

The Relationship of Deuteronomy to the Covenant at Sinai¹

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Differing interpretations of the relationship between the Old Covenant/Testament and the New Covenant/Testament are at the heart of all divisions within the Christian church, both past and present.² Part of clarifying this relationship is determining the relationship of the book of Deuteronomy to Exodus 19–24 which is called the Book of the Covenant in Exodus 24:7. R. N. Whybray describes as common ground among the critics the view that in relation to Genesis–Numbers, the Book of Deuteronomy is “an alien block of material.”³ What are we to make of this claim?

In broad strokes there are two or three main views of the relation of the Book of Deuteronomy to the earlier material: (1) that it is a renewal and expansion of the Sinai covenant (covenant/Reformed theologians), (2) or that is a renewal and expansion of the Abrahamic covenant (dispensational theologians), or that it is a completely new covenant (some Medieval Jewish exegetes).⁴

The name Deuteronomy (τὸ δευτερονόμιον) comes from the Septuagint, the Greek Translation of the Old Testament made around 280 B.C. This term is derived from two words, δεύτερος meaning “second,” and νόμος meaning “custom” or “law,” i.e., a “second law.” The translators in the Third

Century B.C. used this word as a mistranslation of the “copy of the law” that the king was to write out for himself in 17:18. The important issue, however, is not explaining our tradition, but understanding what Scripture actually says about the relation of these two sections of Torah. As Columbanus stated, “the truth which drives out error is older than every tradition.”⁵

Here we will examine the use of *kārat bērit* for covenant renewal ceremonies and re-analyse the literary structure of Deuteronomy, showing the structural significance of Deuteronomy 29:1-30:20 for understanding the book as a whole.

In *Kingdom through Covenant (KTC)*,⁶ I claimed that the expression in Hebrew *kārat bērit*, literally “to cut a covenant,” means to initiate, inaugurate, or make a covenant, while the expression *hēqīm bērit*, literally “to confirm a covenant,” means to uphold a commitment or covenant inaugurated previously. Since I am committed to following the data of Scripture, I claimed that except for my uncertainty over the instances in Ezekiel 16:60, 62, the distinction was valid everywhere in the Hebrew Bible. Closer analysis of Ezekiel 16:60, 62 revealed a better interpretation of this text and also one where the meaning of the expression conforms to all other uses.⁷ The distinction between *kārat bērit* and *hēqīm bērit*, then, holds true, and in fact, even in the later Hebrew of the Dead Sea Scrolls.

The first major review of *KTC* was presented online by The Gospel Coalition. The book was reviewed by Darrell Bock from a Progressive Dispensational perspective, by Michael Horton from a Covenant Theology perspective, and by Doug Moo from a perspective in between the first two. Doug Moo was the only scholar of the three who actually addressed any of the exegesis presented in almost 500 pages. He noted the problem in Ezekiel 16 which seems to use the expression *hēqīm bērit* in regard to the inauguration of the New Covenant, and he also wondered why the expression *kārat bērit*, “cut a covenant” was used in the Book of Deuteronomy, when the covenant was already inaugurated at Sinai in Exodus 19–24.⁸ This was a constructive critique which I took to heart.

We know that God made a covenant with Israel at Sinai. We know that the people of Israel violated the covenant in the middle of the proceedings—while it was being inaugurated. We know that the relationship between God and Israel was maintained only by forgiveness on the part of Yahweh. The Book of Deuteronomy appears to be a reaffirmation and restating of the covenant instruction (*tôrâ*) just before entering the land of Canaan. Why then, is the expression “to cut a covenant” used in Deuteronomy 29:1 (28:69 MT)? Or is the distinction claimed in *KTC* invalid?

Before turning to consider the evidence in Deuteronomy in a renewed

way, it ought to be noted that the expression *kārat bērit*, “cut a covenant” can be used in covenant renewal ceremonies. Quite a number of scholars who have commented on the expressions in Hebrew are confused about how this works. Let us look briefly at Joshua 23 – 24 as an example.

Covenant Renewal in Joshua 23–24

Chapter 23 reports that toward the end of his life, Joshua summoned all the tribes of Israel to Shechem. He notes that Yahweh has kept his promises. Some land remains to be taken, but the Lord will continue to drive out the Canaanites if the Israelites continue to be faithful to the covenant and do not mix with the Canaanites or serve and worship their gods. According to Joshua 23:16, serving and worshipping the gods of Canaan is equivalent to transgressing the covenant of Yahweh. This must be a reference to the covenant made at Sinai and renewed in Deuteronomy.

In chapter 24, Joshua summons Israel to a covenant renewal at Shechem. Verses 1-13 describe the faithfulness and grace of Yahweh towards Israel in bringing them to Canaan and giving them the land. Then in a challenge by Joshua answered by the people of Israel that is repeated twice, Joshua stresses that choosing to serve Yahweh means excising all idols and removing all worship of alternative deities. We pick up the thread in v. 24:

And the people said to Joshua, “Yahweh our God we will serve, and his voice we will obey.” So Joshua made a covenant for the people that day, and put in place a decree and a judgment for them at Shechem. And Joshua wrote these words in the book of the Torah of God. And he took a large stone and set it up there under the terebinth that was by the sanctuary of the LORD. And Joshua said to all the people, “Behold, this stone shall be a witness against us, for it has heard all the words of the LORD that he spoke to us. Therefore it shall be a witness against you, lest you deal falsely with your God.” So Joshua sent the people away, every man to his inheritance⁹ (Josh 24:24-28).

What is actually happening here is that the people are making a covenant to keep the Covenant at Sinai. Their commitment to Yahweh is divided. They need to put away the idols and give complete commitment and devotion to Yahweh alone. They are renewing their original commitment and solemnizing this renewal as a covenant. So, in fact, *they are making a covenant to keep an earlier covenant.*¹⁰ This is different from upholding a covenant by acting to fulfill an obligation specified in an earlier agreement and fully justifies the expression “to cut a covenant.” Linguistically, then, “cut a covenant” is

always used of making a covenant (for the first time), but can be used of covenant renewals since people make covenants to keep earlier covenants.

This past summer close friends of my wife and I in Germany celebrated their Silver Wedding Anniversary. It was a service of worship in the local church with family and friends, exactly as on their wedding day. This is a covenant renewal in the sense that they make an agreement to keep the original agreement. Such is the human condition that we constantly fall away from our position of complete loyalty so that a solemnizing of a renewed commitment is possible.

Scholars have confused the matter by attempting to correlate the expressions *kārat bērit* (to cut a covenant) and *hēqīm bērit* (to uphold a covenant) with covenant making and covenant renewal. This is not how these expressions are used. The expression *kārat bērit* (to cut a covenant) is normally used for making a covenant and in a few instances, for renewing a covenant. The reason why *kārat bērit* (to cut a covenant) is used for covenant renewals is that humans tend to lag in their loyalty over time. Then they realize that they have lost something of their original commitment and devotion and make a covenant, a promise, a vow, or simply a statement, that they intend to keep the original covenant. This is not the same thing as a person who has never lagged in their commitment and loyalty acting at some time after the original covenant making to uphold their commitment or obligation. The expression *hēqīm bērit* (to uphold a covenant) is used for this stepping into the situation to fulfill a commitment and is *never used for a covenant renewal* in Scripture.

Something else is noteworthy in Joshua 24:26. The words of this agreement to renew commitment in terms of exclusive and total loyalty to the original covenant are written in the book of the *tôrâ* of God. If I am correctly grasping the meaning of the text, it seems that the renewed commitment becomes part of the instruction in the original covenant, like a codicil added to a will.

The Literary Structure of Deuteronomy

When I co-authored *Kingdom through Covenant* with Stephen Wellum I devoted an entire chapter to the book of Deuteronomy as I attempted to come to grips with what this book represents and what the nature of its relationship is to the Covenant at Sinai.¹¹ Naturally I did some work on the literary structure, but my attention was restricted to chapters 1–28. I have realized since that this was an error. I ought to have paid more attention to the structure of the *whole* book.

At that time I focused attention on the fact that chapters 1–28 had the

form or literary structure of a suzerain–vassal treaty from the late Fourteenth/early Thirteenth Century B.C.:

Deuteronomy as Suzerain-Vassal Treaty (Gentry)

1. Title	1:1-5
2. Historical Prologue	1:6-4:43
3. Stipulations	
a. Basic	4:44-11:32
b. Detailed	12-26
4.a. Deposition	27:1-8
4.b. Public Reading	27:9-26
(Witnesses	30:19)
Blessings and Curses	
a. Blessings	28:1-14
b. Curses	28:15-68

As an alternative analysis, I provided an outline from the doctoral research by Steven Guest:

Deuteronomy as Suzerain-Vassal Treaty (Guest)

1.Preamble	1:1-5
2. Historical Preamble	1:6-4:44
3. Stipulations	
a. General	4:45-11:32
b. Specific	12:1-26:19
4. Document Clause	27:1-10
5. Appeal to Witness	27:11-26
6. Blessing and Curses	28:1-69 (EV 29:1)
7. Solemn Oath Ceremony	29:1 (EV 29:2) - 30:20

Guest sees Deuteronomy 29-30 as a Covenant Ratification Ceremony, and I believe he is right. The difference between his literary structure and mine seems slight, but has greater significance than at first glance. Let us briefly look at the evidence together.

First of all, although the book of Deuteronomy is structured as a Suzerain-Vassal Treaty, in reality the book consists of a series of three speeches or sermons given by Moses. This can be determined by noting first that the narrative sections are extremely limited—most of the book is, in fact, direct speech, and second that the speeches are marked by four headings.

*Verses Bearing Narrative Sections (in Deuteronomy)*¹²

1:3-5

5:1

27:1, 9, 11

29:2 [29:1 MT]

31:1, 7, 9-10, 14-16, 22-25, 30

32:44-46, 48

33:2, 7, 8, 12, 13, 18, 20, 22, 23, 24,

34:1-12

Four Headings: Deuteronomy 1:1; 4:44; 29:1 [28:69 MT]; 33:1

1. 1:1-5: These are the words which Moses spoke to all Israel beyond the Jordan.
2. 4:44: And this is the Torah which he place before the sons of Israel
3. 29:1: These are the words of the covenant which Yahweh commanded Moses to cut with the sons of Israel in the land of Moab in addition to the covenant which he cut with them at Horeb.
4. 33:1: And this is the Blessing with which Moses, the man of God blessed the sons of Israel before he died.

Not all scholars observe these four headings. A major problem is 29:1 (28:69 MT). What is debated is whether Deuteronomy 29:1 is a superscript for what follows or a subscript for what precedes. Does it open a new section or close the previous one? Indeed, there are scholars who attempt to have it both ways and speak of it as a hinge verse.

Deuteronomy 29:1 [28:69 MT] Subscript or Superscript?

Today, a majority of scholars argue that this verse is a conclusion or subscript to chapters 1-28. The arguments provided by Tigay represent this position well:

This subscription concludes the covenant made in the land of Moab, whose terms and consequences are presented in 4:44-26:19 and chapter 28. It is comparable to the subscriptions in Leviticus 27:34, Numbers 36:13, and elsewhere. Abравanel and some modern scholars argue that the verse is really an introduction to the third discourse (chaps. 29–30), in which Moses prepares the people to enter the covenant and warns them about violating it. However, the phrase “terms of the covenant” refers to specific legal obligations and their stated consequences, and applies to the laws, blessings, and curses of the preceding chapters much more readily than it does to the

exhortations of chapters 29–30. Literarily, too, this verse belongs with the second discourse, since it echoes Moses’ opening words there (5:2); together the two passages form a frame around that discourse (see introductory Comment to 4:44-28:69). The Masoretic and Samaritan *parashah* divisions agree that this verse refers to what precedes it.¹³

Tigay summarizes well the arguments of a major study by H. van Rooy in 1988 in which he sought to prove that the verse was a concluding statement to chapter 28.¹⁴ Nonetheless, Norbert Lohfink provided a convincing response to H. van Rooy that is not well known.¹⁵ Lohfink’s arguments deal with the literary features and structures of the text. The four main points of his response can be briefly summarized as follows:

First, Deuteronomy 29:1 [28:69 MT] belongs to the system of four titles which divide the Book of Deuteronomy as narrated sections (i.e., they are employed to identify the literary structure of the book). Note that there is a pattern to these headings in terms of sentence structure:

- | | | |
|----|------|--------------------------|
| A | 1:1 | These are the words... |
| B | 4:44 | And this is the Torah |
| A' | 29:1 | These are the words... |
| B' | 33:1 | And this is the Blessing |

Deuteronomy 29:1 belongs to a group of headings which have a definite pattern of sentence structures. It may be true that in the majority of occurrences in the Old Testament, the expression “the words of the covenant” refer to covenant stipulations, but here it is a reference pointing forward to the ceremonial or ritual words of a Covenant Conclusion or Ratification and cannot be eliminated as such.

In Deuteronomy 29:1, the covenant is carefully described, to identify it precisely and to distinguish it from the Horeb Covenant. Now in Deuteronomy, all instances of the word “covenant” referring to relationship with God before Deuteronomy 29:1—viewed from the perspective of the patriarchal promises—refer concretely to the Covenant at Sinai: to the Decalogue or First Offer. A Moab Covenant does not occur, neither is one referred to before Deuteronomy 29:1. By contrast, the covenant “in the land of Moab” is explained by “covenant” in 29:12 and 14 as current and unconsummated. The parallel with “oath” (הִלָּחַם; “sworn covenant” ESV) in both places may be observed. So in respect to the use of the word, the term “covenant” in reference to a Moab Covenant concluded by Moses, occurs in Deuteronomy only after and not before Deuteronomy 29:1 in the sermon(s).

Second, another observation strengthens the argument. Deuteronomy 29:10–15 is in no way, as van Rooy thinks, merely an admonition. Here we have more than just an admonition “to keep the Covenant” (221). What we have is a lot more in *performative speech* that will define the community that concludes the covenant: note the Address, the Participial Forms, and the Purpose Clauses. Twice (29:12, 14) in chapter 29 we have the participial construction: “I am cutting/making this covenant.” The participial construction (which only occurs four times in the Old Testament: Exod 34:10, Deut 29:12, 14, Neh 10:1) always marks the present tense and speaks of a ceremony or ritual in progress. Indeed, we do not have a *narration* of covenant conclusion. Deuteronomy 29:1 announced, in fact, no narrative, but rather “words” of a covenant. Also without a narrative statement by the book’s narrator is the place, i.e., Moab, of which Deuteronomy 29:1 speaks, where Moses concludes the covenant actually stated. So Deuteronomy 29:10-15 is not simply an exhortation. If it is not a closing *ceremony*, then there is none. This must be the concluding ceremony of the Moab Covenant of which Deuteronomy 29:1 speaks. In other words, what we have in Deuteronomy 29:10-15 are not the words of a parent admonishing a child, but rather the *words* of a couple saying their vows in a wedding ceremony. The words “I do” and “I will” constitute *performative speech* that create the marriage covenant.

Third, further observations may be added about the arrangement of the words. In the laws in Exodus through Numbers, also in Deuteronomy 12–26, occurrences of “covenant” (ברית) are quite rare. There is, de facto, only one single instance in Deuteronomy 12–26: 17:2. Throughout Deuteronomy 27–28, there is absolutely no instance. On the contrary, instances of the word “covenant” in Deuteronomy 29 are frequent: 29:9, 12, 14, 21, 25. This directs our view to a larger pattern of speech arrangement: the marking of catch phrases and words. Often repeating important words in the literature of the Old Testament is what binds material together. Variation of references as well as of meaning between the repeated words are thereby given elegance and significance. In our case, the declaration of Deuteronomy 29:1, mentioning “covenant” twice clearly points forward to the five-fold repetition of the word “covenant” (ברית) which previously occurred so seldom.

This becomes even more clearly marked by the fact that “covenant” occurs precisely seven times: 29:1a, b; 29:9, 12, 14, 21, 25. The center of this series makes 29:12 the hub of the matter. In Deuteronomy, a count of

seven often binds together things that belong together. Braulik describes a number of patterns of seven.¹⁵ As examples, the expression “the statutes and the rules” (. yfP&MhW%. yQj ħ) occurs precisely seven times (5:1, 5:31, 6:1, 6:20, 7:11, 11:32, 12:1) and the word command in singular fourteen times = 7 x 2 (חפאחח; 5:31, 6:1, 25, 7:11, 8:1, 11:8, 22, 15:5, 17:20, 19:9, 26:13, 27:1, 30:11, 31:5). The word “covenant” is consciously used in Deuteronomy 1-30 so that it occurs precisely a total of 21 times = 3 x 7; the division between the first two groups of seven is marked by the rare compound expression “covenant and *hesed*” occurring twice (7:9, 12).¹⁷

Fourth, and finally, occurring before Deuteronomy 29:1 for the matter to which the expression “the words of the covenant” (דברי הברית) in 29:1 refers, (and here I agree fully with van Rooy) is apparently another terminus: “the words of this *tôrâ*” (דברי התורה הזאת; 17:19; 27:3, 8, 26; 28:58). This expression also sweeps on from the end of chapter 29 afresh (29:29; 31:12, 24; 32:46). Was perhaps in 29:9, instead of the common terminus “the words of this *tôrâ*,” the expression “the words of the covenant” inserted only because in this section of text a seven-count incidence marks off a covenant conclusion ceremony? That one actually ought to expect “the words of this *tôrâ*” in 29:9 is shown by 17:19; 28:58; 31:12, 32:46, where likewise both the verbs “to keep” and “to do” (עשה and שמר) stand. The expression “the words of the covenant,” however, is located in 29:9 only to arrive at the count of seven. Thus it is more clear with what section 29:1 with its two instances of ‘covenant’ is aligned.

To argue as we have, that Deuteronomy 29:1 is a heading for what follows and does not function as an ending to 28 does not contradict the fact that the Ritual Words of the Covenant Conclusion in Deuteronomy 29–30 constantly allude back to Deuteronomy 5–28, the Covenant Text proper: cf. 29:9, 21, 27, 29; 30:1, 2, 7, 10, 11 (16). The Ceremonial/Ritual Text of Deuteronomy 29–30 as such can in no way be spoken if the Covenant Text itself is not also reported in the same ceremony. Various other allusions to the Covenant Text of Deuteronomy 5–28 can be found in the Concluding Ceremony of Deuteronomy 29–30. I mention only the allusion to the Covenant-Formula in Deuteronomy 29:13, (cf. 26:17-19, 27:9; 28:9) and to the Circumcision of the Heart in 30:6 (cf. 10:16). Thus Lohfink’s four observations on the function of 29:1 show that in all probability it is a heading and not a colophon as van Rooy and other scholars suspect.

Once the role of Deuteronomy 29:1 is clearly grasped as a *heading* for

Deuteronomy 29–30, and 29–30 is understood as a Covenant Conclusion/Ratification Ceremony, we can focus attention on the literary structure of the whole work. In the outline I provided in *KTC*, no account was taken for chapters 29–30.

We return to the fact that there are four headings which divide the book into four parts as follows:

A	1:1	These are the words...	1:1-4:43
B	4:44	And this is the Torah that	4:44-28:68
A'	29:1	These are the words...	29:1-32:52
B'	33:1	And this is the Blessing that	33:1-34:12

Note further that the third section is divided into three parts by the narrative statements (31:1, 7, 9-10, 14-16, 22-25, 30; 32:44-46, 48) as follows:

1. Covenant Oath and Solemn Ceremony	29:1-30:20
2. Appointment of Joshua as Moses' Successor	31:1-30
3. Song of Moses	32:1-52

Thus the narration in the third person clearly sets off chapters 29-30 from chapters 31-32.

After *KTC* was published, a work by Kenneth A. Kitchen and Paul J. N. Lawrence appeared entitled *Treaty, Law and Covenant in the Ancient Near East*.¹⁵ This magisterial piece comprises three volumes and 1,642 pages in which every covenant, law, and treaty known in the ancient Near East from the Third Millennium B.C. to the time of Jesus Christ is presented in original text and English translation and analyzed exhaustively. In general, this massive work vindicates the thesis presented in *KTC* that Deuteronomy is laid out in literary structure according to the pattern of a Hittite Treaty from the Fourteenth to Thirteenth centuries B.C.¹⁸ In recent study the best correlation of the formulary parts of a Hittite treaty with the different sections or units of Deuteronomy is by S. Guest as follows:

Hittite Treaty Formulary	Corresponding Text Unit in Deuteronomy
1. Preamble	1:1-5
2. Historical Prologue	1:6-4:44
3. a. Stipulations - General	4:45-11:32
3. b. Stipulations - Specific	12:1-26:19
4. Document Clause	27:1-10
5. Appeal to Witness	27:11-26
6. Blessing and Curses	28:1-69 [Eng 29:1]
7. Solemn Oath Ceremony	29:1 [Eng 29:2]-30:20

We can improve upon the analysis by Guest by observing that the “Solemn Oath Ceremony” actually begins in 28:69 [EV 29:1] as argued above for the understanding of this verse. Nonetheless, the analysis by Guest is superior to the one I proposed in *KTC* in that chapters 29-30 are included as part of the literary structure. In addition, my proposal in *KTC* allowed no adequate place for “Appeal to Witness” since I indicated that Israel could not appeal to any witnesses greater than Yahweh himself. There are no other gods to appeal to, period! Nonetheless, Guest has put forth a convincing case that Deuteronomy 27:11-26 actually does function as the “Appeal to Witness” section. When Israel enters the land, half of the tribes are to stand on Mount Gerizim to bless the people and half are to stand on Mount Ebal to pronounce the curses. As Guest notes, “the repeated call can be understood as a plea from the community to Yahweh for the separation from its midst those who are acting in violation of the stipulations of the covenant. In other words, the community is entreating Yahweh to act as the enforcer of the covenant.”¹⁹ We can revise our outline of Deuteronomy as an International Treaty as follows:

Deuteronomy as Suzerain-Vassal Treaty (Revised)

1. Preamble	1:1-5
2. Historical Prologue	1:6-4:44
3. Stipulations	
a. General	4:45-11:32
b. Specific	12:1-26:19
4. Document Clause	27:1-10
5. Appeal to Witness	27:11-26
6. Blessings and Curses	28:1-68 (EV 29:1)
7. Solemn Oath Ceremony	28:69 (EV 29:1)-30:20

The Function of Deuteronomy 29-30: Why the Moab Covenant was “Cut.”

Now that we have a better grasp on the literary structure of Deuteronomy 1-30 as the Three Sermons of Moses, some exposition of chapters 29-30 is relevant to discuss the relationship of this material to Exodus 19-24. This may seem to be a fool’s errand for R. N. Whybray averred, “The significance of, and the necessity for, this second covenant has never been satisfactorily explained,”²⁰ but we will give it a try.

The Literary Structure of Deuteronomy 29-30

Let us first lay out the literary structure of Deuteronomy 29-30.

I.	Heading	29:1 [28:69 H]
II.	Narrative Introduction	29:2a [29:1 H]
III.	Third Sermon	29:2b-30:20
	A. Past (<i>hšed</i> and <i>'emet</i>) of Yahweh	29:2b-9
	B. Covenant Inauguration Ritual Language	29:10-15
	C. Reminder of Curses for Covenant Disloyalty	29:16-28
	D. Secret Things – Revealed Things	29:29
	E. Future Curse Followed by Blessing	30:1-10
	F. Circumcised Heart: Reason for Future Blessing	30:11-14
	G: Final Warning RE: Life and Death	30:15-20

The proposed outline divides this section into seven paragraphs based on grammatical markers in the text. These ought to be noted briefly as follows.

Deuteronomy 29:1 (MT 28:69) is a nominal sentence that is introduced by asyndeton, i.e., there is no clause-connector or conjunction. This macrosyntactic pattern either marks the beginning of a section or a comment on the previous sentence. Here it marks the beginning of a new section. Deuteronomy 29:2a begins with a *waw*-consecutive Imperfect, but this is narration as opposed to direct speech. 29:2b, “You have seen...” commences the direct speech. This first paragraph is concluded by a *waw*-consecutive Perfect functioning as a Command which might be rendered “so therefore keep the words of this covenant.” Asyndeton in the midst of 29:5 denotes an aside or comment and the *waw*-consecutive Imperfect in 29:7 resumes the speech from this aside.

Note that Deuteronomy 29:10 also commences with asyndeton and is a nominal sentence. This marks the beginning of the second paragraph. The causal conjunction *ki* in Deuteronomy 29:16 marks the beginning of the third paragraph. Deuteronomy 29:29 again begins with asyndeton and is another nominal sentence. This not only sets off this one verse as a paragraph by itself but marks this statement as a meta-comment or explanatory summation that directly addresses the major tension in the flow of thought in these two chapters. We will come back to this in a moment.

Deuteronomy 30:1 begins with a temporal clause after the meta-comment in Deuteronomy 29:29. The beginning of a second paragraph is signalled in Deuteronomy 30:15 by an Imperative introduced by asyndeton. Another causal conjunction *ki* marks off the beginning of the last paragraph just as the conjunction *ki* marked the beginning of the last paragraph in the first set of three paragraphs.

Exposition of Deuteronomy 29-30

Deuteronomy 29-30 contains six paragraphs arranged in two sets of three with an additional paragraph containing a *meta-comment* at the center. The significance of this will become plain shortly. There is a clear flow of thought throughout the six paragraphs.

The first paragraph bases the commitment of the people on the grace of Yahweh in his dealings with them in the past. This idea is identical to what we see in Exodus 19:4. Then comes the oath or vow, a performative speech act that actually creates the covenant on the human side. After these ritual words, the third paragraph is a warning about covenant disloyalty—much like the sermon in a wedding after the vows.

The first paragraph in the second set of three deals with the distant future. Those who see this as referring to the present fail to allow Paul to guide them in their exegesis of the OT. Moses assumes covenant disloyalty on the part of the people and subsequent exile as Yahweh is true to his Word in bringing the covenant curses on Israel. The second paragraph deals with the gift of a circumcised heart in the future as an act of divine grace. The people will then keep the covenant and be blessed. Finally, the third paragraph in the second set, like that in the first, ends with a warning to maintain covenant loyalty. The covenant sets before Israel the offer of life or death.

There is not sufficient space here for a full discussion and explanation of this significant text. For our purposes, it is important to actually cite Deuteronomy 29:1-15 before we make a few brief observations regarding the text.

These are the words of the covenant that the Lord commanded Moses to make with the people of Israel in the land of Moab, besides the covenant that he had made with them at Horeb. And Moses summoned all Israel and said to them: “You have seen all that the Lord did before your eyes in the land of Egypt, to Pharaoh and to all his servants and to all his land, the great trials that your eyes saw, the signs, and those great wonders. But to this day the Lord has not given you a heart to understand or eyes to see or ears to hear. I have led you forty years in the wilderness. Your clothes have not worn out on you, and your sandals have not worn off your feet. You have not eaten bread, and you have not drunk wine or strong drink, that you may know that I am the Lord your God. And when you came to this place, Sihon the king of Heshbon and Og the king of Bashan came out against us to battle,

but we defeated them. We took their land and gave it for an inheritance to the Reubenites, the Gadites, and the half-tribe of the Manassites. Therefore keep the words of this covenant and do them, that you may prosper in all that you do. “You are standing today all of you before the Lord your God: the heads of your tribes, your elders, and your officers, all the men of Israel, your little ones, your wives, and the sojourner who is in your camp, from the one who chops your wood to the one who draws your water, so that you may enter into the sworn covenant of the Lord your God, which the Lord your God is making with you today, that he may establish you today as his people, and that he may be your God, as he promised you, and as he swore to your fathers, to Abraham, to Isaac, and to Jacob. It is not with you alone that I am making this sworn covenant, but with whoever is standing here with us today before the Lord our God, and with whoever is not here with us today (ESV).

The key to understanding Hebrew literature is grasping the function and role of repetition. An author will go round a topic at least twice, each time discussing that topic from a different angle or perspective so that hearing in succession the two treatments is like listening to the left and right speakers of stereo system playing music. This gives the hearer a “well-rounded idea” similar to a holographic image or surround sound. Therefore statements made in a fuller treatment of a topic may be referred to by means of abbreviated statements in a parallel or repeated section (or sometimes vice-versa). Much of what is treated in chapters 29-30 is developed at greater length in chapters 4:45-11:32. Here I borrow an outline of 4:45-11:32 from the essay by John Meade in this same issue of *SBJT* to show that the flow of thought there is identical to the flow of thought in chapters 29-30.

<i>General Stipulation: 4:45-11:32</i>	
A. Basic Principle of Covenant Relationship	4:45-1-6:3
B. Measures for Maintaining Covenant Relationship	6:4-25
C. Implications of Covenant Relationship	7:1-26
D. Warnings against Forgetting Covenant Relationship	8:1-20
E. Failures in Covenant Relationship	9:1-10:11
F. Restoration to Covenant Relationship	10:12-22
G. Choices required by Covenant Relationship	11:1-32

The Basic Stipulation in the covenant is complete devotion and loyalty to Yahweh, their covenant lord and suzerain, as expounded in Deuteronomy 6:5ff. and demanded in the oath-taking in 29:10-15. This central command (see above on the occurrences of “command” in the singular in Deuteronomy) is supported by both the means and the implications of covenant relationship in sections B and C of Meade’s Outline. Then, exactly as in chapters 29-30, comes the warning against disloyalty and unfaithfulness creeping in to the relationship in D followed by the assumption in E that this will happen and hence a prediction of eventual restoration. Then both 4:45-11:32 and chapters 29-30 end with the choices provided by the covenant relationship. Interestingly enough, the only two instances in the book which refer to the “circumcision of the heart” are in 10:16 and 30:6, both at exactly the same location in the flow of thought in these parallel sections, i.e., at the point noting eventual covenant violation and the future gift from God of a circumcised heart that will make possible human faithfulness and restoration in the covenant relationship.

The observation that Deuteronomy 4:45-11:32 and 29:1-30:20 are parallel sequences in treating the same topic along with a grasp of how Hebrew literature works can help to correctly interpret ambiguous statements in Deuteronomy 29:1-30:20.

Deuteronomy 29:1b-2 begins with noting the fact that those hearing Moses’ sermon actually heard and saw the miracles and tests that resulted in the Exodus. This is hyperbolic since those in the audience hearing Moses at this point who actually remembered these things would only be those over fifty years old. Observe that a similar point is made in 4:33, 5:3b-5, and 11:1-7. This is a rhetorical device to help the generation listening to Moses identify with the Israel that entered the covenant at Sinai and *commit to its renewal* in the covenant at Moab. Notice in Deuteronomy 29:14-15 Moses affirms that the *human party* committing to the covenant at Moab are those here today and those not here today. The folks listening to Moses could say, “Well we were just kids back when the covenant at Sinai was made. That covenant was made with our parents and not with us. We are not responsible for this covenant at all.” Moses wants not only to close the door to this argument concerning the covenant at Sinai but also to prevent any and all future generations in Israel from making such an argument in regard to the covenant at Moab.

After affirming that the people presently standing with Moses to enter the covenant at Moab had observed and seen “the great testings and those great signs wonders,” he contrasts this with the fact that Yahweh

has not given them a heart to know, eyes to see and ears to hear to this point (29:4). On a crassly literal level of interpretation this could mean that the testings, i.e., the plagues which determined the difference between Yahweh and the gods of Egypt, and the signs and wonders, i.e., the miracles occurring to deliver Israel as a nation from slavery in Egypt and bring them through the desert, had not been properly understood by the people— these miracles were like the signs in the gospel of John, but the people had not grasped the message. This, however, is an entirely shallow interpretation. Instead, the statement is, according to the normal pattern of Hebrew literature, an alternative way of referring to “the circumcision of the heart” in Deuteronomy 10:16 and 30:6.

What Moses is saying is this: incredible displays of supernatural power in miracles and physical deliverance from slavery were insufficient to bring the hearts of the people to be completely devoted and loyal to Yahweh. God rescued them from Egypt, but the moment he arranged to solemnize an agreement of loyalty between them, i.e., a covenant, they were faithless, fickle, and treacherous, engaging in idolatry.

As a matter of fact, Isaiah makes the same point in Isaiah 29:14. During the crisis created by the rise of Assyrian power and the pressure put on Judah by the anti-Assyrian coalition of Syria and the Northern Kingdom of Israel, both king and people wanted to make deals with the Assyrians or the Egyptians, and not to believe the Word of Yahweh given to Isaiah. In rejecting the prophetic message calling them back to covenant loyalty, God confirms them in their rejection by pouring upon them a spiritual blindness and stupor. So when Isaiah says in 29:14, “therefore I shall deal with them in completely extraordinary / supernatural ways” this does not mean simply that Yahweh will bring physical rescue by killing 185,000 Assyrian soldiers in one night.²¹ Admittedly this is an extraordinary act, but it means far more than this. It means that unless God acts supernaturally to circumcise their hearts, Israel *as a community/nation* will not give their full loyalty and trust to Yahweh. The miraculous deliverance from Assyria in Hezekiah’s time cannot of itself engender covenant loyalty. An “extraordinary act of extreme extraordinariness” (so Isa 29:14) is needed to generate trust in the Lord that represents covenant loyalty.

In Deuteronomy 29:5-6 Moses draws attention (in an explanatory note marked by *asyndeton*) to the miracles in the desert journey: their clothes and shoes did not wear out. He adds in v 6, “bread you did not eat and wine and beer you did not drink in order that you may know that I am Yahweh your God.” This correlates with the longer parallel passage in Deuteronomy 8:1-10 which explains more fully the purpose clause “that

you may know that I am Yahweh your God” in 29:6. In Deuteronomy 8:3 it says, “He gave you manna to eat, which you and your fathers had not known, so that you might learn that man does not live on bread alone but on every word that comes from the mouth of the LORD” (HCSB). So the miracles in the desert are designed to bring the people to complete trust in the word of Yahweh—exactly what happens in a covenant relationship. Yet the miracles by and large do not achieve this goal: the hearts of the people remain uncircumcised.

We are now in a position to appreciate the major tension in the plot structure of chapters 29–30, and in fact of the entire book of Deuteronomy: on the one hand, Moses is laying out for the people the *direction* or *instruction*, i.e., the *tôrâ*, encoded in a covenant made at Moab that is separate from, but considered an addition to and expansion of, the covenant at Sinai (29:1). Note how Deuteronomy 30:10 brings to a conclusion the opening statement in 1:5 “Moses began to explain this *tôrâ*.” Within chapters 1-30 there are $2 \times 7 = 14$ instances of *tôrâ* (1:5; 4:8, 44; 17:11, 18, 19, 27:3; 27:8, 26; 28:58, 61, 29:20, 28; 30:10). At the end of the exhortation to be completely devoted and loyal (4:45-11:32), the summary in 11:26-32 claims that this revelation sets blessing and cursing before the people. The parallel section in Deuteronomy 29–30 ends with exactly the same theme: blessing and cursing leading either to life and prosperity or adversity and death (30:15-20). Indeed, the end of the Covenant Text is Deuteronomy 28:1-68 which puts blessings and curses before the people. In great tension with this is the fact that Yahweh has not given them a circumcised heart—Deuteronomy 29:4. In both sections, Deuteronomy 4:45-11:32 and 29:1-30:20 at the exact same spot in the flow of thought circumcision of the heart is actually mentioned and described as a future event.²² This tension is described by the *meta-comment* on the whole section in Deuteronomy 29:29: “The hidden things belong to the Lord our God, but the revealed things belong to us and our children forever, so that we may follow all the words of this *tôrâ*.” According to this meta-comment, there is a tension between divine sovereignty and human responsibility. Israel is called to absolute loyalty to Yahweh in the Covenant, but the plot-structure to this point in the OT shows that the human partner is incapable of faithfulness, something that will be given by divine grace at a future time. Here Moses sums up his entire ministry.

A major part of correctly grasping the tension in the plot structure is interpreting the time of Deuteronomy 30:11-14. Is it present or future?

For this commandment that I command you today is not too hard for you, neither is it far off. It is not in heaven, that you should say, 'Who will ascend to heaven for us and bring it to us, that we may hear it and do it?' Neither is it beyond the sea, that you should say, 'Who will go over the sea for us and bring it to us, that we may hear it and do it?' But the word is very near you. It is in your mouth and *in your heart*, so that you can do it (ESV).

Frequently commentators view it as present.²³ The most obvious pointer to this is the expression "I am commanding you today" (participle plus *· wḥi*). Nonetheless, all of the clauses or sentences in these verses (11-14) are nominal sentences and have no explicit tense. Recently Steven Coxhead has argued that Deuteronomy 30:11-14 refer solely to the future. He considers the fact that there is no finite verb in the text and as a result the tense is determined by the previous text in vv 1-10.²⁴ Both positions are anchored in the data of the text. How do we decide?

The ancient Near Eastern epic of Gilgamesh relates how in the face of the death of his closest friend he sought answers to the issues of death and life by going across the ocean. Moses, by contrast is saying that the issues of death and life are not that far away. The issues of death and life entail two matters: divine instruction and the loyalty of the heart. In the covenant at Moab, the divine instruction has already been given to them. The only issue preventing blessing and life is the loyalty of the human heart. So the answer is not very far away: *it is in our own hearts*. The answer is not out there; it is in us. According to Deuteronomy 30:1-10, Israel will obtain a circumcised heart at a future time, and that is why 30:11-14 refers to the future and not to the present. Paul in his exposition in Romans 10 was right.²⁵ Yet when is that future time? In God's providence, Moses thinks it might be today, i.e., his present, and hence the force of his appeal for the present. Let us remember Deuteronomy 29:29, the *meta-comment* and the tension in this text: there is a tension in chapters 29-30 between divine sovereignty (i.e., the secret things), when God will give the circumcised heart at a future time, and between human responsibility (i.e., the revealed things), and therefore Moses' urging in his present, hence *today*. This, in fact, turns out to be the tension of his entire ministry.

Before summing up the argument of this paper, let us briefly review the use of the word *bērīt* or "covenant" in the book of Deuteronomy. The research in this paper has resulted in a new perspective on the literary structure of the book and will require, therefore, minor revision of the

exposition given in *KTC*.

The analysis of Lohfink is easy to verify: all instances of “covenant” (*bĕrît*) before Deuteronomy 29:1a (aside from a foreign treaty in 7:2) refer to the covenant at Sinai (4:13, 23; 5:2, 3; 7:9; 9:9, 11, 15; 10:8; 17:2; 29:1a; 33:9) or the Abrahamic covenant on which it is based (4:31, 7:12, 8:18). All the instances of covenant after 29:1a in chapters 29-30 refer to the covenant at Moab (29:1b, 9, 12, 14, 21, 25). After chapters 1–30 we find six occurrences of covenant: the instance in 33:9 and in the phrase “the ark of the covenant” refer to the covenant at Sinai (31:9, 25, 26). Note carefully in 31:25-26 that the book of Deuteronomy (chapters 1-30) is written as a single text and placed *beside* the Ark of the Covenant just as Deuteronomy 29:1 specifies that it is a covenant *beside* the covenant at Sinai.

Finally, the two instances in Deuteronomy 31:16, 20 are clearly passages where the covenant at Sinai and the covenant at Moab are fused as one in the author’s mind.²⁶ When I wrote *KTC* I struggled to find a correct interpretation of Deuteronomy 5:1-6, a significant text. I concluded that the covenant at Sinai and the covenant at Moab may have been fused as one in the author’s mind there. Now a better interpretation may be suggested.

And Moses summoned all Israel and said to them, “Hear, O Israel, the statutes and the rules that I speak in your hearing today, and you shall learn them and be careful to do them. The LORD our God made a covenant with us in Horeb. Not with our fathers did the LORD make this covenant, but with us, who are all of us here alive today. The LORD spoke with you face to face at the mountain, out of the midst of the fire, while I stood between the LORD and you at that time, to declare to you the word of the LORD. For you were afraid because of the fire, and you did not go up into the mountain. He said: ‘I am the LORD your God, who brought you out of the land of Egypt, out of the house of slavery’” (Deut 5:1-6, *ESV*).

This passage reviews the covenant material from Exodus 19–24 before presenting the main stipulation of the covenant (Deut 6:5) followed by the detailed stipulations. Verse 2 of Deuteronomy 5 says, “the LORD our God made a covenant with us in Horeb” (*ESV*) and employs the standard terminology, *kārat berît*, i.e., cut a covenant. This is a clear reference to the Israelite covenant made at Sinai, i.e., Exodus 19–24. Then Moses says, “Not with our fathers did the LORD make this covenant, but with

us, who are all of us here alive today.” The question arises here, what does he mean by “our fathers”? Does this refer to the generation at Sinai that have now passed away, or is it a specific reference to Abraham, Isaac, and Jacob—a normal referent for “fathers” in Deuteronomy? Part of the problem is also the referent of “this covenant” in the same sentence, which has been construed to refer to the book of Deuteronomy, apparently reinforced by the statement at the end of verse 3, “but with us, who are all of us here alive today.”

If we bear in mind the general usage of the word “covenant” in the book as a whole and the literary structure, a simple solution may be found: “the fathers” in v 3 are Abraham, Isaac, and Jacob. The covenant referred to in v 3 is the covenant at Sinai which is being distinguished from the Abrahamic covenant. The language at the end of v 3 is part of the rhetorical device in the book where Moses seeks to connect the people listening to him at Moab with the events in Egypt and at Sinai, even though they were children (under 20) at the time. This cuts the Gordian knot of this verse satisfactorily, at least to my mind.

Conclusion

We are now in a position to conclude. The question before us is this: why was an addition (codicil?) to the covenant at Sinai necessary and why was the expression “cut a covenant” employed for this?

First, an addition to the covenant at Sinai was necessary, because the directions or instruction (*tôrâ*) encoded in the covenant at Moab cover more adequately the situations of life in Canaan than the directions or instruction (*tôrâ*) encoded in the covenant at Sinai. Thus the instruction in Deuteronomy reshapes the Covenant at Sinai for life in the land. There is a whole new context and situation even though it is the same covenant.

Second, we must put the covenant making at Moab in perspective with what comes before and what comes after. In referring to the covenants that precede it, I shall not appeal as does David A. Dean to terminology imposed from the outside such as covenant obligations versus regulations, conditional versus unconditional, or bilateral versus unilateral covenants.²⁷ Rather, we can grasp the important points from the metanarrative and from sensitivity to the statements in the biblical text. Creation entails a covenant between God and man on the one hand and between man and the world on the other. Though the humans violate the covenant by failing to show *hšsed* and *'emet* and disobey the command in the garden, the commitment of the Creator to his creation is

reaffirmed and upheld in the covenant with Noah. Second, God makes a covenant with Abraham (Gen 15). This entails commitments and promises to Abraham and requires Abraham to be an obedient son and servant king. Though Abraham is less than a satisfactory ambassador and agent for Yahweh, God reaffirms and upholds his covenant in Genesis 17. Then at Sinai Yahweh offers to the nation the role of kingdom of priests and holy nation. They will be bound to Yahweh by covenant and will act as obedient son and servant king in the world. Israel's disloyalty and treachery in worshipping the golden calf violate this covenant. Here there is a *difference* from the earlier covenants: the fulfillment of the covenant rests on the human partner's loyalty. Although God forgave Israel in Exodus 33–34, that entire generation, i.e., that entire Israel was wiped out in the desert as a judgement for their unbelief in Numbers 14. The covenant needs to be renewed, but the expression *hēqîm bērit*, literally “to confirm or uphold a covenant” is entirely inappropriate. God has no commitment to uphold that which he has not already upheld. And the human partner that made the covenant is dead. It is a brand new Israel that has replaced the earlier one that needs to affirm loyalty to Yahweh in the face of earlier faithlessness and covenant violation. The expression *hēqîm bērit* is never used in a situation where a partner fails and now needs to uphold a commitment made previously. No, they need to renew the covenant by making a covenant to keep the earlier one, just as we see in Joshua 23–24. Then the content or instruction of this covenant can be *added* to the earlier one and can be kept *beside* the ark of the covenant. Earlier we saw that Joshua 23 and 24 indicates a continuity between the Book of Joshua and the Pentateuch. Deuteronomy 29–30 indicates that in the book of Deuteronomy, Moses is adding something in continuity with the Covenant at Sinai. Moses is making a covenant to keep the Covenant at Sinai. This is why only the expression *kārat bērit*, “to cut a covenant,” is the only one appropriate for this situation. And this time the covenant is made not only with the Israel present but with all future generations of Israel so that the children cannot argue that covenant at Sinai was with their parents, and not with them.

Deuteronomy is best seen as a renewal and expansion of the Sinai Covenant. The exposition given here of Deuteronomy 30:11-14 coheres completely with Deuteronomy 4:25-31 and Leviticus 26:39-45 where even the idea of uncircumcised heart is found and repentance in exile.

This, then, best explains the relation of Deuteronomy 1–30 to Exodus 19–24 and the terminology used to describe that relationship. It is clear

from this analysis that there is no such thing as a Palestinian Covenant in Deuteronomy 29-30 as proclaimed by dispensationalists.²⁸ This is a complete misunderstanding of the literary structure and the function of chapters 29–30 as a Covenant Conclusion Ceremony and of the relationship of the Moab Covenant to that of Sinai.

¹ I would like to thank Stephen Dempster for his feedback on this article.

² “Testament” is simply the Latin word for covenant.

³ R. H. Whybray, *The Making of the Pentateuch: A Methodological Study* (JSOT Supp. 53; Sheffield: Sheffield Academic Press, 1987), 223.

⁴ Recently some Christian scholars have interpreted Deut 29–30, understood separately from Deut 1–28, as referring to the New Covenant, i.e., in Jeremiah. John Sailhamer suggested that Deut 30:11-14 should be taken as conjoint with the new covenant prophecy of Deut 30:1-10 and that Deut 30:11-14 explains the nature of the new covenant by comparing it to the Sinaitic covenant (see John H. Sailhamer, *The Meaning of the Pentateuch: Revelation, Composition, and Interpretation* [Downers Grove, IL: InterVarsity Press, 2009]), 349, 399-415, and idem, *The Pentateuch as Narrative: A Biblical-Theological Commentary* (Grand Rapids, MI: Zondervan, 1992), 473. This view has been furthered by Peter Link, “A Composition Criticism of Deut. 28:69–30:20: An Analysis of the Pericope’s Intentional Repetition as a Part of the Pentateuch with the Pentateuch, the Prophets and the Writings,” (Ph.D. diss. Southeastern Baptist Theological Seminary, 2012). See also Steven R. Coxhead, *infra*.

⁵ Kurt Aland, *A History of Christianity* (Philadelphia: Fortress Press 1980), 1:240.

⁶ Peter J. Gentry and Stephen J. Wellum, *Kingdom through Covenant: A Biblical-Theological Understanding of the Covenants* (Wheaton, IL: Crossway, 2012).

⁷ See <http://thegospelcoalition.org/article/gentry-and-wellum-respond-to-kingdom-through-covenant-reviews>.

⁸ Douglas Moo, “Kingdom through Covenant: A Review by Douglas Moo,” The Gospel Coalition, September, 12, 2012 (<http://thegospelcoalition.org/article/kingdom-through-covenant-a-review-by-douglas-moo>).

⁹ 2 Kings 23:3 is to be interpreted in exactly the same way.

¹⁰ All translations of the Bible are the author’s, unless otherwise noted.

¹¹ Gentry and Wellum, *Kingdom through Covenant*, 357-388.

¹² N. Lohfink, “Deuteronomy,” (IDB Supplement; Nashville, TN: Abingdon, 1976), 229-32.

¹³ Jeffrey H. Tigay, *Deuteronomy* (The JPS Torah Commentary; Philadelphia, PA: The Jewish Publication Society, 1996), 274, 397-98.

¹⁴ H. F. van Rooy, “Deuteronomy 28,69–Superscript or Subscript?” *Journal of Northwest Semitic Languages* 14 (1988): 215-222.

¹⁵ N. Lohfink, “Dtn 28,69 — Überschrift oder Kolophon?” *Biblische Notizen* 64 (1992): 40-52.

¹⁶ Georg Braulik, “Die Funktion von Siebenergruppierungen im Endtext des Deuteronomiums,” in *Ein Gott, Eine Offenbarung: Beiträge zur biblischen Exegese, Theologie und Spiritualität – Festschrift für Notker Fügler*, Friedrich V. Reiterer, ed. (Würzburg: Echter, 1991), 37-50.

¹⁷ Kenneth A. Kitchen and Paul J. N. Lawrence, *Treaty, Law and Covenant in the Ancient Near East* (3 vols.; Wiesbaden: Harrassowitz, 2012). See also earlier works, K. A. Kitchen, *Ancient Orient and Old Testament* (Downers Grove, IL: InterVarsity Press, 1966); idem, *The Bible in its World: The Bible & Archaeology Today* (Downers Grove, IL: InterVarsity Press, 1977); idem, *On the Reliability of the Old Testament* (Grand Rapids, MI: Eerdmans, 2003); Paul Lawrence, *The Books of Moses Revisited* (Eugene, OR: Wipf & Stock, 2011). The texts are also easily accessible in English translation: Gary Beckman, *Hittite Diplomatic Texts*, 2nd ed, (SBL Writings from the Ancient World 7; Atlanta: Scholars Press, 1995, 1999) and Martha T. Roth, *Law Collections from Mesopotamia and Asia Minor* (SBL Writings from the Ancient World 6; Atlanta: Scholars Press, 1995).

¹⁸ Kenneth A. Kitchen and Paul J. N. Lawrence, *Treaty, Law and Covenant in the Ancient Near East*, 2:260-262.

¹⁹ Steven W. Guest, “Deuteronomy 26:16–19 as the Central Focus of the Covenantal Framework of Deuteronomy” (Ph.D. diss., The Southern Baptist Theological Seminary, 2009), 62-63.

²⁰ R. N. Whybray, *Introduction to the Pentateuch* (Grand Rapids: Eerdmans, 1995), 97.

²¹ Translation mine. The Holman Christian Standard Bible also has a fairly good translation here.

²² In 10:16, circumcision of the heart is used with a verb in deontic modality, while in 30:6 it is used with a verb in assertive modality. What we can say, then, is that circumcision of the heart is actually mentioned and described as unfulfilled with the second instance promising that Yahweh will fulfill it.

- ²³ E.g. the recent work by Daniel I. Block, *Deuteronomy* (NIV Application Commentary; Grand Rapids, MI: Zondervan, 2012), 673.
- ²⁴ Steven R. Coxhead, "Deuteronomy 30:11-14 as a Prophecy of the new Covenant in Christ," *Westminster Theological Journal* 68 (2006): 305-20.
- ²⁵ See Mark Baker, "In Your Mouth and in Your Heart: the Future Promise of Deuteronomy 30:11-14," Paper Presented at the Southeastern Regional Meeting of the Evangelical Theological Society, Beeson Divinity School in Birmingham, Alabama, March 21-22, 2014.
- ²⁶ See Jerry Hwang, "The Rhetoric of Remembrance: An Exegetical and Theological Investigation into the "Fathers" In Deuteronomy" (Ph.D. diss., Wheaton College, 2009). No doubt Hwang is right to see the different ways in which the term "fathers" is used in Deuteronomy is a rhetorical device to connect the present generation to the past. He is also right to see the covenant at Sinai and the covenant at Moab fused as one in the mind of Moses. Nonetheless, he argues that 29:1 is a colophon rather than a superscript and hence his view of the literary structure leads to differences in interpretation in particular passages with that of the present author.
- ²⁷ See David Andrew Dean, "Covenant, Conditionality, and Consequence: New Terminology and a Case Study in the Abrahamic Covenant," *JETS* 57/2 (2014): 281-308.
- ²⁸ See David J. MacLeod, "The Biblical Covenants and Covenant Theology," *Journey Magazine* 10/1 (2012): 30-37 and "Covenant Theology Part 3, A Dispensational Alternative," *Journey Magazine* 11/1 (2014): 30-38.