

LUTHER'S WORKS

VOLUME 9

LECTURES ON DEUTERONOMY

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CONCORDIA PUBLISHING HOUSE
3558 S. Jefferson Avenue
St. Louis, Missouri 63118-3968

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General Introduction

THE first editions of Luther's collected works appeared in the sixteenth century, and so did the first efforts to make him "speak English." In America serious attempts in these directions were made for the first time in the nineteenth century. The Saint Louis edition of Luther was the first endeavor on American soil to publish a collected edition of his works, and the Henkel Press in Newmarket, Virginia, was the first to publish some of Luther's writings in an English translation. During the first decade of the twentieth century, J. N. Lenker produced translations of Luther's sermons and commentaries in thirteen volumes. A few years later the first of the six volumes in the Philadelphia (or Holman) edition of the *Works of Martin Luther* appeared. Miscellaneous other works were published at one time or another. But a growing recognition of the need for more of Luther's works in English has resulted in this American edition of Luther's works.

The edition is intended primarily for the reader whose knowledge of late medieval Latin and sixteenth-century German is too small to permit him to work with Luther in the original languages. Those who can, will continue to read Luther in his original words as these have been assembled in the monumental Weimar edition (*D. Martin Luthers Werke. Kritische Gesamtausgabe*; Weimar, 1883 ff.). Its texts and helps have formed a basis for this edition, though in certain places we have felt constrained to depart from its readings and findings. We have tried throughout to translate Luther as he thought translating should be done. That is, we have striven for faithfulness on the basis of the best lexicographical materials available. But where literal accuracy and clarity have conflicted, it is clarity that we have preferred, so that sometimes paraphrase seemed more faithful than literal fidelity. We have proceeded in a similar way in the matter of Bible versions, translating Luther's translations. Where this could be done by the use of an existing English version — King James, Douay, or Revised Standard — we have done so. Where

it could not, we have supplied our own. To indicate this in each specific instance would have been pedantic; to adopt a uniform procedure would have been artificial – especially in view of Luther's own inconsistency in this regard. In each volume the translator will be responsible primarily for matters of text and language, while the responsibility of the editor will extend principally to the historical and theological matters reflected in the introductions and notes.

Although the edition as planned will include fifty-five volumes, Luther's writings are not being translated in their entirety. Nor should they be. As he was the first to insist, much of what he wrote and said was not that important. Thus the edition is a selection of works that have proved their importance for the faith, life, and history of the Christian Church. The first thirty volumes contain Luther's expositions of various Biblical books, while the remaining volumes include what are usually called his "Reformation writings" and other occasional pieces. The final volume of the set will be an index volume; in addition to an index of quotations, proper names, and topics, and a list of corrections and changes, it will contain a glossary of many of the technical terms that recur in Luther's works and that cannot be defined each time they appear. Obviously Luther cannot be forced into any neat set of rubrics. He can provide his reader with bits of autobiography or with political observations as he expounds a psalm, and he can speak tenderly about the meaning of the faith in the midst of polemics against his opponents. It is the hope of publishers, editors, and translators that through this edition the message of Luther's faith will speak more clearly to the modern church.

J. P.
H. L.

Introduction to Volume 9

EXCEPT perhaps for Ecclesiastes (to appear in Volume 15 of *Luther's Works*) there is no book of the Bible on which Luther commented that seems less congenial to his theology than Deuteronomy. His doctrine of justification by faith alone issues in an ethic that ignores prudential considerations of reward and punishment, whether here or hereafter, and requires radical obedience to God. Deuteronomy, on the other hand, appears to make the future happiness of Israel contingent upon — and even a motive for — a life of conformity to divine commands.

Closer study will reveal, however, that to set the Book of Deuteronomy and Martin Luther into such opposition means to misunderstand both. The most profound exegesis of the Book of Deuteronomy has come to see it as the summation of the Pentateuch and a commentary on the entire Mosaic covenant and Law. Its discussions of reward and punishment belong in the context of this larger purpose, apart from which they are distorted. Nor is the meaning of Luther's ethic exhausted when his doctrine of justification by faith alone has been set forth. Luther knew too well that in both the Old Testament and the New the people of God always had the flesh still clinging to them, and that therefore a realistic Biblical ethic had to deal with both the flesh and the spirit in the Christian life. His *Lectures on Deuteronomy* of 1525, presented herewith, is his effort to apply the Deuteronomic interpretation of the Law and the covenant to both the flesh and the spirit.

Luther applied himself to Deuteronomy in a number of ways between 1523 and 1525. The results afford an interesting cross section of his method. They are also important in the development of his exegetical principles.

Luther had translated Deuteronomy into German in 1522. During 1523 with Melancthon he was revising the Vulgate on the basis of the Hebrew; this revision eventuated in the Latin Bible of Wittenberg, 1529. In February 1523 he began lecturing on Deuteronomy to a small

gathering of close associates in his own house at Wittenberg, consisting of several Augustinian friars, an amanuensis (probably George Rörer), and a few professional friends such as Bugenhagen. Apparently he drew upon the work of his predecessors in the exposition of the book, including Nicholas of Lyra (cf. *Luther's Works*, 1, xi). Several transcriptions of these lectures are extant, one into chapter 7 in Rörer's handwriting, another in Bugenhagen's extending into chapter 4. There is no evidence that Luther advanced with this enterprise beyond chapter 12.

In 1524 Luther began his own transcription of his notes on Deuteronomy with the intention to dedicate the work to the bishop of the Prussian diocese of Samland, George Polenz, who was showing inclinations toward the evangelical cause (see p. 5 below). Luther gave sections of the manuscript to the printer Lufft as rapidly as they were finished, and by February 1525 he complained that he might not complete the entire work except for the fear that the printer would incur damage if he did not. Lufft evidently published an incomplete edition in 1524. When Luther finally completed the work in 1525, Lufft issued a second edition, resetting the initial sections without change. This is the work translated into English here (W, XIV, 497-744; St. Louis, III, 1370-1639).

The Weimar edition notes five additional Latin editions dated 1525, and a German edition printed in Strasbourg in 1526. The Weimar editors have collated Luther's original manuscript for the printer — we are not dependent on transcriptions by auditors — with the first Latin edition and one form that had fallen away. Justus Jonas published a German paraphrase of chapter 32 in 1532.

In our translation we have followed the Weimar text. Footnotes give occasional parallels from Luther's lectures of 1523 and 1524. In the original, the Latin translation of Deuteronomy by Luther precedes the annotations altogether; we have distributed the text by chapters and, with a few changes, have followed the Revised Standard Version. The divisions into chapters and verses are likewise those of the English versions, but we have put Luther's original divisions (never indicating verses) into the text as well for the sake of completeness.

J. P.
R. R. C.

LECTURES ON
DEUTERONOMY

Translated by
RICHARD R. CAEMMERER

THE DEUTERONOMY OF MOSES WITH NOTES
1525

To the reverend father and lord in Christ, Sir George von Polenz, lawful bishop of the church at Samland, to his father honored in Christ the Lord, grace and peace.

Most honorable father, I have decided to dedicate to your name and to offer to your honor the Deuteronomy of Moses. I had expounded it to my brothers in our house in a series of personal conversations, and they requested me to publish it. I planned this dedication to you for a long time, but I was hindered by business. Finally God has granted completion, and I make the presentation by means of this letter. My reason is not that I value my humble attempts with regard to the foremost and chief among the authors of all the sacred books to be worthy of such a great man.¹ His authority and majesty ought to discourage me or anyone else from treating his works at all, as it is written (Ps. 50:16): "To the sinner God says: 'Why do you set forth My laws?'" — were it not that concerns of need and salvation urge me to venture to do such things for the sake of learning and teaching godliness and religion. But that I might now at last show how my heart is disposed toward you, I have taken this occasion to become a little part of those who testify of your sincere faith in Christ and your active love toward His brothers. Hence we think that, if perchance the Lord should vouchsafe to grant it, also some other bishops and princes, moved by your new and unusual example, may gladden the church of God with a new miracle, set aside human traditions and opinions, and receive, honor, and spread the pure Word of God as their calling and office demand. For it is not you whom we praise when we praise the gifts of God in you; but we exalt that outstanding miracle of the grace of God which, as we see and hear with joy, is strong, rules, and triumphs in you. Just as a shepherd, as Amos says (3:12), "draws from the mouth of a wolf a tip of an ear or two legs," so the Lord has chosen you, the only one among all the bishops

¹ Luther means Moses as an author; see also *Luther's Works*, 13, pp. 76—79.

of the world,² and set you free from the jaws of Satan, which he has stretched as wide as hell as he consumes all. For among the other bishops (although I would hope there are some Nicodemuses among them) we see nothing except that they rant and rave against the returning, or rather rising, Gospel, since the emperor and kings and princes have been led astray. Thus they fulfill anew that word of the second psalm (v. 2): "The kings of the earth rise up, and the princes gather themselves together against the Lord and against His Christ." Thereby they at the same time rouse God also to fulfill in them what follows (vv. 4-5): "He who dwells in the heaven shall laugh, and the Lord derides them; then shall He speak to them in His wrath, and in His fury He shall upset them." Such unique and wonderful grace has been given you that you not merely received and believed the Word but, in accordance with your authority as bishop, when you had also openly and publicly confessed it, taught it and saw to it that it was taught throughout your diocese.³ You also liberally cared for those who labor in the Word, while the ungodly raged, gnashed their teeth, and grieved away in vain as they saw this. This grace, of course, God has conferred on you. And just as Paul did toward the Corinthians with reference to the Macedonians (2 Cor. 8:1 ff.), so I could not pass over this in silence; but in every way I had to publish, speak, and sing it out for the glory of God, for the progress of the Gospel, for the increase of faith, for the comfort of the weak and of those among us who suffer various things in various places, for the lifting-up of the faint, and finally also for the terror and ignominy of the enemies of the Word and those idols who sit in the seats of bishops. They know nothing except tyranny, and they are able to do nothing but tyrannize the wretched people. Nor did I shrink from loading you down through this word of praise with the hatred and envy of the other bishops, kings, and princes, or even from endangering your life. For nowadays no crime is on the level of this one supreme sacrilege, namely, to confess the Gospel of God. Many have already most steadfastly shed their blood on account of it, among whom the most glowing examples are Henry and John of Brussels, who were burnt by the sophists of Louvain; and after them our Henry of Zuetphen, the evangelist of Bremen, who was slain by the beasts

² A few years later, in 1531, Laurentius Petri was consecrated as the Evangelical archbishop of Upsala.

³ Cf. Introduction, p. x.

THE BEGINNING OF THE BOOK
*THESE ARE THE WORDS,*¹
WHICH IS TITLED DEUTERONOMY,
WITH THE ANNOTATIONS OF
DR. MARTIN LUTHER

¹ A translation of the Hebrew title of Deuteronomy, taken from its opening words.

CHAPTER ONE

These are the words that Moses spoke to all Israel beyond the Jordan in the wilderness, in the Arabah over against Suph, between Paran and Tophel, Laban, Hazeroth, and Dizahab. It is eleven days' journey from Horeb by the way of Mt. Seir to Kadesh-barnea. And in the fortieth year, on the first day of the eleventh month, Moses spoke to the people of Israel according to all that the Lord had given him in commandment to them, after he had defeated Sihon, the king of the Amorites, who lived in Heshbon, and Og, the king of Bashan, who lived in Ashtaroth and in Edrei. Beyond the Jordan, in the land of Moab, Moses undertook to explain this Law, saying: The Lord our God said to us in Horeb: You have stayed long enough at this mountain; turn and take your journey, and go to the hill country of the Amorites, and to all their neighbors in the Arabah, in the hill country and in the lowland, and in the Negeb, and by the seacoast, the land of the Canaanites, and Lebanon, as far as the great river, the river Euphrates. Behold, I have set the land before you; go in and take possession of the land which the Lord swore to your fathers, to Abraham, to Isaac, and to Jacob, to give to them and to their descendants after them.

At that time I said to you: I am not able alone to bear you; the Lord your God has multiplied you, and behold, you are this day as the stars of heaven for multitude. May the Lord, the God of your fathers, make you a thousand times as many as you are, and bless you, as He has promised you! How can I bear alone the weight and burden of you and your strife? Choose wise, understanding, and experienced men, according to your tribes, and I will appoint them as your heads. And you answered me: The thing that you have spoken is good for us to do. So I took the heads of your tribes, wise and experienced men, and set them as heads over you, commanders of thousands, commanders of hundreds, commanders of fifties, commanders of tens, and officers, throughout your tribes. And I charged your judges at that time: Hear the cases between your brethren, and

THIS book is called Deuteronomy, that is, the second Law. For thus Moses himself calls it in Deut. 17:18 ff., where he commands him who becomes King of Israel to read in this second Law every day when he has received it from the Levites; and in Deut. 31:10 ff. he commands that every seven years, when the release is celebrated, it be read before all Israel at the Feast of Tabernacles at the place which the Lord has chosen. It is called "second," however, not because it is different from that which was given on Mt. Sinai but because it was repeated by a new covenant through the ministry of Moses in the presence of those who had not heard it the first time on Mt. Sinai. For all who had heard it from the Lord Himself had perished in the desert.

Hence this book is a summary of Moses and a brief of the total Law and wisdom of the people of Israel. In it all those things which pertain to the Levites and priests are omitted, and only those things are taught which need to be known by the people and the common folk. If you want to give this book a name suitable for our use, you will correctly call it a most ample and excellent explanation of the Decalog. After you know it, you could want nothing more that is needful for understanding the Ten Commandments. For it teaches this people to live well according to the Ten Commandments in both spirit and body. Furthermore, it sets up the inner rule of conscience together with secular government, then the outward manner of ceremonies with wholly divine justice and wisdom, so that there is nothing in the whole range of life that is not arranged here most wisely and properly.

1. *These are the words.*

This is a description of the country. The Hebrews use the same word, *trans-*, whether they wish to speak of the other side of Jordan or of this side, so that you can judge only from where the speaker or the listener is whether you are to understand "beyond" or "this side."

Furthermore, they do not call a region a "desert" because no people or things are there—for in the Scriptures many cities are described as being situated in the desert—but because it is a wooded place.² "Plains" is therefore the right translation of the Hebrew עֲרֵבָה

² In his lectures Luther said: "*Solitudo* means a place which is not inhabited, as *die heide* [the heath] between Wittenberg and Leipzig. Thus there was land under the subjection of the Moabites, only that there were no districts and towns, just as among us *die heide*. . . . *in montanis*: . . . just as among us *am hartz* [in

[W. XIV, 546—548]

since it properly denotes a plain, where fields stretch afar without woods and mountains, in German *ein Feld*. And observe that here Moses puts the plains of Moab in a desert, as though contrasting plains in a desert with plains in forests.

The Greeks call it the Red Sea, but the Hebrews the Sea, יַם סוּף, that is, full of reeds and sedge. It seems that Jerome is wrong in translating "where is much gold,"³ since it is more likely that it is the proper name of a place, יְרֵמֹה, which means "abundance of gold." In other places, too, Jerome makes proper nouns common nouns and vice versa, a slip which is easy in Hebrew.

The description of places, however — where he says "toward the Red Sea, between Paran, Tophel, Laban, Hazeroth, and Desahab, eleven days' journey from Mt. Horeb to Kadesh-barnea by way of the mountains of Seir" — we shall leave to the inhabitants of the places, lest we labor vainly over uncertain things.⁴

3. *And in the fortieth year.*

This is the account concerning the time. It is the fortieth year since the exodus from Egypt, the eleventh month, the first day of the month, namely, at the end of the life of Moses, who was still to be with them almost two months, during which he makes his will and bids them farewell. But note this: "He spoke to the Children of Israel all that the Lord had commanded him to say to them." He speaks nothing unless it has been commanded him by the Lord, for to the point of tedium he repeats and impresses this in this book, in order to teach that among the people of God nothing is to be declared except what is assuredly the Word of God. Yet it is not enough to be certain that it is the Word of God, but through the commandment of God each should be forced to speak the Word of God, as he says: "Everything the Lord commanded him." He does not say: "Which the Lord put into his mind"; for thus godless men would vainly flatter themselves about the inspiration of the Holy Spirit, while they fancy themselves to be infallible in their statutes and counsels. What is said here — "Moses began to explain the Law" — also pertains to the fact that he speaks nothing but what is divinely commanded.

the Hartz mountains] various people live, thus were in those mountains. . . . *In campestribus, im gefuld*, where there is a poor field bearing neither wheat nor winter wheat."

³ The Latin translation had: *ubi est auri plurimum*.

⁴ The original script indicates that Luther attempted some closer definitions, which were then crossed out.

CHAPTER NINE

Hear, O Israel; you are to pass over the Jordan this day, to go in to dispossess nations greater and mightier than yourselves, cities great and fortified up to heaven, a people great and tall, the sons of the Anakim, whom you know, and of whom you have heard it said: Who can stand before the sons of Anak? Know, therefore, this day that He who goes over before you as a devouring fire is the Lord your God; He will destroy them and subdue them before you; so you shall drive them out and make them perish quickly, as the Lord has promised you.

Do not say in your heart, after the Lord your God has thrust them out before you: It is because of my righteousness that the Lord has brought me in to possess this land; whereas it is because of the wickedness of these nations that the Lord is driving them out before you. Not because of your righteousness or the uprightness of your heart are you going in to possess their land; but because of the wickedness of these nations the Lord your God is driving them out from before you, and that He may confirm the word which the Lord swore to your fathers, to Abraham, to Isaac, and to Jacob.

Know, therefore, that the Lord your God is not giving you this good land to possess because of your righteousness; for you are a stubborn people. Remember, and do not forget how you provoked the Lord your God to wrath in the wilderness; from the day you came out of the land of Egypt until you came to this place, you have been rebellious against the Lord. Even at Horeb you provoked the Lord to wrath, and the Lord was so angry with you that He was ready to destroy you. When I went up the mountain to receive the tables of stone, the tables of the covenant which the Lord made with you, I remained on the mountain forty days and forty nights; I neither ate bread nor drank water. And the Lord gave me the two tables of stone written with the finger of God; and on them were all the words which the Lord had spoken with you on the mountain out of the midst of the fire on the day of the assembly. And at the end of

IN this chapter Moses selects another occasion for transgressing the First Commandment, an occasion called spiritual pride because it boasts of its righteousness and merits. This is trust in one's own works, and no plague and opponent of faith or trust in the mercy of God is more destructive. Therefore Moses demolishes it here with many words throughout the whole chapter. It robs God of His glory, for these two cannot stand side by side: to glory in God and His mercy, and to glory in ourselves because of our righteousness and works.¹ He disproves this righteousness with three strong arguments.

First: Those Gentiles deserved to be expelled on account of their godlessness. He says this: "For not because of your righteousnesses or the uprightness of your heart will you go in; but because they dealt godlessly, the Lord cast them out" (v. 5). With these words we, too, should be instructed if we see others smitten either by ourselves or by others. It does not follow that since you or others smite that man, therefore you or others are more righteous than he. Otherwise the tower of Siloam, which fell on many in Jerusalem (Luke 13:4), would also be regarded as just. But it is God who smites the godless, as he says here. Whether He does these things through a tower, fire, water, beasts, your hand or another's, makes no difference. Nothing else takes place there than that the just God has smitten the godless.

Furthermore, you should fear this example. The godless one is smitten that you may be terrified, just as Christ explains in Luke 13:5, saying: "You shall all perish this way." And Paul says in Rom. 11: 21-22, as he forbids the Gentiles by means of the same argument to be proud over the ruin of the Jews: "See to it that He spares you; otherwise you, too, shall be cut off"; and Rom. 2:3: "Man, when you judge those who do such things, and you do the same, do you think that you shall escape the judgment of God?" Outstanding is also the statement of St. Gregory: "When we see anyone sin, we should first weep over ourselves in their calamity, because we have either fallen like them or we can fall."² Someone has summed this up in the fol-

¹ Editors (Hoppe and Pietsch alike) assume that the typesetter misread the words which the autograph has in the margin, and that Luther's intention was: *gloriari in deo de misericordia eius et gloriari in nobis ipsis de iustitia et operibus*. The first edition has a second *gloriari* before *de misericordia*.

² Gregory the Great writes: "In truth, all of us are subject to the frailties of our corrupt nature so long as we remain in this mortal flesh. Each one, therefore, ought to infer from his own case to what degree he should have mercy on the weakness of others, lest he seem forgetful of his own estate when he

CHAPTER NINETEEN

When the Lord your God cuts off the nations whose land the Lord your God gives you, and you dispossess them and dwell in their cities and in their houses, you shall set apart three cities for you in the land which the Lord your God gives you to possess. You shall prepare the roads, and divide into three parts the area of the land which the Lord your God gives you as a possession, so that any manslayer can flee to them.

This is the provision for the manslayer, who by fleeing there may save his life. If anyone kills his neighbor unintentionally without having been at enmity with him in time past — as when a man goes into the forest with his neighbor to cut wood, and his hand swings the axe to cut down a tree, and the head slips from the handle and strikes his neighbor so that he dies — he may flee to one of these cities and save his life; lest the avenger of blood in hot anger pursue the manslayer and overtake him, because the way is long, and wound him mortally, though the man did not deserve to die, since he was not at enmity with his neighbor in time past. Therefore I command you: You shall set apart three cities. And if the Lord your God enlarges your border, as He has sworn to your fathers, and gives you all the land which He promised to give to your fathers — provided you are careful to keep all this commandment, which I command you this day, by loving the Lord your God and by walking ever in His ways — then you shall add three other cities to these three, lest innocent blood be shed in your land which the Lord your God gives you for an inheritance, and so the guilt of bloodshed be upon you.

But if any man hates his neighbor, and lies in wait for him, and wounds him mortally so that he dies, and the man flees into one of these cities, then the elders of his city shall send and fetch him from there, and hand him over to the avenger of blood, so that he may die. Your eye shall not pity him, but you shall purge the guilt of innocent blood from Israel, so that it may be well with you.

In the inheritance which you will hold in the land that the Lord

1. *When the Lord your God cuts off the nations, etc.*

Now that he has finished setting up government and the worship of God, Moses proceeds with the second part of the Law, namely, with love, which is contained in the Second Table. Therefore this chapter deals throughout with murder and greed, with pardon for accidental homicide and punishment for intentional homicide. Then he ordains with a general decree, that any personal injury is to be avenged through the law of retaliation.¹ For love demands that provision be made for public peace; but unless evil men are held in check, peace cannot abide. Therefore it is the part of love to administer laws severely and without mercy, to punish evil men, that the good and pious may be preserved. On the other hand, it is the part of love also that the strictness of the laws be tempered with equity, to show mercy to one who perhaps seems like an evil and harmful person and yet is neither evil nor harmful, since he acted unintentionally and unwillingly. Therefore it is commanded here that three cities of refuge be set aside for those who commit homicide unintentionally.

4. *If anyone kills his neighbor, etc.*

He cites a concrete case to show how he wants unintentional homicide to be understood, namely, if one is doing something else, like cutting wood, and the axhead slips off and strikes his neighbor. Here you see very well that God demands *epikeia* or justice in laws; He wants judgment to be based not only on facts but also on intention. This principle is to be applied to all laws in general. Whatever the offense has been, the heart rather than the hand of the offender is to be considered. Thus Moses expressly states here that anyone who kills another without hate, but unwillingly and accidentally, is not guilty of murder. But such innocence should be proved by sure signs and circumstances, so that not everyone can say after something happens: "It was an accident." Therefore Moses cites the case of the slipped axhead as an obvious circumstance which demonstrates that the slayer was doing something else and committed homicide involuntarily.

So if someone inadvertently knocks out the eye of another with either his fist or a rock, intending something entirely different from

¹ Luther refers here to the *lex talionis*, whose parallels with the Mosaic legislation he recognized.

knocking out his eye, he is not guilty of a wrong. The same thing applies if he harms someone in any member or does him an injury, as I have seen it happen that a man impaled his brother with a sword and killed him when he was trying to stab the wild boar which had run the brother down.² That is the way of this mortal life, that everyone has to expect danger from his neighbor. Whoever, therefore, wants to live in a community and to enjoy its peace, security, protection, and all its laws, advantages, and benefits must also endure dangers, damage, disadvantages, and the whole range of fortune, whatever it may bring. Thus the jurists say: "One citizen owes a fire to another";³ that is, if he wants to be a citizen, he has to share the peril of fire or any other damage with his neighbor.

8. *If the Lord your God enlarges, etc.*

9. *Provided you are careful to keep, etc.*

You see that the promises of the Law concerning the temporal kingdom have a quality far different from the promises of grace or the spiritual promises. The promises of the Law are contingent upon the will and merits of men, as he says here: "If you are careful to keep." Therefore they are not lasting or permanent; for no merits of men are permanent, just as the men themselves are not, regardless of how saintly they are. But the spiritual promises are contingent, not upon merits but solely upon the eternal and free mercy of God, "not upon man's will or exertion but upon God's mercy" (Rom. 9:16). Therefore in the area of the Law free will rules — or, rather, it perishes and destroys everything; but in the area of the Gospel grace and the Spirit rule and preserve.

10. *Lest innocent blood be shed.*

You see that involuntary homicide is defined by God Himself as innocent, just as he said shortly before (v. 6): "Lest he wound mortally a man who did not deserve to die," because he evidently had no hate against him who was killed. Observe that if the heart is innocent of hate, the deed is innocent of murder. Therefore he wants many cities of refuge, because in a large populace there is much danger for all. It should be noted that when he says (v. 6): "Lest the avenger of

² Cf. *Luther's Works*, 14, Introduction, p. xii. This anecdote may help to explain Luther's aversion for hunting.

³ Cf. the similar statement, *Luther's Works*, 22, p. 417, note 118.

CHAPTER TWENTY-NINE

These are the words of the covenant which the Lord commanded Moses to make with the people of Israel in the land of Moab, besides the covenant which 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 which your eyes saw, the signs, and those great wonders; but to this day the Lord has not given you a mind 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 upon 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 be careful to do the words of this covenant, that you may deal wisely in all that you do.

You stand this day 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, both he who hews your wood and he who draws your water, that you may enter into the sworn covenant of the Lord your God, which the Lord your God makes with you this day; that He may establish you this day 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. Nor it is with you only that I make this sworn covenant, but with him who is not here with us this day as well as with him who stands here with us this day before the Lord our God.

You know how we dwelt in the land of Egypt, and how we came through the midst of the nations through which you passed; and you have seen their detestable things, their idols of wood and stone, of

[W. XIV, 726]

1. *These are the words of the covenant which the Lord commanded Moses to make.*

THIS chapter, together with the two that follow it, is, as it were, the last discourse of Moses delivered to the people. It comprises exhortations, and admonitions, and other things of that sort, to lay the Law upon their hearts. He says that this covenant was entered into in the land of Moab besides the one which was established on Mt. Horeb; that is, it was renewed on account of those who had not been at Horeb but had been born meantime, while their fathers had died in the desert, lest they think that the Law given to the fathers did not apply to them and that they could disregard it. Therefore Moses had to live long enough as lawgiver to be able to renew the Law also to the second generation.

"You have seen all that the Lord did, etc." (v. 2). "You," he says, "and your eyes have seen," when he speaks to the progeny of those who had seen such things. They themselves, however, had not seen those things, since they had been born in the desert; except for Joshua and Caleb, all their fathers had died, and they had risen up in their fathers' place. The word of Moses will not stand unless you understand this to have been said concerning the progeny already almost grown when they went out from Egypt, and unless you consider the fathers who had died to be the men of mature age and, as the text says, warriors who had been numbered from the twentieth year and above (Num. 1:3).¹ Thus Moses addresses those who at the exodus from Egypt or at the time of the numbering were nineteen years of age and below. Or else it must be said that he is employing synecdoche and speaking to those who are of the people although it has already died out to only two survivors who had seen these signs. But the former interpretation seems better.

Moses speaks these things, however, as a reproach and concentrates on this former hardness of theirs to make the admonition sharper, as though he were saying: "See to it that in the future you keep the Commandments of God better than you have kept them in the past. For even though you have seen all this, you have by no means become more understanding and obedient, since (v. 4) the Lord has not given you a mind to understand, or eyes to see, or ears to hear. Therefore it is to be feared that He may not give it to you later. You should strive with fear and concern, so that by your humility you

¹ The original has "Num. 1."

may deserve this gift of an understanding heart, a hearing ear, and a seeing eye."

Here you see that it is not enough that signs be shown and the Word be taught, unless the Spirit is within the one who teaches. Thus Pharaoh with his people paid no attention to the signs of Moses, and the Pharisees even blasphemed against the signs of Christ. So great is the hardness of the human heart that it is moved by no signs and wonders, is affected by no words, and is shaken by no threats. It is clear enough that from this passage prophecies like Is. 6:10 are taken. And the evangelists, moved by the same hardness, repeat it when they say: "Close his eyes, and thicken his ears."² Obviously Moses indicates by this comment that the workers of the Law would be precisely the people who do not keep the Commandments of God, for he is certain that this grace is not given to all. Therefore he speaks thus in order to humble and frighten them, in the hope that there may be some who understand that it is not in their power to keep the Law, and who in humility seek grace from God. This is what spiritual men do, but not presumptuous hypocrites.

Then he repeats the kindnesses (v. 5), that for forty years in the desert their clothing did not wear out and their shoes were not used up, that they did not eat bread, and that they did not drink wine and strong drink. Thus God showed them – and they themselves were to know it – that He was theirs, namely, that He was able to feed and clothe without human effort, as He said above in chapter 8:3: "Not by bread alone does man live, but by every Word of God, etc." After this he tells of the victory gained over the two kings of the Amorites and of the land divided among them, and concludes: "Therefore be careful to deal wisely in all that you do" (vv. 7-9). This means that you carry out wisely and joyfully everything you have undertaken. For this is the intention of the Hebrew word for "wise." Thus it is written concerning David, who conducted himself more wisely than all the servants of Saul (1 Sam. 18:15, 30); and it is said to Joshua (Joshua 1:17): "That you may be wise," that is, be happy and prosperous, and do no foolishness. This will happen if they keep the Law of God.

Thereupon (v. 10) he confirms the covenant, recounting by name all the orders – princes, officers, elders, tribes, children, women, and strangers, down to the hewers of wood and the drawers of water –

² Matt. 13:14; Mark 4:12; Luke 8:10; John 12:40.

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