The Theology of Covenant

Tracing the Pattern of Ancient Treaties in Deuteronomy

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In the book of Deuteronomy, the Israelites are encamped on the plains of Moab, waiting to cross the Jordan River and enter the promised land. The previous generation had left Egypt and entered into a covenant with Yahweh at Mount Sinai, and now their children are renewing the covenant. Moses delivers Yahweh's instructions for this new generation about how to stay faithful to their covenant with God in the land.

More than most biblical books, Deuteronomy relies on a literary structure that is central to the text's meaning and purpose. When we compare Deuteronomy to treaty/covenant documents from the ancient world, we see that the book exhibits the same conventional form. This means that Deuteronomy is a treaty document; its purpose is to record the renewal of the covenant between God and the new generation about to enter the land.[1]

Understanding ancient treaties

Treaties were common in the ancient world. Therefore, we can learn much about the biblical covenants if we understand how treaties worked in the broader culture.

Many ancient treaties were between a superior, sometimes called a "suzerain," and an inferior, or "vassal." The great empires of the Near East, most notably the Assyrians and the Babylonians, used vassal treaties to subjugate the less powerful nations around them. The vassal nation would pledge loyalty to the suzerain, including regular payments known as "tribute." The suzerain promised protection in exchange for the vassal's allegiance but threatened destruction if the vassal were to rebel.

Often the parties entering a treaty produced a document that detailed the terms and served as an official record of the agreement. Many surviving treaty documents from the ancient Near East share common elements and a similar structure. In biblical studies, the most fruitful comparisons have involved Hittite treaties from the second millennium BC and Assyrian treaties from the first millennium BC.

These ancient treaty documents contain six primary elements:

1. The *preamble* introduces the speaker or author, usually the suzerain.

2. The *historical prologue* summarizes the background that led the two parties to the agreement.

3. The *stipulations* are the heart of a treaty, defining the terms of the agreement, usually the obligations of the vassal.

4. The *blessings and curses* list consequences for faithfulness and unfaithfulness to the treaty.

5. A *statement about the document* itself gives instructions about its storage, display, or periodic recital.

6. *Witnesses* are called to observe the agreement and, if necessary, to witness against a party that does not keep its terms.

Deuteronomy's treaty form

Deuteronomy contains each of these six elements. The book begins with a *preamble* identifying Moses, who represents the suzerain, Yahweh (1:1–5). Then a *historical prologue* highlights Israel's recent rebellion against God in the wilderness (1:6–3:29).

The largest section of the book, Moses' speeches in chapters 4–26, details the *stipulations* of the covenant agreement—in this case, Israel's obligations as the vassal.

Chapter 28 contains the *blessings and curses*, which spell out representative "good things" that will happen if Israel keeps the covenant and "bad things" if they do not. For Deuteronomy, the ultimate covenant curse is exile: Yahweh would expel his people from the promised land (28:36, 64; also 4:25–28).

Chapter 31 provides the *statement about the document*; Moses instructs the people to read the covenant publicly every seven years (31:9–13) and to place it by the ark of the covenant (31:24–26). Lastly, Moses calls on "heaven and earth"—every part of creation—to serve as *witnesses* against Israel (30:19; 31:28).

Implications for understanding the biblical covenant

Recognizing the form and function of ancient treaties can help us understand the biblical covenant in several ways. First, unlike the kings of Assyria and Babylon, whose goal was to subjugate their neighbors, Israel's suzerain was benevolent. According to Deuteronomy, Yahweh delivered the Israelites from bondage and was bringing them into the promised land despite their rebellion. Why? Because of his love for them and his promise to their ancestors (7:8; 9:4–5). Now that Yahweh had delivered them from service to another suzerain (Pharaoh), the Israelites owed Yahweh their exclusive allegiance in this suzerain-vassal covenant.

Second, to properly understand the Mosaic law (the Torah), one must understand its function within the covenant: *The laws are Israel's covenant obligations.* The law does not stand by itself, but is inseparable from the covenant agreement. Consequently, keeping the Torah is what it means to keep the covenant.

Third, like other ancient people, the Israelites knew that covenants had built-in consequences for faithfulness and unfaithfulness ("blessings and curses"). They would have understood the seriousness of the agreement and what would come if they did not keep the covenant obligations. Moses clarifies these consequences toward the end of the book, where he presents Israel's two options: Keeping the covenant will result in goodness and life, while breaking the covenant will result in evil and death (30:15–18). Moses exhorts the people on the brink of the land: "Choose life!" (30:19).

> ***In light of the covenant, the collapse of Israel and Judah should be understood as the enactment of the curses in Deuteronomy. Yet the book also offers reason for hope.***

Understanding Israel's fate

The covenant agreement gives us the lens to understand Israel's history. The books of Joshua, Judges, Samuel, and Kings tell of Israel's time in the land. The biblical historians evaluated Israel's faithfulness in the land according to Deuteronomy's covenant obligations—which makes sense because, among the laws in the Torah, Deuteronomy's laws are uniquely portrayed as instructions for life in the land. This is one reason why scholars call these historical books (Joshua–Kings) the "Deuteronomistic History."

Based on Israel's pattern of disobedience thus far, Moses predicts Israel will be unfaithful to Yahweh in the land. In the closing chapters of Deuteronomy, he speaks of future disobedience and subsequent dispossession of the land as inevitable (29:21–27; 31:16–20, 27–29):

> I know well how rebellious and stubborn you are. If you already have been so rebellious toward the LORD while I am still alive among you, how much more after my death! ... For I know that after my death you will surely act corruptly, turning aside from the way that I have commanded you. In time to come trouble will befall you, because you will do what is evil in the sight of the LORD, provoking him to anger through the work of your hands. (31:27, 29)

As Gordon McConville explains, the end of Deuteronomy "takes for granted that the people will indeed fail to be the true people of the covenant and that this will result in the full force of the curses of ch. 28 falling on them." [2]

Indeed, the historians who wrote Joshua–Kings describe a pattern of Israel's unfaithfulness to the covenant. Most notably, they indict Israel for not keeping two of Deuteronomy's main instructions: to avoid worshiping idols, and to make sacrifices only at Yahweh's chosen place, which later was the Jerusalem temple (12:5–6, 13).

After centuries of unfaithfulness—demonstrating that Yahweh was indeed "slow to anger" (Exod 34:6)—disaster finally came. The biblical historians

and prophets unanimously interpret the fall of Israel as God's judgment for Israel's unfaithfulness to the covenant—first the collapse of the northern kingdom (2 Kgs 17), then the destruction of Jerusalem (2 Kgs 25). In light of the covenant that defined Israel's relationship with God, these national catastrophes should be understood as the enactment of the covenant curses.

Both disasters delivered the ultimate covenant curse: Yahweh expelled his people from the land of promise. Without the land, the temple, and the Davidic king, the people of Israel were left to wonder whether God was done with them. Yet Deuteronomy itself offered reason for hope. According to the predictions of Deuteronomy 30:1–10, even when the Israelites are eventually scattered among the nations, after the blessings and curses have come upon them, if they return to Yahweh, he will "restore [their] fortunes and have compassion on [them]" (30:3) gathering them and bringing them back to the land.

Scripture quotations are from the New Revised Standard Version.

[1] In this article I use "covenant" and "treaty" synonymously.

[2] J. Gordon McConville, *Grace in the End: A Study in Deuteronomic Theology* (Grand Rapids: Zondervan, 1993), 135.

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