:16; **5:14** (// Ex. 20:10); 14:21; 23:7; 24:14 (+ *sakir*); 28:43; 29:10; 31:12 (total 22 times in Deuteronomy). The explanation for this statistic could be that

- traditionally, many Levites were single and itinerant priests (→ **Judges; 1-2 Chronicles**);
- after the fall of Samaria (722/21 BC), many Levites of the north emigrated to the south (to Judah);

- under Josiah (640-09 BC), with the centralization of the cult in the Temple, many Levites from other towns emigrated to Jerusalem; → Jesus and Paul, single and itinerant.

1.3 Slaves ('ebed). References to slavery are common in Deuteronomy (**26 times total**), but they refer to something different than modern racist slavery, since slavery neither had no racist basis, nor was it perpetual:

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

What such slavery had in common with perpetual slavery (that of the Israelites in Egypt) and recent racist slavery was that the slave's body belonged to his/her owner, not only for work in the household and in the field, but also for sexual and procreative use. (See Sarah, who gave her slave Hagar to her husband Abraham as his concubine, Gen. 16:1-4; → Deut. 28:68; **Colossians**; **Ephesians**; **Philemon**.)

Nevertheless, for the most part the references to slavery in Deuteronomy anticipate liberation after seven years and represent another dimension of concern for society's weak and poor. *The paradigm of the Exodus*, the oppression of the Israelites as slaves in Egypt, is continually given as a motive for liberating justice and loving solidarity:

12 Take care that you do not forget Yahweh, who brought you out of the land of Egypt, out of the house of slavery.... 20 When your children ask you in time to come, "What is the meaning of the decrees and the statutes and the ordinances that Yahweh our God has commanded you?" 21 then you shall say to your children, "We were Pharaoh's slaves in Egypt, but Yahweh brought us out of Egypt with a mighty hand" (Deut. 6:12, 20-21).

8 It was because Yahweh loved you and kept the oath that he swore to your ancestors, that Yahweh has brought you out with a mighty hand, and redeemed you from the house of slavery, from the hand of Pharaoh king of Egypt (Deut. 7:8; see also 8:14; 13:5, 10; 16:12; 24:18, 22).

Female and male slaves should rejoice in the festivities in the presence of Yahweh in Jerusalem, along with their owners' sons and daughters and the Levites, as members of God's people (12:12, 18; see the festivities of Pentecost, 16:11-12, and tabernacles, 16:14).

In addition to the references to literal slaves as a vulnerable class, other texts metaphorically refer to all of Israel as "slaves" of Yahweh (32:36, 43), all of Pharaoh's officials as his "slaves" (29:2; 34:11), the patriarchs Abraham, Isaac and Jacob as servants of Yahweh (9:27)—and Moses as Yahweh's unequalled "slave / servant" (34:5, 10-11; → **Second Isaiah**; **Philippians** 2).

1.4 Orphan (yathom); 11 times in Deuteronomy, **always followed by "widow,"** since the orphan has a mother, but is missing his/her father (see texts under **1.5 Widow/s**); → Ex. 22:21, 23; Psalms (10:14, 18; 68:6; 82:3; 94:6; 109:9,12; 146:9); **Job** (seven occurrences); total 42 times in the Hebrew Bible. → **James** 1:26-27; **John** 14:18.

1.5 Widow/s (*almanah/oth*; 10:18; 14:29; 16:11,14; 24:17,19-21; 26:12-13; 27:19; 11 veces). → Ex. 22:22, 24; → **2. Poor and oppressed, above**; → **Tamar** en Gen. 38:11, 14, 19; Lev. 21:14; 22:13). Deuteronomy contains many more references to orphans and widows (11 times) than any other legal code in the Hebrew Bible (cf. two in Exodus and two in Leviticus; Elijah and Elishah in → **1-2 Kings**, five references). As Frank Frick points out, biblical studies have overlooked this subject;¹⁶ even the six-volume *Anchor Bible Dictionary* (1992)¹⁷ contains no article on widows (→ **1 Tim.** 5:3-16). In Deuteronomy, nine out of eleven references to orphans and widows occur in contexts along with immigrants, all types of vulnerable and commonly oppressed classes (→ Ex. 22:22,24), whom Yahweh and his people must defend from injustice (Deut. 10:18; 14:29 + Levites; 24:17, see 18, 19-21; 26:12-13 + Levites; 27:19). In Deut. 16:11, 14, widows also occur in lists along with orphans, immigrants and Levites + slaves, i.e. groups which should rejoice in the feast of weeks (16:11) and tabernacles (16:14) that celebrate the goodness of Yahweh, the liberating God of the Exodus.

1.6 Deut. 26:5-9, the Hebrew Bible's "Apostolic Creed".¹⁸ Reading the Hebrew Bible, it becomes clear that the theme of God Creator occurs quite less often—and then mostly in late texts such as → **Second Isaiah** and **Job**—whereas liberation from oppression, the theme of the Exodus, turns out to be the fundamental theme. Thus, Deuteronomy 26:5b-10a, the Hebrew Bible's "Apostolic Creed" (Gerhard von Rad) never refers to creation, but rather gives classical expression to the *paradigm of the Exodus*: the oppression of the Israelites as slaves in Egypt, their liberation and the divine gift of land.¹⁹ Every year, in the feast of first harvest, the Israelites confessed:

A wandering Aramean [see 2.2 *ger* above] was my ancestor;
 he went down into Egypt and *lived there as an alien (gur)*, few in number,
 and there he became a great nation, mighty and populous.
 When the Egyptians treated us harshly and *oppressed (anah)* us, by imposing *hard labor*
 on us, we cried to Yahweh, the God of our ancestors;
 Yahweh heard our voice and saw our *poverty [ani]*, our toil, and our *oppression lakhats*].
 Yahweh brought us out of Egypt with a mighty hand and an outstretched arm,
 with a terrifying display of power, and with signs and wonders;
 And he brought us into this place and gave us this land, a land flowing with milk and honey.
 So now I bring the first of the fruit of the ground that you, Yahweh, have given me. (Deut. 26:5b-10a)

This creed reveals the fundamental place occupied by oppression in the experience of the Israelites and in biblical theology. The Hebrew Bible points out many possible causes for poverty. However, the only cause proclaimed in an official formulation every year by "orthodox" believers was oppression. This was one of the fundamental doctrines. There was no notion that poverty might be the result of some mental, racial, or "under-developed" inferiority.²⁰ The Israelites' annual repetition of their "Apostolic Creed" impressed this truth on them, freeing them from inferiority complexes. This Exodus paradigm runs through the whole book of Deuteronomy as a *leitmotif*, providing the principal theme for the commandments: as a prologue to the Ten Commandments (Deut. 5:6 // Ex. 20:1-2), and to promote liberating justice and loving solidarity for the Levites (Deut. 16:11; 24:8-9; 26:11-13), the slaves (16:11-12; 24:18, 22), the immigrants (10:18-19; 16:11; 26:11-13), the orphans and the widows (10:18; 16:11; 24:17, 20-21; 26:12-13); → see the same structure in the New Testament, **1 John** 4:9-11); → **Exodus**, the name of Yahweh, the liberating God of the Exodus.

1.7 Liberating justice. In addition to liberation and freedom celebrated as norms within the Exodus paradigm, even more so than loving solidarity, Deuteronomy points out liberating justice (*mishpat, tsedeq, tsedeqah*) as a foundation of the new society—10:17-19, *mishpat* for the orphans, the widows, the immigrants; 24:10-13, *tsedeqah* in the process of making loans to the poor; 1:16-18; 16:18-20, just judges who do not let themselves be bribed. (See 1:16; 4:8; 6:25; 9:4-6; 16:18-20,20; 24:13; 25:1,1,15,15; 32:4; 33:19,21; *tsdq, tsadiq, tsedeq, tsedeqah*, total of 18 times.)²¹ The prohibition of not moving landmarks (property limits) guaranteed that the original, just distribution of land could be maintained (19:14; 27:17). But for landless immigrants and for day laborers, who had lost their land, Deuteronomy also provided for a means of justice. (Concerning the word *sakir*,

day laborer, see Deut. 15:18; Ex. 12:45; 22:14 + *'ani*, oppressed person; Lev. 19:13; 22:10; 25:6,40,50,53; Mal. 3:5).

Bernard Levinson has shown that the only text in Deuteronomy that refers to the king (Deut 17:14-20) effectively eliminates the king's traditional main function of administering justice (→ Psalm 72).²² It imposes five restrictions on him and only gives him one positive task: "while sitting demurely on his throne 'to read each day of his life' from the very Torah scroll that delimits his powers" (Deut. 17:18-20).²³ Thus, the strategy of the authors of Deuteronomy is not that of exalting Josiah as a king representing reform, but of relieving the king of his judicial, executive and legislative powers and re-assigning them to the Temple in Jerusalem—which, in Deuteronomy, is in the hands of the Levites! (12:13, 19).²⁴

According to Georg Braulik, Paul correctly interpreted justice in Deut. 30:11-14 as the gift of divine grace²⁵ (→ **Romanos** 10:6-10). Braulik recognizes that other texts in Deuteronomy reflect former perspectives that bring about a dialectic within the book between "Law" and "Gospel" (6:25; 24:13; 9:4-6). Nevertheless, in the final (canonic, postexilic) edition of Deuteronomy, Yahweh "will circumcise the heart" of Israel, with the consequences of total love, repentance (*swb*) and obedience to all the commandments (30:6, 8; 4:30). For a thus regenerated Israel, the word lies in the heart (30:14) and "the yoke is light" (→ **Matthew** 11:28-30): "Thus Israel, whose heart was circumcised by YHWH (cf. Rom 2:28-29) is able to follow the deuteronomic social order."²⁶

1.8 Universal alphabetization (Deut. 6:6-9):

6 Keep these words that I am commanding you today in your heart. 7 Recite them to your children and talk about them when you are at home and when you are away, when you lie down and when you rise. 8 Bind them as a sign on your hand, fix them as an emblem on your forehead, 9 and write them on the doorposts of your house and on your gates.

Israel's great confession of faith (the *Semá*, "Hear O Israel...") affirms that Yahweh is the only God and that God requires exclusive love, the "Great Commandment" according to Jesus (Mark 12:30 // Mt. 22:37 // Luke 10:27). The ensuing words have also had a strong impact on the history of Israel, on the early Church and on Protestant countries, since Luther and Calvin insisted on universal alphabetization and education and on Bible reading in each home as the parents' responsibility—but also of the state with the establishment of schools. During the first centuries of the Christian church the goal of universal education still persisted, and converted slaves sometimes sold all they had in order to procure Bible manuscripts. Unfortunately, fearing that reading the Bible would result in everyone converting to Protestant "heresies", the Roman Catholic Church, in those countries where it enjoyed a religious monopoly, continued with masses in Latin, priests who were afraid of the Bible and whole peoples dominated by luxurious cathedrals and palaces but without public schools. The Second Vatican Council (1961-64) introduced radical changes by mandating the diffusion and reading of the Bible with masses in the languages of each country. Such decisions that did not change common Catholic life that much in the pluralist countries of Europe and North America, but were truly revolutionary in Latin America, Spain and other countries where the religious monopoly (that "absolute power" that always corrupts) has had such disastrous effects. In Ancient Greece the philosophers had developed beautiful ideals of philosophy, democracy and wisdom, but they were only valid for an elite class of males. However, in the heroic efforts towards universal alphabetization in twentieth-century Latin America (especially in Cuba and in Nicaragua), many accepted the high cultural value of alphabetization and education, without bothering to inquire concerning this value's roots in Hebrew and Christian cultures (→ **Proverbs**, sapiential literature).

1.9 Conclusion. As David Pleins points out, many people today who want to overlook the Pentateuch and the laws of Moses, concentrating only on "prophetic critique," put themselves at a great disadvantage, since "the prophetic literature often fails to advocate the kinds of concrete mechanisms that would be necessary for the alleviation of poverty in society."²⁷ Thus, despite its many limitations and some profoundly offensive elements, Deuteronomy provides us with precisely those concrete mechanisms for relieving poverty in society. We cannot

copy its laws literally for modern society, but they provide concrete examples that can inspire us to confront poverty not only with individual acts of loving solidarity, but with structural measures that help avoid poverty and attack the roots that cause it (see the cancellation of debts and personal generosity, Deut. 15:1-7). Therefore it is preferable to understand the prophets' denunciations not as an element isolated from the Pentateuch, but as a call to return to those norms which had been established for the primitive Israelite community. Although there are parallels with certain individual elements elsewhere, the quantity and quality of such provisions in Deuteronomy, along with the "preliminary" version in → **Exodus** 20:22-23:19, represent a contribution towards avoiding and overcoming poverty that is unique in the whole body of ancient literature.²⁸

1.10 The Declaration of Human Rights (United Nations, 1948) and Deuteronomy.²⁹

1.10.1 *Liberty, equality (justice), fraternity.* Deuteronomy refers only to liberation/ liberty, justice (equality) and loving solidarity (fraternity), never to "rights", a concept from the French Enlightenment that reflects many languages' linguistic prejudice against left-handed people (see the common prejudice against "the Left", resulting from the division of the French Parliament between "the Right" (which upheld the monarchy) and "the Left" (which upheld the Revolution)).

1.10.2 *Discrimination* prohibited. Deuteronomy protects against discrimination towards women (15:12; 22:13-19); escaped slaves (23:15-16); immigrants, traditional enemies (23:7-8).

1.10.3 The right to *life* and *liberty*. Life (Deut. 5:17; 18:10; 22:8; 27:24-25); liberty (Deut. 15:12-15, 18; 23:15-16).

1.10.4 The interdiction of slavery, servanthood and the slave trade. New ideas and changes in practice find their way into the legislation (Deut. 5:14,19; 24:7; 15:12-18; 16:11, 14; 21:14; 23:15-16).

1.10.5 The prohibition of torture and cruel, inhuman or degrading penalties and treatment. Deut. 25:3; however, cf. 24:11-12; 25:9.

1.10.6 The right to have a legal identity. Deut. 1:16-17; 16:18-20; 15:12-17, that of slaves.

1.10.7 Equality before the law. Deut. 1:17; 16:19; 24:17-18; 27:19; in 29:9-14 all free people are included in the pact with Yahweh and enjoy the benefits of his Law.

1.10.8 Every person's right to have an effective recourse before the courts in order to be protected from acts that violate his/her rights. Deut. 5:20; 17:8-13; 19:16-21.

1.10.10 The right to be publicly heard by an independent, impartial court. Deut. 1:16-17; 16:18-20; 17:8-13; 19:6-19.

1.10.11 The right to be presumed innocent before proven guilty; the right not to be condemned for acts that were not technically criminal at the moment when they were perpetrated. Deut. 13:12-14; 17:2-4, 6-7; 19:15; 24:16; → **Ezekiel** 18; cf. Deut. 5:8-10.

1.10.12 The protection of privacy. Slaves, Deut. 15:16-17 y 23:15-16; the poor, 24:10-13.

1.10.13 The right to move freely and to choose one's place of residence. Deut. 23:15-16, even in the case of an escaped slave.

1.10.14 The right to seek asylum. Deut. 19:1-10; the slave in 23:15-16.

1.10.16 From marriageable age onwards, the right to marry and start a family. Deut. 21:10-14; 25:5-10; 5:18; 15:12-15 (cf. Ex. 21:2-4); 22:22; 23:1.

1.10.17 The right to possess property. Deut. 5:19, 21; 19:14 // 27:17; 22:1-4; 24:6.

1.10.18 The right to free thinking, to free conscience and to religion. Deut. 14:21; 29:9-14, slaves.

1.10.22 The right to social security. Deut. 14:27,28-29; 15:1-6,7-11,12-18; 23:25-26; 24:10-13,19,20-22.

1.10.23 The right to work, to choose one's work freely... to protection against unemployment.... to equal pay for equal work.... *to an equitable and satisfactory remuneration*. Deut. 24:14-15.

1.10.24 *To rest and to the enjoyment of free time*, to a reasonable limit to the duration of work, and to periodic, paid vacation. Deut. 5:14; 16:1-17, festivities.

1.10.25 The right to social protection. The elderly, Deut. 5:16; immigrants, 10:19; the poor, 15:4,7-11; slaves, orphans and widows, 16:11,14; Levites, 18:1-8; animals, 22:4.

1.10.26 The right to education. Deut. 6:6-8, of children by parents; 33:10, adults by the Levites.

1.10.27 The right to freely take part in the cultural life of the community, to enjoy the arts and to participate in scientific progress and its resulting benefits. Deut. 5:14; 16:1-17, festivities; 4:5-6, "wisdom"; 32:1-43, "Song of Moses".

1.10.28 The right to a social order in which rights and liberties...become fully effective. Deut 4:8.

1.10.29 Every person has responsibilities to one's community, since it is only within that community that one can freely and fully develop one's personality. Deut. 6:20-25.

Rights with no apparent parallel in Deuteronomy:

- 9 No person can be arbitrarily detained, made prisoner or banished. (Deut.?)
- 15 Every person has a right to a nationality. (Deut.?)
- 19-21 Freedom of expression, peaceful assembly, democratic political participation (Deut.?)

Although Georg Braulik(1994), from whose work the above is adapted, is correct in pointing out that almost all 30 human "rights" have forerunners in Deuteronomy, *the concept of "rights"* (including its implicit linguistic and ideological prejudice against left-handed persons and against "Leftist" ideologies, → **Judges**) *is totally absent in Deuteronomy*. It refers more concretely to liberation/liberty, justice, loving solidarity and wisdom, but never to "rights". Charles Taber³⁰ points out that our specific concept of "rights" is relatively modern, stemming from the Enlightenment, John Locke (1632-1704), Jean-Jacques Rousseau (1712-78), the American (1776) and French revolutions (*Déclaration des droits de l'homme et du citoyen*, 1789), with similar legal provisions realized gradually in England during the course of the 19th century.³¹ But Taber also concludes that three important, regrettable distortions emerged in the modern concept of human "rights":

- The extreme *individualism* prevalent in our Western historical context resulted in applying "rights" to individual, isolated people, or even in opposition to the interests of other individuals. Taber refers to postmodern philosophy and to the judicial courts which are overwhelmed by the number of cases. He points out that non-Western societies would not say "*I think*, and therefore I exist" (Descartes), but, rather, "*I belong* (to a certain family or community), and therefore I exist"—an attitude and a frame of mind that are closer to the mentality and sensibility of the Bible, particularly that of Deuteronomy.

- With such an exaggerated individualism at its base, modern mentality places the whole emphasis on “rights”, forgetting communitarian and familial *responsibilities* and obligations—a common criticism voiced towards the West by non-Western societies.

- Although the authors of the Enlightenment knew the Bible and believed in God, they articulated their concepts of human rights in a historical context of oppressive institutional churches allied with repressive monarchies. As a reaction against the oppressive role played by religion in their time, the pioneers of human rights attempted to establish them on the basis of an autonomous human nature, without reference to God.³² Taber³³ concludes that the third and gravest distortion resulted from the elimination of that divine/transcendent factor as the basis of human rights (cf. “endowed *by their Creator* with certain inalienable rights” in the US Constitution). He affirms that the only adequate basis for human rights is the concept of human *dignity*, based on the biblical teaching that human beings, male and female, were created in God’s image (Gen. 1:26-28). Taber criticizes contemporary secular and postmodern ideologies as being built on “sand”, and points out, as an alternative, those communities that were created by the Gospel of Jesus.

Taber also reminds us how limited the “human” rights were at the beginning. The famous English *Magna Carta* only guaranteed the rights of the barons, the feudal aristocracy, against a tyrannical monarchy. In the United States *The Bill of Rights* of the constitution (1787) only protected the rights of white male landowners. Today it is easy to forget two centuries of struggle in the West to assure that those rights also apply to landless men, to persons of color, to women—and finally to sexual minorities. A double distortion occurs in contemporary debates when we speak of “gay rights”, since they are simply *human* “rights” applied to every human without prejudice or discrimination against sexual minorities.

2. Women. Given the decisive role of the prophetess Huldah in the acceptance of Deuteronomy as inspired and canonical (→ **2 Kings** 22:14-20), we could expect a more positive treatment toward women in this book compared with the other legal codes. And this appears to be the case in the Ten Commandments (see above), since in Deuteronomy the tenth distinguishes the neighbor’s wife and does not treat her as property (Deut. 5:21; cf. Ex 20:17). Likewise, although this tenth commandment is directed towards males (“Neither shall you covet your neighbor’s wife”), the other commands probably include women in the “you” (masculine singular, but with inclusive sense implied). Thus, No. 4, concerning sabbath rest, appears to be directed toward the married couple and to include the mother as an authority who permits rest for the daughters and the female slaves.³⁴ Deut. 3:19 charges military men to leave “your wives, your *dependents* (*tap*), and your livestock” in the towns, but *tap* is commonly mistranslated “child(ren)”, even though it really includes the elderly and slaves in addition to the daughters. Frequently *tap* also includes women, and they easily become “invisible” in the translations (Gen. 47:12, “household”).³⁵

Various texts in Deuteronomy appear to support the conclusion that, in the historic context of the formation of this book, women enjoyed greater liberty, dignity and social importance in comparison with the earlier covenant code (Exodus 20:22–23:19) and the subsequent codes (from the priestly source: Leviticus and the Holiness Code, Leviticus 17–26). See the eleven references to widows in Deuteronomy (below) compared with the two in Exodus and two in Leviticus (below).

*** = texts found only in Deuteronomy, lacking parallels in other books of the Pentateuch.**

***2.1 Women in two feasts (12:12; 16:11,14, but cf. 16:16, males).**

2.2 Widow/s (*almanah/oth*; 10:18; 14:29; 16:11,14; 24:17,19-21; 26:12-13; 27:19; 11 times);

→ Ex. 22:22,24; see 2. Poor, above; Tamar in Gen. 38:11,14,19; Lev. 21:14; 22:13).

2.3 15:12-18 Female Hebrew slave freed after seven years (→ Ex. 21:1-11).

***2.4 20:7 Engaged men exempt from war (see *24:5).**

***2.5 Women war captives (20:14; 21:10-14).³⁶**

***2.6 21:15-17 Unloved woman with bigamous husband (→ Leah, Gen. 29:30-35).**

***2.7 21:18-21 Rebellious son stoned by both parents.** See both parents in Ex. 20:12 // Deut. 5:16; 6:20-25; Ex. 13:14-16; Prov. 19:18; 31:1.

***2.8 Slander against a bride (22:13-21; cf. Ex. 22:16-17, seduced virgin).**

2.9 Adulterer with another man's wife (22:22; → Ex. 20:14; Lev. 20:10).

2.10 Rejection of goddess Asherah and the liberation of women 7:5; 12:3; 16:21). Georg Braulik concludes that Deuteronomy insists on the destruction of the images of the goddess Aherah, but that it also establishes the freedom of women to offer sacrifices (Deut. 12:12,18; 6:9-17).³⁷

2.11 22:23-27 Betrothed virgins (city/country); 22:28-29 Virgin not betrothed // → Exodus 22:15. The virgins in question are “betrothed” by agreement between the father and suiter, not “engaged” as if the agreement were between the suiter and virgin. Exodus 22:16-17 is a *casuistic* law (it takes a *case*: “If a man...*then*”), to be distinguished from “apodictic” laws, e.g., “You shall not murder,” which does not explicitly state the punishment (since Albrecht Alt, 1934). → **Deuteronomy 22:22-29** does not repeat the case of Ex. 22:6-17, but presents four other *cases* (two cases deal with *rape*, *’anah*, where the woman is an innocent victim; see *):

- *If* a man is caught lying with the *wife* of another man, both of them *shall die*.....
- *If* there is a young woman, a virgin already betrothed to be married, and a man meets her and lies with her, you shall... stone them to death, the young woman because she did not cry for help.....
- **If* the man meets the betrothed woman in the open country, and the man seizes her and lies with her, then only the man who lay with her shall die.... But there was no one to rescue her.
- **If* a man meets a virgin who is not betrothed, and seizes her and lies with her... the man... shall give fifty shekels of silver to the...father, and she shall become his wife... he shall not be permitted to divorce her as long as he lives. (Deut. 22:22-29)

None of the four cases in Deuteronomy repeat the case in Ex. 22:16-17,³⁸ since:

- the first case is about *adultery* (with a married woman; → No. 7 of the Ten Commandments);
- the first three present serious crimes punished by the *death penalty*;
- the second and third deal with *betrothed* virgins (cf. the virgin not betrothed in Exodus);
- the second case reflects an urban context, not rural;
- the last two cases deal with *rape*, not seductions as in Exodus; and
- the fourth case, as in Exodus, deals with an unbetrothed virgin who has been raped, not seduced, and obligates the rapist to pay the dowry and marry the woman, with no right of divorce.

Nonetheless, in all these cases (one in Ex. 22:16-17 and four in Deut. 22:22-29) the sexual sin/crime is considered as damage to the sexual property of another male, be he the father, the husband or the fiance (who has already paid the dowry, even though he has not yet received his sexual property, the betrothed woman).

2.12 “Incest” with the father’s wife (22:30 // 27:20); → Leviticus 18 and 20; 1 Corinthians 5; with a sister (27:22) or mother-in-law (27:23); → Lev. 18:8-9 (Gen. 9:21-29 + patriarchs); see 3.5 under Sins and Sexual Minorities.

***2.13 24:5 Recently married men exempt from the war (see 20:7).** In **patriarchal** cultures, where sexual relationships exist especially for *procreation*, notable is the provision of Deut. 24:5 which exempts the recently married man from war in order to “make the *wife* happy” (*simmakh*, “to give pleasure to”).³⁹ Some translations change the text to make it refer to the joy of the man; Duane Christensen concludes that the purpose of staying at home for a year is “supposedly to conceive a child,”⁴⁰ thus nullifying a very subversive text, → **1 Cor. 7:1-5.**

***2.14 25:5-10 Levirate Marriage. → Tamar in Genesis 38 and Ruth; cf. Lev. 18:16; 20:21 (incest).** The explicit purpose of levirate marriage is only that the brother of the deceased produce a child with the widow so

that the “name [of the deceased brother] may not be blotted out of Israel” (Deut. 25:6-7,9). Although the text says nothing specifically about provision for and protection of the widow, practices and laws in other cultures make explicit the motive of also providing for the widow. Therefore, it is preferable to interpret this discourse about the preservation of the name of the deceased as a part of the rhetoric to convince the responsible man to fulfill his responsibility, given that the prescribed rite with an insult (pull off his sandal and spit in his face) makes it clear how common it was that the brother of the deceased did not want to fulfill his obligation. This ritual is the only act of humiliation utilized in the Bible as a penalty against an offender.⁴¹ Given especially the great emphasis in Deuteronomy on the necessity of providing for widows (see above, under **The Poor, 3.5**), and the obvious concern of Tamar (Genesis 38) and of Ruth and Naomi (Ruth) for their own necessity, it is highly probable that the readers understood from the context of the book this obvious but only implicit motive in the Deuteronomy law (→ **3.7 Levirate Marriage**, below; → **Mark** 12:18-27 // **Mat.** 22:23-33).

However, other texts in Deuteronomy about women appear more negative than the laws in the other codes, especially....

***2.15 25:11-12 Hand cut off when a wife mutilates the genitals of a man.** This law competes with the texts concerning the ordeal for the woman suspected of adultery (→ **Numbers** 5) and the sacrifice of Jephthah’s daughter (→ **Judges** 11:29-40), all truly “horror texts” for women.⁴² As Jeffrey Tigay points out, the interpretive efforts of the Talmud and medieval Jewish commentators indicate that the text has been problematic not only for modern readers. The punishment appears to be too severe for the offense of a woman who attempts to defend her husband in a fight where he could have been the victim of violence.⁴³ With the exception of the *lex talionis* (perhaps always figurative for equivalent fines, → **Exodus** 21:22-25), the amputation of the hand is the only example of mutilation as punishment in the Bible, but it continues in force in Saudi Arabia and some other Arabic countries.⁴⁴ Commonly the law in Deuteronomy is seen as an adaptation of an Assyrian law suggesting that the woman injured the man’s genitals.⁴⁵ The greater autonomy of the woman reflected in Deuteronomy may be seen in the fact that in this law the woman takes the initiative in a fight between two men and managed to inflict serious injury to the man who attacked her husband, while in the Exodus law the pregnant woman is passive and suffers an involuntary abortion (21:22-25). However, according to Tikva Frymer-Kensky, in the resulting law, “A man’s genitals—any man’s genitals—are now sacrosanct. Women must not only follow the authority of their head of household: all men are now a privileged caste protected by the state, and their genitals, the emblem and essence of their manhood, are now sacrosanct”⁴⁶ By commanding similar mutilations for male adulterers (Mateo 5:27-30; 18:8-9; Marcos 9:43-49), Jesus appears to correct the prejudice against women in Deut. 25:11-12—and by his use of hyperbole Jesus at the same time corrects the literal interpretation of Deuteronomy, which always had a “pedagogical purpose” rather than literal, according to Duane Christiansen.⁴⁷

3. Twelve Sins / Sexual Minorities (* = the seven only in Deuteronomy). Since the **Levites** of the north played a principal role in the production and conservation of the book (31:9-13,24-29; 33:8-11; 17:18), not surprisingly the principal “option for the poor” in Deuteronomy favors this landless priestly tribe (12:12,18-19; 18:1-2. Levites named 26 times: Deut. 10:8-9; 12:12,18-19; 14:27,29; 16:11,14; 17:9,18; 18:1,1,6,7; 21:5; 24:8; 26:11,12,13; 27:9,12,14; 31:9 25; 33:8[-11]).⁴⁸ Furthermore, since many Levites were unmarried itinerant priests (→ **Judges** 17–18; 19–21; **1-2 Chronicles**), not surprisingly, Deuteronomy, a product of the Levites and prophets of the north, includes many texts concerning sexuality and sexual minorities. Deuteronomy deals with **five** sexual themes that receive attention in the other legal codes of the Pentateuch: the practice of polygamy (accepted) and four practices condemned as crimes—adultery, seduction of virgins, bestiality and incestuous relationships. The first three crimes had already been condemned in Exodus, and the last was condemned in the Holiness Code in Leviticus.

1 Polygamy, → 1-2 Chronicles, 1-2 Kings:

○ Instruction to the kings, *Deut. 17:17;

○ First-born, unloved mother, *Deut. 22:15-17 (cf. Gen. 25:29-34);

2 Adultery, Deut. 22:22; 5:18; → Ex. 20:14;

3 Seducer of virgins:

- Engaged, *Deut. 22:23-27;
- Not engaged, Deut. 22:28-29; → Ex. 22:16-17;

4 Incest; → **Leviticus** 18 and 20:

- With the wife of the father, 22:30; → 27:20 (see Gen. 9:21-29 + patriarchs);
- With sister or mother-in-law, 27:22-23; → **Lev.** 18:9,8;

5 Man who practices bestiality, 27:21 (→ **Ex.** 22:18; + women in Lev. 18:23, 20:15-16).

Especially notable, however, are the legal provisions concerning the **seven** themes that do not occur in the other codes, but only in Deuteronomy (see below):

*6 **Transvestites** (Deut. 22:5);

*7 **Remarriage prohibited with the same woman after the divorce**, 24:1-4;

*8 **Levirate marriage** (with widow of the deceased brother), Deut. 25:5-10
(cf. Genesis 38; Ruth);

*9-11 **Eunuchs, bastards (mamzer) and two ethnic groups (gentiles)**, 23:1-8;

*12 **Prostitutes (cultic?): “Sodomites?”**, 23:17-18; → **1-2 Kings**.

3.1 Four Laws in the Pentateuch imply approval of polygamy:

- **Deut. 21:15-17.** Take the case of a man with two wives, one of whom he loves but not the other; both give him children, and the first-born is the child of the unloved wife. When this man distributes his inheritance among his children, he will not give the right of the first-born to the son of the loved wife, neither will he show preference to him in detriment to the true first-born, in other words, the son of the unloved wife. Rather, he will recognize this son as his first-born, and he will give him a double portion of all that he has. That son is the first fruits of his virility, and to him belongs “the right of the firstborn” (Deut. 21:15-17).

- **Deut. 17:17** prohibits only *exaggerated* polygamy on the part of kings.

- **Lev. 18:18 and 20:21** Prohibit taking as a wife the wife’s sister, implying the acceptance of having more than two wives.⁴⁹

3.2 The Adulterer, Deut. 22:22; 5:18 (see adultery in → Exodus 20:14 and Genesis 39).

*3.3 **Transvestites** (Deut. 22:5):

A woman shall not wear *keli* (utensils, armor, clothing) that belongs to a man, nor shall a man put on a woman’s *garment*; for whoever does such things is abhorrent (*to ’ebah*) to the Lord your God.

As the Jerusalem Bible note to this text points out: “Probably an allusion to immoral practices in Canaanite religions.”. Similarly, HarperCollins Study Bible (NRSV) states: “Classification of cross-dressing as *abhorrent to the Lord* (cf. note on 7:25-26; 12:31) suggests that the prohibition has in view pagan cultic practices (associated, e.g., with worship of the Mesopotamian goddess Ishtar).” Another possibility is that the text reflects a preference for order and attempts to avoid mixtures (22:9-12; → **Leviticus**).⁵⁰ Actually, both explanations of the motive for the prohibition (of avoiding idolatrous practices and also mixtures considered unclean) could be correct, since the motives behind the laws frequently are complex. In fundamentalist circles, however, the text is commonly misinterpreted as an ethical absolute against transvestism and as a means to avoid the development of a homosexual orientation in children, even though modern science denies that sexual orientation would be affected by such practices. (For details see www.othersheep.org/BibSexFund_Part3_7.html.)

3.4 Seduced virgins (→ Ex. 22:16-17): betrothed, 22:23-27; not betrothed, 22:28-29.

As indicated in **2.11**, Deut. 22:22-29 does not repeat Ex. 22:16-17, but presents four other *cases* (one of adultery, two of betrothed virgins and one of a virgin not betrothed. The last two do not deal with seductions, but rather *rape*, *’anah*):

- If a man is caught lying with the *wife* of another man, both of them *shall die*.....
- If there is a young woman, a virgin already betrothed to be married, and a man meets her and lies with her, you shall... stone them to death, the young woman because she did not cry for help.....
- If the man meets the betrothed woman in the open country, and the man seizes her and lies with her, then only the man who lay with her shall die.... But there was no one to rescue her.
- If a man meets a virgin who is not betrothed, and seizes her and lies with her... the man... shall give fifty shekels of silver to the...father, and she shall become his wife... he shall not be permitted to divorce her as long as he lives. (Deut. 22:22-29)

3.5 “Incest” with the father’s wife (22:30 // 27:20); → Leviticus 18 and 20; 1 Corinthians 5; “incest” with a sister (27:22) or mother-in-law (27:23); → Lev. 18:9,8 (Gen. 9:21-29 + patriarchs). Although the Exodus codes did not include any prohibition against relations which today are designated as “incestuous,” Deuteronomy prohibits three such relationships in four texts, a theme much more developed in → **Leviticus** 18 (twelve prohibitions) and 20 (seven prohibitions with the death penalty). The prohibition of relations with a father’s wife (22:30 // 27:20) makes explicit that the principal purpose is to avoid violating the father’s honor. (See Absalom taking David’s concubines in order to replace him as king (2 Sam. 16:21-22; → **1-2 Samuel**; Adonijah indirectly asking Solomon for Abishag, → **1 Kings** 2:13-25).

***3.6 Prohibition of remarriage with the same woman after a divorce, 24:1-4; → Mark, Ezra, Nehemiah, Malachi.** Although this text is commonly interpreted as a reference to divorce, it deals rather with a more concrete case: a prohibition of remarriage with a previously rejected woman. In the original Hebrew, 24:1-4 is just one sentence: the description of the case extends for three verses (vv. 1-3), followed by the prohibition in v. 4 (see NIVSB note). As in Isaiah 50:1, the prohibition takes for granted (1) that divorces are going to occur and does not prohibit them and (2) that the man will give the woman a certificate of divorce. The law does not seek to define a legitimate basis for the divorce (*’erwat*, “something displeasing,” v. 1, is intentionally vague), and we should not conclude from this law that only men can initiate a divorce (see the Levite’s concubine, → **Judges** 19:2).⁵¹

***3.7 Levirate marriage (with the widow of a deceased brother), Deut. 25:5-10** (cf. Genesis 38; Lev. 18:16; 20:21; → **Mark** 12:18-27 // Mat. 22:23-33). A unique exception to the levitical prohibitions of incest is the law in Deut. 25:5-10 regarding levirate marriage (from the Latin *levir*, *brother-in-law*) which, in effect, commands what Leviticus (18:16 and 20:21) prohibits. If a brother died without a descendant, the surviving brother was obligated to have sexual relations with the widowed sister-in-law in order to ensure the continuity of the brother’s name (lineage). In addition to the discrepancy with the Levitical laws against incest, Biblical scholars have noted several differences between the narratives (Tamar in Genesis 38 + Ruth):⁵²

- In Genesis 38 the widow Tamar only had the right to a descendant, not marriage (as in Ruth and Deuteronomic law), which provoked considerable difficulty for the biblical notion that sexuality implied a *permanent* marital relationship;

- Deut. 25:5-10 limits Levirate marriage to the *brothers* who “reside together,” but in Genesis 38 the responsibility extends to the father-in-law (Judah) and in Ruth to someone else even more distant (Boaz, relative of the mother-in-law Naomi);

- In Genesis and Deuteronomy levirate marriage is *obligatory*, but in Ruth it is *optional*.

- Deut. 25:7 stipulates that the brother’s responsibility is to perpetuate the name of the deceased brother; however, Ruth’s geneology (Ruth 4:18-21) names only the biological father (Boaz), not the person whose place he took (Mahlon).

In the day of questions Jesus was obligated to deal with this question (→ **Mark** 12:18-27 // **Matthew** 22:23-33). His answer included the affirmation that angels do not marry, which in the Neoplatonic tradition was interpreted as an indication that angels are spiritual in the sense that they are non-material beings and, consequently, incapable of coitus with anyone. However, other texts make clear the sexual capacity of angels (→ **Gen.** 6:1-4, 18-19, **Jude** 7 and **1 Cor.** 11:10). The Levirate law also offers considerable difficulty to those who see an absolute ethic against polygamy (by chance do three become one?) and homosexual relationships in the language of “two shall become one.” While it does not represent the ideal, for certain situations where the alternatives are worse a type of “open marriage” was not only permitted but actually ordained by God.

The law and practice of Levirate marriage, never abandoned in the New Testament, present serious problems for ideological fundamentalism. Fundamentalists who demand a simple “return to the Bible” for modern sexual questions must explain why in churches today no hands are cut off (Deut. 25:11-12), no one takes an oath in court with their hand on male genitals (instead of the Bible; see Gen. 24:1-4), neither are men with deceased brothers obligated to fulfill the responsibility of Levirate marriage, commanded in the Bible and never revoked.

3.8 Bestiality, males, 27:21 (see → **Ex. 22:18**; + women, Lev. 18:23, 20:15-16).

***3.9-11 Eunuchs, bastards (*mamzer*) and two foreign peoples (*Gentiles*), 23:1-8.** Deuteronomy excludes from the Israelite community: (1) eunuchs, (2) illegitimate children and (3) two types of foreigners (the Ammonites and the Moabites) to the tenth generation; however Edomites and the Egyptians could be included from the third generation. The link between prejudices against sexual minorities and foreigners (xenophobia, homophobia, etc.) is common in the Bible, as in all of history and human literature. Concerning eunuchs, Deuteronomy says:

No one whose testicles are crushed (*daka*) or whose penis is cut off shall be admitted to the *assembly* (*qahal*) of Yahweh (23:1).

Yet, surprisingly, we read in Third Isaiah (→ **Isaiah 56-66**) an oracle that revokes two of the Torah provisions:

3 Do not let the *foreigner* joined to the Lord say,
“The Lord will surely separate me from his people”;
And do not let the *eunuch* say,
“I am just a dry tree.”
4 For thus says the Lord:
To the eunuchs who keep my sabbaths,
who choose the things that please me
and hold fast my covenant,
5 I will give, in my house and within my walls,
a monument and a name
better than sons and daughters;
I will give them an everlasting name
that shall not be cut off (*karath*; see eunuch, one castrated)....
7 these I will bring to my holy mountain,
and make them joyful in my house of prayer;
their burnt offerings and their sacrifices
will be accepted on my altar;
for my house shall be called a house of prayer
for all peoples. (Is. 56:3-5, 7; → **Rom.** 15:1-6)

To interpret Deut. 23:1-8 correctly in its patriarchal context, we should note that it deals with the qualifications for entering/participating in the *assembly* (political-religious-military-judicial), made up of Israelite adult *males* and generally excluding the women.⁵³ Thus, a castrated male was not considered a complete man, but reduced to the

inferior status of a woman. Furthermore, the diversity in biblical traditions is evident even in the motive for excluding the Moabites, since Deut. 23:5 declares that this ethnic group had denied the Israelites solidarity in hospitality when they fled from slavery in Egypt, even though Deut. 2:29 affirms the opposite.⁵⁴ Notably, in his final judgment parable, Jesus also insisted that the denial of solidarity in hospitality with the poor would result in exclusion from the Kingdom (but without imposing ethnic or national criteria; → **Matthew** 25:31-46. Some think that the purpose of the exclusion of eunuchs in Deut. 23:1 was to discourage the practice of pagan priests to become eunuchs as a kind of sacrifice to the gods. On the other hand, many Israelite men were castrated when taken captive following the fall of Jerusalem (587/6 BC; → **Nehemiah, Daniel**). Such experiences made it clear that a literalist interpretation of Deuteronomy, which Third Isaiah seeks to correct, was unjust.

In the New Testament Jesus developed even more the “science of eunucology” when he spoke of three types of eunuchs. He and the apostles, with the exception of Peter, were “eunuchs for the sake of the kingdom of heaven” (→ **Mat.** 19:12). In → **Acts** Philip baptized the Ethiopian eunuch (a black man, Acts 8:26-40), and Paul and his companions followed Jesus’ model as “eunuchs for the sake of the kingdom of heaven.” Also, with the Great Commission to make disciples of all nations (Mat. 28:16-20), Jesus in effect revoked the national and ethnic exclusions of texts such as Deut. 23:1-8 (also Paul, Romans 1:16-18; see Ephesians). Modern surgery offers a fourth type of “eunuch,” since male-to-female transsexuals have the penis amputated as part of the sex-change process. In addition to this intentional possibility, some children have suffered the loss of the penis as an error in circumcision surgery (and we can assume that the same occurred in antiquity with the use of flints; → **Joshua** 5).

3.10-11 Illegitimate children (*mamzer*), Deut.23:2; concerning non-Jews, 23:3-8 (7:3) → *Ezra and Nehemiah*.

Those born of an *illicit union* (*mamzer*) shall not be admitted to the assembly of the Lord....even to the tenth generation... (Deut. 23:2).

No agreement exists concerning the specific meaning of this text. In the long history of the Hebrew Bible, the New Testament and Judeo-Christian traditions, *mamzer* has been applied to various classes of children who have been marginalized and denied an inheritance (controlled by clans in their assemblies). Thus it could refer to children of

- unmarried parents (see Deut. 22:23-29);
- parents in an incestuous relationship (see Deut. 22:30; HSCB note on 23:2);
- mixed marriages, Jews with Gentiles (see Deut. 23:3-8; see also Zech. 9:6; Neh. 13:23-27); and/or
- prostitutes (cultic, 23:8-9?; from the verb *nazar*, to dedicate, consecrate?; see the LXX).

In the New Testament → **Hebrews** utilizes “illegitimate” as a metaphor for the Christians who had not suffered God’s paternal discipline:

If you do not have that discipline in which all children share, then you are *illegitimate* (*nothoi*) and not his children (Heb. 12:8).

However, according to the accounts of → **Luke** and → **Matthew**, Jesus’s conception, with Maria still not married, would have made him legally an illegitimate child, a fact which his adversaries took advantage of to discredit him (John 8:41; see the adulterous woman in John 8:1-11). Consequently, in this area, as is the case with so many other texts referring to sexual minorities, the diversity of the biblical teaching is obvious. And as in the case of the eunuchs, we can observe a process of deconstruction of the previous prejudices and prohibitions.

***3.12 Prostitutes (*cultic?*): “Sodomites?”, 23:17-18; → 1-2 Kings.** Although the Hebrew word *qadesh* means “holy, consecrated, set aside for God,” in the Hebrew Bible the masculine noun is used six times to refer to the prostitute (*cultic?*), as in Deut. 23:17-18. The old versions mistranslated *qadesh* as “sodomite”:

There shall be no whore (*qedeshah*) of the daughters of Israel, nor a sodomite (*qadesh*) of the sons of Israel. Thou shalt not bring the hire of a whore (*zonah*), or the price of a dog (*keleb*), into the house of the Lord thy God for any vow: for even both these are abomination unto the Lord thy God (Deut. 23:17-18, KJV).⁵⁵

The same error is repeated in 1 Kings 14:24; 15:12; 22:46; 2 Kings 23:7; Job 36:14. Readers who rely on older translations may conclude that the Hebrew Bible contains six condemnations of “sodomites,” although the original Hebrew spoke only of *qadeshim* (“consecrated” male prostitutes), with no reference to their sexual orientation.

The Hebrew Scriptures frequently warn Israelite youth and men to abstain from sexual relations with prostitutes (→ **Proverbs**). However, no one ventures to misinterpret such texts as a divine condemnation of “heterosexuality”—although this is precisely the error of those who seek to take from the references to the cultic prostitutes (mistranslated as “sodomites”) a condemnation of “homosexuality”. Modern translations now correct this grave mistake, making clear that the texts speak specifically of prostitutes—not of “sodomites”, “homosexuales” or “heterosexuals” (see “*temple prostitute*”, NRSV, NIV).

The Spanish Reina Valera 95 (RV95) and Dios Habla Hoy Study Bible (DHHBE) affirm in their identical note on Deut. 23:18 what is both anachronistic and homophobic: “The word *dog* designates the homosexual male who practiced sacred prostitution in the temples”. However, both the word and the modern scientific concept of “homosexual” orientation were unknown until the late 19th century, and even had they been known, it would be impossible to determine the sexual orientation of the prostitutes (it is likely that some were heterosexuals or bisexuals, since they served both sexes). In its note on the same text the Spanish Jerusalem Bible (NBJ) affirms correctly: “‘Dog’ designates disrespectfully the male cult prostitute [hieródulo]”—without attributing any modern concept of sexual orientation. Recent studies frequently even question whether the prostitution referred to was cultic or rather secular.⁵⁶ However, even if secular, the reference clearly is to prostitution, not to a consensual, loving committed relationship between adults of the same sex. Probably, however, the reference is to prostitution exercised by temple servants who were eunuchs and thus did not procreate sons who would have been involved in the questions of property and inheritance in the assembly of free males from which they were excluded (Deut 23:1; see eunuchs in 3.9-11 above).

Conclusion of 3.12. Once we recognize that “sodomite” is a grave error in translation of the Hebrew word *qedoshim* (cultic prostitutes), then the only basis for condemning homoerotic relationships in Deuteronomy disappears (→ **1-2 Kings**). That is, neither the Book of the Covenant (Exodus 20:22-23:19; 1200-800 BC) nor the Deuteronomic Code (800-600 BC) contains a single prohibition of homoerotic relationships. Such relationships were acceptable and legal during almost the entire history of Israel, from Moses (1300 BC) until the postexilic period (538 BC and later). Such an understanding of the legal history explains how the intimate relationship between David and Jonathan did not cause condemnation for so many centuries (→ **1-2 Samuel**). Only the Holiness Code (Lev. 17–26), the last part of the priestly laws (exilic and postexilic), contains two verses that prohibit anal sex between men (without prophylactics); → **Leviticus**. Even many fundamentalist theologians recognize that we should not condemn a practice based on a few isolated texts of the Bible, since an untold number of individual texts reflect concrete historical contexts, not general norms. What is needed is to establish a *historical continuity* in the Bible and a *theological, reasonable and scientific coherence* in order to establish acceptable norms of sexual conduct today. The translation of *qedoshim* as “sodomites” is only another example of the many ways in which ignorance, prejudice and homophobia have corrupted the correct interpretation of Scriptures and twisted the discourse of the churches about human sexuality (→ **The Song of Solomon**).

Bibliographies

Trinity

- Boff, Leonard (1988). *Trinity and Society*. Maryknoll, NY: Orbis.
- D'Costa, Gavin (2000). *Sexing the Trinity: Gender, Culture and the Divine*. London: SCM.
- (2007). "Queer Trinity." In *Queer Theology: Rethinking the Western Body*. Gerard Loughlin, ed. Oxford: Blackwell, 269-280.
- Gebara, Ivone (2000). "Trinity." In *Dictionary of Third World Theologies*, 230-31. Maryknoll: Orbis.
- León, Trinidad (2005). "Trinidad." In *Nuevo Diccionario de Teología*, 929-38. Madrid: Trotta.
- Videla, Martin Hugo (2003). *Implications for a Theology of Friendship for Decolonizing and Queering the Doctrine of the Trinity*. Master of Arts Thesis, Graduate Theological Union, Berkeley, CA.

Ger/im (sojourners)

- Block, Daniel I. (1988). "Sojourner; Alien; Stranger." ISBE IV, 561-64. Grand Rapids: Eerdmans.
- Kellemann, D. (1975). "*gur, ger...*". TDOT II, 439-49. Grand Rapids: Eerdmans.
- Kidd, José E. Ramirez (1999). *Alterity and Identity in Israel: the GER in the Old Testament*. Berlin/New York: Walter de Gruyter.
- Rowell, Edmon L. Jr. (2000). "Sojourner". EDB 1235-36. Grand Rapids: Eerdmans.
- Houten, C. van (1991). *The Alien in Israelite Law, A Study of the Changing Legal Status of the Strangers*. JSOTSup 107, 77-108, 160-61. Sheffield: JSOT.

Travestism

- See Craigie (1976) and Thompson (1974) in bibliography below.
- Countryman, L. William (2007). *Dirt, Greed, and Sex*. Philadelphia: Fortress, 23-26.
- Docter, Richard (1988). *Transvestites and Transexuals: Towards a Theory of Cross-Gender*. New York: Plenum.
- Edwards, Douglas R. (1992). "Dress and Ornamentation". *The Anchor Bible Dictionary*, ed. David Noel Freedman, II, 232-238. New York: Doubleday.
- Garber, Marjorie (1992). *Vested Interests: Cross-Dressing and Cultural Anxiety*. New York/London: Penguin.
- Guest, Deryn (2006). "Deuteronomy". *The Queer Bible Commentary*. Deryn Guest, Robert E. Goss, Mona West, Thomas Bohache, eds. London: SCM, 133-136..
- Klassen, William (1992). "Kiss (NT)". *The Anchor Bible Dictionary*, ed. David Noel Freedman, IV, 89-93. New York: Doubleday.
- Mollenkott, Virginia Ramey (2007). *Omnigender: a trans-religious approach*., Cleveland: Pilgrim, 88-113.
- Peo, Roger E. (1988). "Transvestism." *The Sexual Unusual: Guide to Understanding and Helping*, ed. Dennis M. Daily. New York: Harrington.
- Pettiti, Louis-Edmond (1992). *Les Transexuales*. Que sais-je. Paris: Presses Universitaires de France.
- Rekers, George A. (1985). "Transvestism". In *Baker Encyclopedia of Psychology*, ed. David G. Brenner, 1179-1181. Grand Rapids: Eerdmans.
- (1985). "Transsexualism". In *Baker Encyclopedia of Psychology*, ed. David G. Brenner, 1178-1179. Grand Rapids: Eerdmans.
- Running, Leona. G. (1982). "Garments". ISBE, ed. G. W. Bromiley, II, 401-407. Grand Rapids: Eerdmans.
- Theissen, Gerd (1983/87). *Psychological Aspects of Pauline Psychology*. Philadelphia: Fortress.
- "Transgender Realities". *Open Hands* 12/2 (Fall, 1996). The entire issue offers an excellent Christian perspective, with an ample bibliography.

Widows

- Frick, Frank (2001). "Exodus 22:22,24, Widows." *Women in Scripture*, 197-199.
- Hoffner, H.A. (19XX?). "almanah". TDOT I. Grand Rapids: Eerdmans.
- Holwerda, D. E. (1988). "Widow". ISBE IV:1060-1061. Grand Rapids: Eerdmans.
- Brown, Lucinda A. (2001). "1 Tim 5:3-16, Widows", WS, 492-493.
- Thurston, Bonnie B. (1989). *The Widows: A Women's Ministry in the Early Church*. Minneapolis: Fortress.
- Torjesen, Karen Jo (1993). *When Women Were Priests: Women's Leadership in the Early Church and the Scandal of Their Subordination in the Rise of Christianity*. San Francisco: HarperSanFrancisco.

Deuteronomy

- Anderson, Cheryl B. (2004). *Women, Ideology, and Violence: Critical Theory and the Construction of Gender in the Book of the Covenant and the Deuteronomical Law*. JSOTSS 394. New York/London: T&T Clark.
- Barrett, Rob (2009). *Disloyalty and Destruction: Religion and Politics in Deuteronomy and the Modern World*. New York: T&T Clark. See review by Jerry Hwang, RBL 01/2011
- Bennett, Harold V. (2002). *Injustice Made Legal: Deuteronomical Law and the Plight of Widows, Strangers and Orphans in Ancient Israel*. Grand Rapids: Eerdmans.
- Boff, Leonard (1988). *Trinity and Society*. Maryknoll, NY: Orbis.
- Braulik, Georg (1986-92). *Deuteronomium 1-16,17* (1986); *Deuteronomium 16,18-34,12* (1992). Die Neue Echter Bibel. Würzburg: Echter.
- (1994). *The Theology of Deuteronomy*. North Richland Hills, TX: BIBAL.
- Bruggemann, Walter (2001). *Deuteronomy*. AOTC. Nashville: Abingdon.
- Clements, Ronald E. (1998). "The Book of Deuteronomy." In *New Interpreter's Bible*, II, 271- 538. Nashville: Abingdon.
- Countryman, L. William (2007). *Dirt, Greed, and Sex: Sexual Ethics in the New Testament and Their Implications for Today*. Philadelphia: Fortress.
- Craigie, Peter (1976). *The Book of Deuteronomy*. NICOT. Grand Rapids: Eerdmans.
- Christensen, Duane L. (2000). *Deuteronomy 1:1-21:9, revised*. WBC 6^a. Nashville: Thomas Nelson.
- (2002). *Deuteronomy 21:10-34:12*. WBC 6B. Nashville: Thomas Nelson.
- Christensen, Duane L., ed. (1993). *A Song of Power and the Power of Song: Essays on the Book of Deuteronomy*. Winona Lake, Ind.: Eisenbrauns.
- Crüsemann, Frank (1996). *The Torah: Theology and Social History of Old Testament Law*. Edinburgh: T. & T. Clark.
- Da Silva, Fernando Candido (2011). *Uma Aliança Abominável e Pervertida? Anotações Subalternas Sobre o Arquivo Deuteronomico*. Tesis doctoral. Sao Bernanardo do Campo, Brasil.
- Davidson, Richard M (2007). *Flame of Yahweh: Sexuality in the Old Testament*. Peabody, Mass.: Hendrickson.
- Edinburgh, Cynthia (2009). "Ideology and Social Context of the Deuteronomical Women's Sex Laws (Deuteronomy 22:13-29)." *Journal of Biblical Literature* 128/1, 43-60.
- Engelmann, Angelika (1998/99). KFB 67-79.
- Frymer-Kensky, Tikva (1992/98). WBC, 57-68.
- (1992). *In the Wake of the Goddesses*. New York: Free Press.
- Fox, Everett (1997). *The Five Books of Moses*. Schocken Bible 1. New York: Schocken.
- García López, F. (1996). *El Decálogo*. Cuadernos Bíblicos 63. Estella: Verbo Divino.
- (1997). *El Deuteronomio*. Cuadernos Bíblicos 81. Estella: Verbo Divino.
- García Martínez, F., ed. (1994). *Studies in Deuteronomy*. VTSup 3. Leiden: E. J. Brill.
- Guest, Deryn (2006). "Deuteronomy". *The Queer Bible Commentary*. Deryn Guest, Robert E. Goss, Mona West, Thomas Bohache, eds. London: SCM, 122-143..
- Hamilton, J. H. (1992). *Social Justice and Deuteronomy: The Case of Deuteronomy 15*. Atlanta: Scholars.
- Hoppe, Leslie J. (2000). "Deuteronomy, Book of". EDB 342-343.
- Klassen, William (1992). "Kiss (NT)". In *The Anchor Bible Dictionary*, ed. David Noel Freedman, IV, 89-93. New York: Doubleday.

- Labuschagne, Casper J. (1990-97). *De Prediking van het Oude Testament: Deuteronomium*. Nijkerk: Uitgeverij G. F. Callenbach. 4 volumes (Dutch).
- Lehmann, Paul L. (1995). *The Decalogue and a Human Future: The Meaning of the Commandments for Making and Keeping Human Life Human*. Grand Rapids: Eerdmans.
- Levinson, Bernard (1998). *Deuteronomy and the Hermeneutics of Legal Innovation*. Oxford: Oxford University.
- Lipka, Hilary B. (2006). *Sexual Transgression in the Hebrew Bible*. Sheffield: Sheffield Phoenix.
- Mann, Thomas W. (1995). *Deuteronomy*. WBC. Louisville: Westminster John Knox.
- Mayes, A. D. H. (1981). *Deuteronomy*. NCB. Grand Rapids: Eerdmans.
- McBride, S. D. (1999). DBI I, 273-294.
- McConville, J. G. (2002). *Deuteronomy*. AOCT. Downers Grove: InterVarsity.
- Miller, James E. (2006). *Raw Material: Studies in Biblical Sexuality*. www.OtherSheep.org
- Miller, Patrick D. (1990). *Deuteronomy*. Interpretation. Louisville: Westminster John Knox.
- Montgomery, John Warwick (1986/95). *Human Rights and Human Rights*. Edmonton: Canadian Institute for Law and Public Policy.
- Nelson, Richard D. (2002). *Deuteronomy*. OTL. Louisville: Westminster John Knox.
- Olson, Dennis T. (1994). *Deuteronomy and the Death of Moses: A Theological Reading*. Minneapolis: Fortress.
- Osumi, Yuichi (1999). CBI, 449-475.
- Pressler, Carolyn (1993). *The View of Women Found in the Deuteronomical Family Laws*. BZAW 216. Berlin: Walter de Gruyter.
- Rofé, Alexander (2002). *Deuteronomy: Issues and Interpretation*. New York: Continuum.
- Taber, Charles R. (2002). "In the Image of God: the Gospel and Human Rights". *International Bulletin of Missionary Research*. 26/3 (July), 98-102.
- Thompson, J. A. (1974). *Deuteronomy*. TOTC. Grand Rapids: Eerdmans.
- Tigay, Jeffrey (5756/1996). *Deuteronomy*. JPS Torah Commentary. Jerusalem/Philadelphia: Jewish Publication Society.
- Von Rad, Gerhard (1953). *Studies in Deuteronomy*. SBT 9. London: SCM.
- (1966). *Deuteronomy*. OTL. Philadelphia: Westminster.
- Weinfeld, Moshe (1991-?). *Deuteronomy 1-1, 12-341*. AB 5, 5A. New York: Doubleday.

For further information concerning eunuchs and transvestism, see *The Bible, Sex, And Ideological Fundamentalism* by the Rev. Dr. Thomas Hanks – "Part 3: Queer Theology for 14 Sexual Minorities - Controversial Sexual Areas, 7. Transvestites vs. Gender-Straightening by Bible Bending" at:

www.othersheep.org/BibSexFund_Part3_7.html

and "13. Eunuchs: Not Welcome!/Welcome!" at www.othersheep.org/BibSexFund_Part3_13.htm.

Endnotes

¹ Dennis Olson 1994:1; also the three following citations.

² Richard Nelson 2002:8.

³ Similarly Levinson 1998:150.

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- ⁴ See Olson 1994:64.
- ⁵ See Werner Schmidt 1995/99:129; Dennis Olson 1994:174; I have added "one law" to Olson's list.
- ⁶ Scullion ABD 1992:II, 1042-43; cf. Georg Braulik 1985/94: 123-126.
- ⁷ Leornado Boff 1988; Juan Luis Segundo.
- ⁸ In the words of Soren Kierkegaard: "Purity of heart is to will one thing" (see Matthew 5:8).
- ⁹ Bernard Levenson, NOAB, 2001:241.
- ¹⁰ Levinson 1997:98-143.
- ¹¹ B.Levinson 1997.
- ¹² Pleins 2001:85.
- ¹³ Kim Young Ihl 1981:315-17.
- ¹⁴ Kellermann TDOT VII, 483-503.
- ¹⁵ Jose Enrique Ramirez 1999.
- ¹⁶ Frank Frick, "Widows" WS, 2001:197-199.
- ¹⁷ ABD 1992.
- ¹⁸ Gerhard von Rad.
- ¹⁹ Hanks 1982:38-39; 1983:17.
- ²⁰ Hanks 1982 39-40; 1983:17.
- ²¹ DTMAT II, 1971/78:640-668.
- ²² Levinson 1998:98-143.
- ²³ Levinson 1998:141.
- ²⁴ Levinson 1998 143.
- ²⁵ Braulik 1989/94:151-164.
- ²⁶ Braulik 1989/94:164.
- ²⁷ Pleins 2001:78; Deryn Guest disagrees (2006:127-28), following Cheryl Anderson (2004), but see the Jubilee (→ Lev 25).
- ²⁸ Pleins 2001:51.
- ²⁹ Adapted from Georg Braulik, O.S.B. (1994), 131-150 (with references to the "Universal Declaration of Human Rights", United Nations, 1948, the result of the labor of **Eleanor Roosevelt (lesbian)**; → **Revelation** and **Rachel Carlson** (1962), *Silent Spring* (New York: Crest). Debra Northart (2000), "Roosevelt, Eleanor 1884-1962", in *Lesbian and Gay Studies*, 519-20 (Chicago: Fitzroy Dearborn). Evelyn Gettone (1990), "Roosevelt, Eleanor (1884-1962)", in *Encyclopedia of Homosexuality*, ed. Wayne R. Dynes, 2:1127-1128 (New York: Garland). Steve Hogan and Lee Hudson (1998), "Hickok, (Alice) Lorena ("Hick"; 1893-1968)", in *Completely Queer: The Gay and Lesbian Encyclopedia*, 279 (New York: Henry Holt). See also John Montgomery (1986/95).
- ³⁰ Taber 2002:98-102.
- ³¹ Dean McBride 1999:285-86.
- ³² Braulik 1989/94:149.
- ³³ Taber 2002:101.
- ³⁴ Tikva Frymer-Kensky 1998:59.
- ³⁵ Carol Meyers "Deut 3:19, Israelite Wives", WS 2001:223).
- ³⁶ Pressler, citado en Brug 216-217.
- ³⁷ Cf. Saul Olyan, *Asherah and the Cult of Yahweh in Israel*, BBLMS 34; Atlanta: Scholars, 1988.
- ³⁸ Tikva Frymer-Kensky, 1992/98:64.
- ³⁹ Jeffrey Tigay 1996:222-223.
- ⁴⁰ Duane Christensen 2002:567.
- ⁴¹ Frank Frick, WS 2001:198-99.
- ⁴² Phyllis Tribble 1984.
- ⁴³ Jeffrey Tigay 1996:484-86.
- ⁴⁴ Duane Christensen 2002:613.
- ⁴⁵ Rhonda Burnette-Bletsch, WS, 2001:234; see the texts cited by Tigay, 485.
- ⁴⁶ Tikva Frymer-Kensky 1998:67.
- ⁴⁷ Duane Christiansen 2002:614.
- ⁴⁸ Kellermann TDOT VII, 496-97.
- ⁴⁹ pace Ronald du Preez 1993:70-80 and Richard Davidson 2007:177-212.
- ⁵⁰ William Countryman 2007: 23-26; Virginia Mollenkott 2007:88-113; Carol Meyers WS 2001:229-230; Angelika Engelmann 1999:76-77; Davidson 2007:170-172; Deryn Guest 2006:133-136.
- ⁵¹ Rhonda Burnette-Bletsch, WS 2001:232-23.
- ⁵² ClausWestermann 1976/84-82/86 III:52, "Excursus on the Levirate"; Jeffrey Tigay 1996:482-483; Frank Frick, WS 2001:198-199.
- ⁵³ Jeffrey Tigay 1996:209-210; Deryn Guest 2006:136-139; Richard Davidson 2007:325-327.
- ⁵⁴ Tigay 211.
- ⁵⁵ Elaine Goodfriend WS 2001:231-232.
- ⁵⁶ Ken Stone 1992; "Prostitution" y "Cultic Prostitution" en *The Anchor Bible Dictionary V*: New York: Doubleday, 505-513, esp. 507-509; Deryn Guest 2006:139-142; Richard Davidson 2007:102-113, 159-161. → **Josué**, Rahab; FB 77.