

ETHICS AND PSALM 82

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Central States Society of Biblical Literature Meeting

March 2009

Psalm 82 is arguably one of the most bizarre passages of the Hebrew Bible. Here God is depicted as taking His stand among other so-called "gods" and executing judgment upon them because they have not dispensed justice.¹ Discomfort with the notion that the psalm mentions other gods has driven many to interpret "gods" either as angels who sinned (cf. Gen 6) or as human leaders who have practiced injustice, while others have seen the Psalm as an establishment of monotheism. In the past I had argued that the Psalm deals with the problem of evil. Lower gods, who had been appointed by Yahweh for the explicit purpose of eliminating the problem of evil--were responsible. If only a portion of the divine council were on trial, then a potentially repeatable scenario occurs which might, in the eyes of the ancient Israelite, get Yahweh off the hook.² However, at this time I will propose a modification which retains a concern for the problem of evil and the plight of the vulnerable, but with a different twist.

PSALM 82

מזמור לאסף	1	A song accompanied musically, ³ of ⁴ Asaph.
אלהים		God
נצב		is taking his stand ⁵
בעדת אל		in the assembly of El, ⁶
בקרב אלהים		in the midst of [the] gods
ישפט:		he executes judgment.

¹ As Patrick D. Miller has said ("When the Gods Meet: Psalm 82 and the Issue of Justice," *Journal for Preachers* 9 [1986]: 2), "Psalm 82 is one of the most overtly mythological texts in Scripture. . . ."

² This is a revision of an unpublished (and unrepresented) essay from 1991.

³ So O. Kaiser *Introduction to the Old Testament* (Minneapolis: Augsburg, 1977), 352. S. Mowinckel (*The Psalms in Israel's Worship* [New York, Nashville: Abingdon Press, 1962], 208) states that the title *Mizmor* "indicates singing to a stringed instrument, or playing a stringed instrument accompanied by singing or a recitative text. *Mizmor* then indicates a (religious) song accompanied by stringed instrument(s)."

⁴ The ambiguous Hebrew ל of the superscription is being rendered by the ambiguous English *of*. The ל probably is intended to imply authorship, although its accuracy is dubious. Note that A. Weiser (*The Psalms* [Philadelphia: The Westminster Press, 1962], 556) translates לאסף as "to Asaph."

⁵ נצב is translated as *is presiding, presides* by J. Morgenstern ("The Mythological Background of Psalm 82," *HUCA* 14 [1939]: 71); and M. Dahood (*Psalms II, 51-100* [AB 17; Garden City: Doubleday & Company, Inc, 1968], 269).

⁶ Or, *God*. According to M. Tsevat ("God and the Gods in Assembly, an Interpretation of Psalm 82," *HUCA* 40-41 [1969]: 126), on the basis of F. M. Cross ("The Council of Yahweh in Second Isaiah," *JNES* 12 [1953]: 274), עדת אל is a frozen form which should be translated as *divine assembly*. L. Handy ("Sounds, Words and Meanings in Psalm 82," *JSOT* 47 [1990]: 51) translates the phrase as *the assembly of El*, while most translate it as *the assembly or council of God*.

<p>עד מתי 2 תשפטו עול ופני רשעים תשאו סלה:</p>	<p>“How long will you judge in an unjust manner,⁷ and to the wicked show partiality? Selah.⁸</p>
<p>נשפטו 3 דל ויתום עני ורש הצדיקו:</p>	<p>Vindicate by delivering⁹ [the]¹⁰ helpless and [the] fatherless, [for the] unfortunate and [the] poor do justice.¹¹</p>
<p>פלטו 4 דל ואביון מיד רשעים הצילו:</p>	<p>Deliver [the] helpless and [the] needy, from the power of [the] wicked rescue [them].</p>
<p>לא ידעו 5 ולא יבינו בחשכה יתהלכו ימוטו כל מוסדי הארץ:</p>	<p>They do not know, nor do they understand;¹² since they walk about in darkness, all the foundations of the earth wobble.¹³</p>
<p>אני אמרתי 6 אלהים אתם ובני עליון כלכם:</p>	<p>I myself¹⁴ had¹⁵ said, ‘You are gods, and all of you are sons of Elyon,’¹⁶</p>

⁷ While עול is a noun, it is being used adverbially.

⁸ *Selah* is ambiguous at best (cf. Kaiser, *Introduction*, 352).

⁹ W. Holladay (*A Concise Hebrew and Aramaic Lexicon of the Old Testament* [Grand Rapids: Eerdmans, 1971], 380): *help*; *BDB* (1047D 3b2): *vindicate by delivering from the hand of*.

¹⁰ The following classes/collectives, while indefinite in the Hebrew, are better expressed in English as definite.

¹¹ Weiser (*The Psalms*, 556) translates הצדיקו as “acquit”.

¹² The form could be a Qal or a Hiphil, but the Hiphil is unlikely.

¹³ This line describes the result of the darkness/lack of knowledge, hence *since* in the previous line.

¹⁴ The opinion of GKC (§135a) is that “the separate pronoun appears to be placed before the verb more on rhythmical grounds, i.e. in order to give the statement a fuller sound than that of the bare verbal form (cf. the similar use of the infinitive absolute, § 113 o).” In other words, they do not consider emphasis to be the use. However, it appears more likely that it serves to reinforce אכן (nevertheless).

¹⁵ This appears to be the sense in light of אכן (nevertheless).

¹⁶ Or, *the Most High*.

אכן	7	nevertheless
כאדם תמותון		like humans ¹⁷ you will die, and
וכאחד השרים תפלו:		like officials ¹⁸ you will fall.”
קומה אלהים	8	“Arise, O God!
שפטה הארץ		judge the earth!
כי אתה תנחל		for you indeed take possession ¹⁹
בכל הגוים:		of ²⁰ all the nations.”

THE HEBREW TEXT

The text of Psalm 82 is considered by most to be in an excellent state of preservation.²¹ The main emendation which has been proposed by many during the last century is the substitution of יהוה (Yahweh) for the first אלהים (God) in v.1 and the one which occurs in v. 8.²² This suggestion is not based on textual witnesses, but on the theory that יהוה was replaced by אלהים during the editing of the Elohist Psalter.²³ However, it is possible that אלהים is original. L. Handy has analyzed the psalm in a way which points out extensive use of “repetition and words of multiple meanings”, including the various uses of אלהים.²⁴ If so, אלהים could have been chosen for stylistic reasons. In any case, the reconstruction adopted in this essay will allow אלהים to stand while accepting that the proposal of יהוה has some merit.

A second common emendation, proposed by Jüngling and followed by Kraus (and suggested in *BHS*) is the substitution of דך (oppressed) for דל (helpless).²⁵ Dahood, noting that the Masada text supports the MT’s use of דל (helpless), questions the validity of this

¹⁷ This singular collective is best expressed by the English plural.

¹⁸ E. Mullen (*The Divine Council in Canaanite and Early Hebrew Literature* [Chico: Scholars Press, 1980], 243) takes שרים (officials) as שרים (Shining Ones).

¹⁹ ASV: “thou shalt inherit”; RSV: “to thee belong”; NASB: “it is thou who dost possess”; NRSV: “belong to you”. BDB (635 C 1c): “take possession, inherit [*the land*]”; Holladay 232: “own” (w/b). It appears that the idea is more than mere ownership, i.e. it involves taking over that which was in the jurisdiction of the *‘elohîm*. Further, it is possible that the imperfect should be translated here as a future instead of a habitual.

²⁰ ב denoting the object of נחל (cf. GKC §119q).

²¹ So H.-W. Jüngling, *Der Tod der Götter* (Stuttgart: Verlag Katholisches Bibelwerk, 1969), 71; H. Kraus *Psalmen II* (BKAT 15B; Neukirchen-Vluyn: Neukirchener Verlag Des Erziehungsvereins, 1961), 569; and Tsevat, “God and the Gods,” 126.

²² B. Duhm, *Die Psalmen* (Tübingen: Verlag Von J. C. B. Mohr [Paul Siebeck], 1922), 317-318; A. Gonzolaz, “Le Psaume LXXXII,” *VT* 13 (1963): 293; H. Gunkel, *Ausgewählte Psalmen* (Göttingen: Vandenhoeck & Ruprecht, 1911), 154; Jüngling, *Der Tod der Götter*, 71; A. Kirkpatrick, *The Book of Psalms* (Cambridge: Cambridge University Press, 1939), 496; Kraus, *Psalmen II*, 569; Mullen, *The Divine Council*, 229; Tsevat, “God and the Gods,” 125-6.

²³ A similar possibility (that I have not yet seen proposed) is to substitute עליון for אלהים on the basis of v. 6. If correct (although unlikely), the oft-noted Canaanite influence might be greater than supposed. Note that Eissfeldt (“El and Yahweh,” *JSS* 1 [1956]: 28) contends that the Bible never makes a distinction between ‘El and ‘Elyon.

²⁴ Handy, “Sounds,” 51-66.

suggestion.²⁶

The LXX (Greek Psalm 81 = Hebrew Psalm 82) is a wooden, interlinear-type translation which duplicates the actual structure of the Hebrew (including the relative positioning of nouns and verbs). The apparent translation principle for this psalm was to be as literal as possible, rather than trying to use Greek idioms. Collectives are made definite, as well as *earth* in v. 5. The major difference is that in v. 3 the Greek has “orphan and poor” while the MT has “poor and orphan.” Other differences appear to be based on a misunderstanding of the tense of the Hebrew (cf. above). In sum, there are no significant differences between the Greek and the MT, and the text of the MT is well preserved since the time of the LXX.

11QPs^a lacks Psalm 82,²⁷ but one fragment from Masada has been published which shows vv. 1-4.²⁸ There does not appear to be any significant difference with the MT, but it is interesting to note that the passage is laid out in a manner similar to *BHS* (unlike the Psalms in 11QPs^a). Both the LXX and the Masada text serve to confirm the antiquity of the form of the MT.²⁹

This essay accepts the consensus that the text of Psalm 82 has been well preserved. I am proposing two minor emendations to the text, only one of which changes the consonantal text. *First*, I am repointing יָדְעוּ (they did not know) in v. 5 as the Qal imperfect יִדְעוּ (they do not know) on the basis of the symmetry and sense of the passage (cf. יָבִינוּ, an imperfect). The Greek, which translates יָדְעוּ as an aorist (*they did not know*) does not count against this emendation, for it also erroneously translates יָבִינוּ-- which is clearly an imperfect in the Hebrew-- with an aorist. *Second*, the indefinite אֶרֶץ (earth) in v. 5 is being changed to the definite הָאָרֶץ (the earth [cf. v. 8]). The Greek may reflect an earlier Hebrew definite, although it often makes definite what is indefinite in the Hebrew. Whether or not this emendation is accepted is not crucial to the understanding or sense of the text.

ISSUES OF INTERPRETATION

“Scarcely any psalm seems to have troubled interpreters more or to have experienced a wider range of interpretation and a more disturbing uncertainty and lack of finality therein than Psalm 82.” (J. Morgenstern)³⁰

The interpretation of the psalm has hinged on one’s view of the identity of the אֱלֹהִים, which, when used with plural verbs is most commonly translated *gods*. The question is whether the psalm refers to literal gods or if the word is an expression denoting humans in one

²⁵ Jüngling, *Der Tod der Götter*, 71; Kraus, *Psalmen II*, 569.

²⁶ Dahood, *Psalms II*, 269.

²⁷ See J. Sanders, *The Psalms Scroll of Qumran Cave 11 (DJD IV)*; Oxford: Clarendon, 1965).

²⁸ *IEJ* 15 (1965): Pl. 19, Fig. A.

²⁹ According to R. Tournay (“Les Psaumes complexes: Les Psaumes 7 et 82: structure et attaches littéraires,” *Revue Biblique* 56 [1949]: 52), אֱלֹהִים is rendered “judges” by the Targum and “angels” in Syriac. This is probably more significant for the history of interpretation than for textual criticism.

capacity or another. During the nineteenth century and the early twentieth century it was common to see the אלהים as human rulers, usually foreign kings,³¹ and the poor as Israelites.³² However, if the human rulers are Israelite rulers, they are seen as “the judges and authorities of Israel.”³³

During the last century there has been a leaning toward the non-human interpretation, identifying the אלהים either as lesser gods/the gods of the pagan nations³⁴ or angels,³⁵ although voices calling for a human interpretation of some kind are not entirely lacking.³⁶ If the אלהים are seen as deities, the tendency is to see them as pagan deities,³⁷ usually those assigned to other nations by Yahweh (as seen in Deut 4:19; 32:8).³⁸ These deities are sentenced to death, with the result that Yahweh alone takes care of the earth, dispensing justice.

Morgenstern interprets the אלהים as the *sons of God* (i.e. the “angels”)³⁹ who fell in Gen 6:1-4. His view is that vv. 2-4, in which the referents are human judges,⁴⁰ is a secondary passage, being a Sadducean-style replacement of the wording which had originally spoken of the fallen angels.⁴¹ The offense of the אלהים, then, was not the

³⁰ Morgenstern, “Mythological Background,” 29.

³¹ Morgenstern (“Mythological Background,” 30) gives a list of predecessors who interpret אלהים to mean foreign kings: “Duhm..., Gesenius, De Wette, Ewald, Hitzig, Kösters, Olshausen, Baethgen, Briggs, v. Baudissin, Staerk, Kittel, König, Buttenwieser and others.” According to G. Wright (*The Old Testament against its Environment* [Chicago: Henry Regnery Company, 1955], 31-32), Duhm interpreted them as Hasmonean kings, and Buttenwieser considered them to be deified kings of the Hellenistic age.

³² C. Briggs (*The Book of Psalms Vol II* [ICC 12; 1907], 215) states that “The rulers of the nations, among whom Israel was scattered as a poor, weak, and afflicted people, are gods and sons of the Most High in their capacity as governors. They are rebuked by God for their injustice, and threatened with overthrow. The Ps. is probably exilic.” A. Anderson (*The Book of Psalms* [NCB; London: Marshall, Morgan, and Scott, 1972], 592), as well as the author, regards the position of Duhm and Briggs, i.e. that they are “wicked rulers of other nations which are holding Israel in subjection” to be highly unlikely.

³³ Kirkpatrick, *The Book of Psalms*, 496. Rejecting the idea of foreign rulers, he wrote (495), “The authorities of the nation are called *gods* (vv. 1,6) as being the representatives of God, *sons of the Most High* (v. 6) as exercising a power delegated by the supreme Ruler of the world. The judgment they give is God’s.” However, Weiser (*The Psalms*, 560) notes that “the comparison in v. 7 refutes the widespread interpretation of the deities as human judges.”

³⁴ Dahood, *Psalms II*, 268; Handy, “Sounds,” 57; Wright (see below).

³⁵ Morgenstern; W. Eichrodt, *Theology of the Old Testament* (2 vols.; Philadelphia: Westminster, 1967), 2:199.

³⁶ Since in H. Niehr’s view (“Goetter oder Menschen - eine falsche Alternative: Bemerkungen zu Ps 82,” ZAW 99 [1987]: 94-98) the actions of human leaders indicate the acts of the gods, he considers the differentiation between human and gods in Psalm 82 to be a “false alternative”.

³⁷ Mowinckel’s view (*Psalms in Worship*, 64), which looks somewhat like a cross between the foreign rulers approach and the ANE gods interpretation, is that “such psalms as Pss. 75 and 82 announce the coming of Yahweh to judge the pagan world and its unrighteous gods, under whose oppression Israel is now sighing and suffering. They are promises in answer to the prayers of the congregation for the re-establishment of Israel: no doubt they had a permanent place in the festal cult of somewhat later times.”

³⁸ Cf. Wright, *The Old Testament*, 35; Tournay, *Les Psaumes*, 53; *et. al.*

³⁹ Morgenstern, “Mythological Background,” 116.

⁴⁰ *Ibid.*, 35.

distortion of justice (as it appears in the current version of the psalm), but carnal knowledge with human women.⁴² For this they receive a sentence similar to that of the humans-- a limit on lifespan (i.e. in their case they lose immortality). Thus the gods are condemned, but not for the charges in vv. 2-4. His association of the psalm with books like 1 Enoch leads him to date it after Gen 6, and the present version during Sadducean times.⁴³ Individual points of Morgenstern's analysis have been influential in the study of the psalm, but his overall conclusions have not.

Wright,⁴⁴ following Gunkel and Wellhausen, offers a view which takes the term אלהים in its literal sense, *gods*.

“This Psalm pictures a courtroom scene in which God, as head of the assembly, has indicted some beings called ‘*elohîm*’ for violating the law (v. 2). He commands them to give justice to the poor and oppressed (vv. 3-4). Then, in an aside (v. 5), he exclaims over the impossibility of their keeping the command. There follows the sentence of death (vv. 6-7). The final verse is the poet’s assertion of God’s supremacy over all the peoples of the earth.”⁴⁵

Dahood’s view is similar to Wright’s, interpreting the אלהים as pagan gods:

“[The psalm is] a prophetic liturgy of the Lord’s judgment on pagan gods. The poem consists of three parts. The first section (vss. 1-4) is a depiction, or rather a vision, of the heavenly tribunal where God passes judgment on the pagan deities (vs. 1), and a summation (vss. 2-4) of the charges on which they are convicted. The second part (vss. 5-7) contains the psalmist’s diatribe against the heathen gods whose moral obtuseness is responsible for the cosmic disorders and will be responsible for their loss of immortality and ejection from heaven into the nether world. In the final verse the psalmist prays for the restoration of universal justice under the sole rule of Yahweh.”⁴⁶

The genre of the psalm (at least vv. 1-7) is usually understood to be a vision report which is prophetic in its nature,⁴⁷ specifically a vision of Yahweh in the Divine council. Yahweh, who had appointed the gods to manage the earth with justice, judges them for their injustice and incompetence and sentences them to death.⁴⁸ The prophet responds to the

⁴¹ Ibid., 71, 124.

⁴² Ibid., 115.

⁴³ For a concise critique of Morgenstern, see R. O’Callaghan, “A Note on the Canaanite Background of Psalm 82,” *CBQ* 15 (1953): 311-314.

⁴⁴ Wright (*The Old Testament*, 30-41) gives one of the more thorough treatments of Psalm 82.

⁴⁵ Ibid., 31.

⁴⁶ Dahood, *Psalms II*, 268.

⁴⁷ M. Buss, “The Psalms of Asaph and Korah,” *JBL* 82 (1963): 383, 384, 389; Gonzolaz, “Le Psaume LXXXII,” 309; Kraus, *Psalmen II*, 570-573; Tsevat, “God and the Gods,” 131; Weiser, *The Psalms*, 558; Tate,

verdict in v. 8, proclaiming (or pronouncing) Yahweh's ownership of the earth. In overtly mythological terms Yahweh's supremacy is never questioned, but his sole rule over the world occurs *after the demotion/execution* of the other gods.⁴⁹ As Tsevat has said, the psalm "centers on a vision of the divine council, the visionary responds to the judgment made in that council, and the judgment and response together herald the end of paganism."⁵⁰ Comparisons are usually made with other Old Testament passages which concern the Divine council (e.g. Job 1; 1 Kings 22 [Micaiah ben Imlah]; Isa 6; and Gen 1).⁵¹ The psalm is "reminiscent of the description in Isaiah 40-55 of the nothingness of the idols...."⁵²

Psalm 82 is also frequently compared to Ugaritic literature, especially the *Kirta* epic.⁵³ According to Mullen, "A remarkable address by Yassib, son of Kirta, notes one reason for illness and death--the failure to dispense justice:

You do not judge the case of the widow,
Nor do you judge the case of the wretched.
You do not drive out the oppressor of the poor!
You do not feed the orphan before you,
Nor the widow behind you!"⁵⁴

For Cross, the psalm exemplifies the roots of Israelite prophecy itself which are found in "the judgments of 'El. Behind the revelation of the word of Yahweh (that is, the divine decision or judgment) lies a basic picture of the Council of Yahweh, the Israelite counterpart of the council of 'El."⁵⁵ This approach not without dissenters. Gonzolaz states that the similarities with Ugaritic literature are superficial.⁵⁶ Buss, who describes it as a "judgment psalm", states that "There is no clear Near Eastern parallel" to this type of psalm.⁵⁷

Kirkpatrick noted long ago that there is no indication of the date of the psalm,⁵⁸ and a consensus has not yet been reached. Kraus,⁵⁹ Dahood,⁶⁰ Ackerman,⁶¹ and Cross⁶² consider it

Psalms, 332.

⁴⁸ P. D. Miller, "Cosmology and World Order in the Old Testament: The Divine Council as Cosmic-Political Symbol," *Hor* 9 (1987): 69.

⁴⁹ C. Gordon ("History of Religion in Psalm 82," *Biblical and Near Eastern Studies* [ed. G. Tuttle; 1978]: 130), "El (= Elohim) becomes the one God when all the rest of the pantheon are eliminated."

⁵⁰ Tsevat, "God and the Gods," 134.

⁵¹ Tsevat (Ibid., 134-5) argues that there is no relationship between Ps 58 and Ps 82, contra "frequent links."

⁵² P. D. Miller, *When the Gods Meet* 3; cf. Gonzolaz, "Le Psaume LXXXII," 309.

⁵³ Cf. Gordon, "History of Religion," 129-131.

⁵⁴ Mullen, *The Divine Council*, 235. Mullen (Ibid., 226-244) presents one of the more thorough treatments on Ps 82:1-7; v. 8 is alluded to and considered integral, but little is said about it.

⁵⁵ F. M. Cross, *Canaanite Myth and Hebrew Epic* (Cambridge: Harvard University Press, 1973), 186.

⁵⁶ Gonzolaz, "Le Psaume LXXXII," 309.

⁵⁷ Buss, "Psalms of Asaph," 389.

⁵⁸ Kirkpatrick, *The Book of Psalms*, 495-6.

⁵⁹ Kraus, *Psalmen II*, 570.

⁶⁰ Dahood, *Psalms II*, 269.

“possibly quite old.” Wright places it “between the seventh and fourth centuries.”⁶³ Briggs⁶⁴ and Mullen⁶⁵ propose the exile/sixth century, while Gonzolaz⁶⁶ places it roughly contemporaneous with Second Isaiah. Morgenstern⁶⁷ considers the “original” version from ca. 500 BCE. A. Anderson states that “it may well be comparatively late, dating from a time when the idea of heavenly intermediaries was reasonably well known.”⁶⁸ Duhm considered it “a pharasaic battle song [from Hasmonean times].”⁶⁹

STRUCTURE

The textual layout and translation are intended to reflect the syntactical/logical structure of this highly structured psalm. The following patterns are exhibited:

1. A chiasmic ABBA structure occurs 4 times (vv. 1,2,3,4), employing a verb-noun(s)-noun(s)-verb pattern.

A
 B
 B
 A

2. AAAB occurs once (v 5). A similar idea is presented three times, with B representing the result of AAA.

A
 A
 A
 B

⁶¹ According to Dahood, *Psalms II*, 269 (J. Ackerman’s dissertation was unavailable to me).

⁶² Cross, *CMHE*, 44.

⁶³ Wright, *The Old Testament*, 37.

⁶⁴ Briggs, *The Book of Psalms*, 215.

⁶⁵ Mullen, *The Divine Council*, 229.

⁶⁶ Gonzolaz, “Le Psaume LXXXII,” 309.

⁶⁷ Morgenstern, “Mythological Background,” 119-121 (i.e. the non-revised edition of the psalm).

⁶⁸ Anderson, *Book of Psalms*, 593. See also Hossfeld and Zenger, *Psalms 2* (Hermeneia 17b; Minneapolis: Fortress, 2005), 332.

⁶⁹ Duhm, *Die Psalmen*, 318.

3. ABBABB occurs once (vv. 6-7) (or, to put it another way, there is a dual ABB sequence). Each BB sequence presents a roughly equivalent statement, with the second ABB sequence being antithetical to the first.

A
 B
 B
 A
 B
 B

4. The psalm closes with AABC (v 8). The AA sequence contains instructions, while BC is descriptive.

A
 A
 B
 C

With the exception of the transition from v. 1 (which is the only descriptive portion of the psalm) to v. 2, each change of structure occurs at a change of addressee. In fact, the four structures reflect four different speeches. Verses 2-4 are clearly addressed to the אלהים (plural), v. 5 is *not* addressed to the אלהים (plural), vv. 6-7 are addressed to the אלהים (plural), and v. 8 is addressed to God (אלהים singular).⁷⁰

COMMENTARY

Verse 1

Verse 1 introduces the speeches which follow in vv. 2-8. The setting is established: the Divine council (for which there are other examples in the Old Testament, e.g. 1 Kings 22; Job 1-2; Zech 3; Isa 6).⁷¹ The place of authority is taken by God (אלהים) in the Council of 'El (אל) in order to judge the gods (אלהים).⁷² The issue is not a lawsuit for breach of contract (as in Mic 6), but that of a superior demanding an accounting for the improper conduct of subordinates. The situation is more analogous to a cabinet meeting than to the setting of a court of law; the אלהים (gods) are being fired.

⁷⁰ For another analysis of the structure, see Prinsloo, "Psalm 82: Once Again, Gods or Men?" *Bib* 76 (1995): 223-225.

⁷¹ In Kraus' opinion (*Psalmen II*, 571) *Yahweh* was originally designated by אל, not אלהים; the latter was reserved for the gods. Cross (*CMHE*, 71-72) uses Psalm 82 as support for his contention that *Yahweh* is an epithet for Canaanite 'El, especially as "the head of the Divine council." *Yahweh standing in the council of 'El* is *Yahweh as 'El* standing in the council of 'El (44). Mullen (*The Divine Council*, 230), on the other hand, contends that אלהים is part of a frozen literary formula meaning *divine council*, but "if 'el is to be taken as a divine name in v. 1, it is obvious that it is employed as an epithet of *Yahweh* and not as the designation of a god of superior rank."

⁷² As many others have noted, for the אלהים to be humans in any capacity makes vv. 6-7 unintelligible

One question is whether the assembly of 'El should be considered synonymous with the accused gods, or if those gods are present in the Divine council which itself is a larger body. It is my contention that the psalm describes the firing of gods, but *not an elimination of the entire Divine council*; the council encompasses more than the accused gods (אלהים), although those who remain *may* be beings which are lower than the אלהים (angels?).

Verses 2-4

Verses 2-4, the first speech, is addressed to the gods. The speech is comprised of two parts. *Part one* (v. 2) is an accusation which describes the improper conduct of the gods, primarily showing partiality toward the wicked. In *part two* the gods are told to carry out the proper administration of justice in behalf of the weak and oppressed (which has been neglected), actions which are diametrically opposed to the gods' conduct. In other words, they are to show partiality against the wicked and in behalf of the unfortunate.⁷³

Verse 5

Verse 5 is the second speech, containing an evaluation of the gods⁷⁴ and showing the results of their activities.⁷⁵ It has been described as an aside of God⁷⁶ or an exclamation by the psalmist.⁷⁷ While I accept the consensus concerning the basic content of the verse, I would like to propose a different rhetorical direction of the speech: God, after addressing the gods directly, turns *to the council* at large and away from the accused. In this address God describes *to the council* the corruption and incompetence of the gods and the results: because the gods have not chosen to operate in the knowledge of God the very foundations of the earth wobble; the cosmic order is falling apart because of their neglect.⁷⁸

(where they are described in divine terms and demoted to the level of humans); they cannot be human officials, for they are demoted to that level.

⁷³ Gonzolaz ("Le Psaume LXXXII," 303) mentions that the Ugaritic figure Danel is charged to protect the needy (cf. Mullen's exposition of *Kirta*).

⁷⁴ According to Weiser (*The Psalms*, 560), v. 5 contains within it "a rejection of the polytheistic background" of the Psalm.

⁷⁵ For a different interpretation, see F. Andersen ("Short Note on Psalm 82:5," *Bib* 50 [1969]: 393). F. Andersen states that v. 5 refers to the gods being condemned to Sheol, not the "collapse of society through injustice.... The word *מחשך*, 'darkness', in Ps 88,19 is probably another name for Sheol. So, possibly, is *השכה* in Ps 82,5.... *מוסדי ארץ* is parallel to *השכה*. It refers to the netherworld as the abode of the dead, not just as the substructure of the earth.... *ימוטו* does not refer to the shaking of the foundations of the world. The idea is incongruous in the context; for the interpretation is forced that makes it describe the collapse of society through injustice. The verb appropriately describes the dazed condition of the dead, staggering around in the foundations of the earth."

⁷⁶ Weiser (*The Psalms*, 559-560) treats v. 5 as an aside: "God passes this devastating judgment on the gods, as if he had turned away from them whilst making it in order to answer the religious question of the cult community."

⁷⁷ Tsevat ("God and the Gods," 128-9) "The speaker [in v. 5] may possibly be the psalmist.... But it is much more likely that it is still God Who is speaking," pondering the situation.

⁷⁸ So also Handy ("Sounds," 57), "The gods have created chaos and not order. This is the very opposite of

Verses 6-7

The third speech (vv. 6-7) is addressed to the accused. Most see the speech to be God's verdict which reverses an earlier decision: God, who had earlier declared the gods divine, demotes them to the status of humans and/or executes them.

A different view is that אָנִי אָמַרְתִּי אֱלֹהִים אֲתֶם should be translated *I had thought you were gods*. This has given rise to two interpretations, both with a similar emphasis: disappointment directed at the gods by either the psalmist or by God. Dahood holds the first position:

“Here the speaker is the psalmist. Budde's brilliant discovery ... [is] that ‘*amarti*, introducing one clause, followed by ‘*aken*, introducing a second clause, must be translated, ‘I had thought ... but,’ The psalmist had been under the impression that the pagan deities were of some importance, but now realizes that they are nothing, because they are quite incapable of defending the poor and rescuing the downtrodden.”⁷⁹

According to Morgenstern, who holds the latter position,

“I had thought that ye were gods’ ... voices most graphically the surprise and painful shock which Yahweh had experienced when the shameful conduct of these divine beings had become known to Him.”⁸⁰

Mullen also translates the phrase as *I had thought* but with a different nuance than Dahood and Morgenstern: the failure of the gods to carry out their divinely appointed task, i.e., justice, *demonstrates* that they are not divine at all.⁸¹

While *I had thought* is linguistically possible, there are also difficulties. Dahood's contention that the speaker in v. 6 is the psalmist is difficult to support.⁸² Morgenstern's translation and interpretation stretches the point and presupposes disappointment over the fall of the angels (cf. Gen 6). The flaw in Mullen's suggestion (which also applies to the others) is that it makes vv. 6-7 descriptive rather than the declaration of a verdict. All three views fail to recognize the declarative nature of vv. 6-7 and appear to soften the tone of the psalm in a way which lessens its impact.

It seems more likely that God is contrasting two decisions. The earlier decision, *you are gods* (v 6), has been replaced with a new decision (v 7), *you shall die as humans do*⁸³ (to whom, incidentally, they were supposed to grant protection). Verses 6-7, rather than expressing surprise or disappointment, are built upon the disgust which was displayed in v.

what a divine hierarchy is supposed to insure. The cosmos risks collapsing into total ruin.”

⁷⁹ Dahood, *Psalms II*, 270.

⁸⁰ Morgenstern, “Mythological Background,” 116.

⁸¹ Mullen, *The Divine Council*, 229, 237-238.

⁸² Tsevat (“God and the Gods,” 129) argues strongly against the theory of the psalmist's aside.

5. Wright argues that Psalm 82 is a reversal of Deut 32:8-9, where God assigned nations to the בני אלהים (sons of God). Here “God has withdrawn his commission and condemned the gods to death.”⁸⁴

The expression *and fall* is taken by some to mean that the gods fall “into the Underworld.”⁸⁵ However, to fall *like officials* does not seem to imply *into the underworld*; it is more likely that it is a statement of death, as in *falling in battle*.

Verse 8

Verse 8, the fourth and final speech, is unquestionably addressed to God. The speaker (or speakers) enthusiastically⁸⁶ voice their approval of God’s decision, stating either (a) that the earth actually (or now) belongs to God, or (b) that God will take possession of the earth. (Cross suggests that the nuance of קום [arise] is *attack*.)⁸⁷ This general view is accepted by most (including the author), whatever their interpretation of vv. 1-7 may be.

However, it is in this verse that I will also make my most radical departure from the consensus. While there may be disagreement as to whether the speaker should be regarded as the prophet/psalmist or the community, the voice is generally considered to be human.⁸⁸ I would like to propose a different voice: *that of the Divine council*. The scene is set in v. 1 with God taking a stand in the Divine council. In vv. 2-4 God addresses the gods (אלהים), who are not identical with the council). In v. 5 God turns to the council and speaks to them about corruption and incompetence of the accused, explaining the seriousness of their offenses. In vv. 6-7 the decision is rendered by God: the אלהים are to be demoted to the level of humanity and suffer the same fate, a decision which also removes their stewardship over the world. Finally, in v. 8 the *council* responds positively to God’s decision, affirming that God will (or does) take possession of the earth (which had been in the possession of the אלהים).⁸⁹

The chief way this affects interpretation is that the entire psalm has the Divine council as its setting.

⁸³ Gordon (“History of Religion,” 130) notes to Ugaritic and Babylonian parallels of gods dying.

⁸⁴ Wright, *The Old Testament*, 35, 40.

⁸⁵ Dahood, *Psalms II*, 270; and Mullen (*The Divine Council*, 243), who takes כָּאָדָם to mean “like Adam” and therefore a “reference to the primal revolt of the first man against God, an excellent parallel is given to the heavenly revolt leading to the gods’ being cast into the Underworld.” By interpreting שָׂרִים (officials) as שָׁרִים (Shining Ones) he states that like Adam and the Shining Ones “they shall ‘fall,’ i.e., be cast from Heaven into the Underworld” (cf. F. Andersen).

⁸⁶ The form of the imperatives is emphatic.

⁸⁷ Cross, *CMHE* 95 n19.

⁸⁸ Tsevat (“God and the Gods,” 131): “...an address in poetic form by [hu]man[ity] to God...”; Weiser (*The Psalms*, 560): the “Amen” of humanity, i.e. the speaker is the Psalmist (and the community); Briggs (*The Book of Psalms*, 216): the verse was added “to make the Ps. suitable for public worship...”; Kirkpatrick (*The Book of Psalms*, 494): a prayer; Kraus (*Psalmen II*, 573): a community response. Marvin Tate (*Psalms 51-100* [WBC 20; Dallas, Tex.: Word Books, 1990], 334) is the only one I found who considers the voice to be that of the divine assembly (which postdates my original analysis).

The proposal may have effects on other aspects of the psalm. If my analysis is correct, then it is necessary to posit a place and/or time in which a psalm of this character could have arisen. Its lack of a general polemic against foreign gods distances it from Second Isaiah. My inclination is to see it as preexilic and quite possibly from one of the outlying shrines (during Manasseh's reign?). It is also possible (although I think unlikely) that the psalm is actually Canaanite in its origin;⁹⁰ in any case it seems to be heavily influenced by Canaanite ideas.

THE PURPOSE OF THE PSALM

Most studies⁹¹ see the main purpose related to the demotion/execution of the (foreign/Canaanite) gods: Yahweh takes sole divine control, ergo something resembling monotheism is born (or asserted). As Tsevat has said, the psalm “centers on a vision of the divine council, the visionary responds to the judgment made in that council, and the judgment and response together herald the end of paganism.”⁹² Those who hold that the “gods” are actually human leaders would say that the main purpose is to encourage these leaders to operate with justice.

The problem with the first view is that it inadequately deals with the reason justice is central to the Psalm. The problem with the latter view is that it does not account for the polytheistic references in the Psalm.

I would like to offer a proposal which takes these missing elements into account. The Psalmist uses *the problem of evil* to steer the original, *syncretistic* audience away from non-Yahwistic religious ideas. In other words, the purpose is to argue that Yahwism is superior because of its emphasis on helping the vulnerable in society, at which other religions fail. Clearly Ps 82 argues that Yahweh values and promotes the dispensation of justice for the vulnerable, and that the deities of other religions do not. In this case it would seem that an audience which was not solidly or exclusively tied to Yahwism already valued the defense of the vulnerable. Thus the psalmist's polemic and appeal to values of justice could have been designed to get this audience to sever its ties with these other deities and turn to the one true God. The author, then, does not address the possibility that other deities existed in the past, but rather tries to get the audience to move forward with Yahweh, for the other deities inadequately dispensed justice and have subsequently been removed from their positions of stewardship over portions of humanity.

Now one might object that there are non-Yahwistic ANE texts which show a concern for the vulnerable, and thus Ps 82 would not be that type of a polemic against other religions.⁹³ However, our author might have had no knowledge of such texts, or, if known,

⁸⁹ If Cross' idea concerning קום is correct, then v. 8 could be the council encouraging God to go out and attack.

⁹⁰ It is also possible (although I think unlikely) that the psalm is actually Canaanite in its origin; in any case it seems to be heavily influenced by Canaanite ideas. If so, then perhaps the singular אלהים replaced אל, not יהוה.

⁹¹ Aside from the view that the אלהים are humans.

⁹² Tsevat, “God and the Gods,” 134.

might have assessed these religions as not living up to their claims. Further, it is quite possible that the experience of the author and the audience was not one which saw justice emanating from non-Yahwistic religions.⁹⁴ If this be the case, then Melvin's statement that "social injustice was only a 'trumped up' charge"⁹⁵ would not stick.

In fact, it is quite possible that this Psalm comes from a time when non-Yahwistic religious ideas were oppressive influences in Israelite society. One can imagine the psalmist's argument working in the days of Manasseh, when non-Yahwistic religious influences were associated with tremendous injustice in society. In that case, the author and the audience could easily have seen a devotion to other deities (e.g. Baal, Molech) as supporting tremendous injustice which caused the very foundations of the earth to wobble. The psalmist's rationale, then, for monotheism (or the demotion of the gods to human status [or even their execution]) is that Yahweh alone promotes and delivers true justice.

If my view is correct, then the genre would not be prophetic, but more on the order of wisdom literature. Psalm 82 asks the same question as the book of Job (in its earlier and later forms) and answers in a manner similar to the prose portions of Job: beings who occupy a position between humans and the Supreme Being are responsible.⁹⁶

The Psalmist uses unconventional means to both blame the problem of evil on other religions and reiterate the confession, "Or what great nation is there that has statutes and judgments as righteous as this whole law which I am setting before you today?" (Deut 4:8). The solution, then, is to get rid of the other deities, so that justice--Yahwistic justice--can prevail.

In conclusion, the purpose of Ps 82 appears to be both apologetic and evangelistic.⁹⁷ In a fashion similar to Paul at Athens (cf. Acts 17), the Psalmist does not try to refute whether other gods exist. Rather, he contextualizes his message and appeals to the audience's sense of justice in order to persuade them to willingly abandon those gods.

⁹³ For a survey of ANE texts on the topic, see David Melvin, "The Poor, the Orphan, and the Gods: Psalm 82 as Deuteronomistic Propaganda," (paper presented at the annual meeting of the Southwestern Region of the SBL, March, 2009), 2-8.

⁹⁴ In any case, there is no reason to expect that an ancient Israelite writer would give other religions what we might view as an "objective" treatment.

⁹⁵ Melvin, "Psalm 82," 9.

⁹⁶ As A. Anderson (*The Book of Psalms*, 592) put it, "The essence of the Psalmist's problem is the question why the weak and the defenceless [sic] are continually deprived of justice; this is explained as due to the mismanagement of the subordinate divine beings who have been entrusted with jurisdiction over [hu]mankind." Weiser (*The Psalms*, 557) offers a similar suggestion.

⁹⁷ Contra Prinsloo ("Psalm 82," 228), who sees the psalm as a message of comfort for believers.

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