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## THE VISION OF GOD'S JUDGMENT OF THE DIVINE JUDGES IN PSALM 82

The Book of Psalms is a synthesis of several varieties of religious experience – contemplation, reflection, testimony and protest. It therefore contains reports or descriptions of past events, addresses to the people on diverse matters, and theological reflections on fundamental issues of human life. The dominant characteristic is, however, prayer. All kinds of prayer may reflect a particular historical or personal situation, but equally the motivation – praise, petition, reflection or protest – may transcend the challenge of a specific situation. The same is true of literary patterns in the Psalms: the spirit of prayer transcends the rules that govern conventional literary genres. Most psalms cover a wide range of feelings, moods and thoughts, and very often several literary genres are combined in ways that are inexplicable on merely rational considerations<sup>1</sup>.

<sup>1</sup> For discussion on questions concerned see especially commentaries and cog-  
nate studies: F. Delitzsch, *Biblischer Commentar über die Psalmen* (BC; Leipzig: Dör-  
flin und Franke, 1873); F. Baethgen, *Die Psalmen* (HK II/2; Göttingen: Vandenhoeck  
& Ruprecht, 1897); C.A. Briggs and E.G. Briggs, *A Critical and Exegetical Comm-  
entary on the Book of Psalms I–II* (ICC; Edinburgh: T. & T. Clark, 1906–1907); R. Kit-  
tel, *Die Psalmen übersetzt und erklärt* (KAT 14; Leipzig: A. Deichertsche Verlags-  
buchhandlung, 1914); E. König, *Die Psalmen* (Gütersloh: C. Bertelsmann, 1927); H.  
Gunkel, *Die Psalmen* (HK II/2; Göttingen: Vandenhoeck & Ruprecht, 1929, 1968); H.  
Schmidt, *Die Psalmen* (HK15; Tübingen: J.C.B. Mohr [P. Siebeck], 1934); J. Calès,  
*Le livre des psaumes I–II* (2nd ed.; Paris: G. Beauchesne, 1936); E.J. Kissane, *The  
Book of Psalms I–II* (Dublin: Browne and Nolan, 1953–54); A. Weiser, *Die Psalmen*  
(5th ed.; ATD 14/15; Göttingen: Vandenhoeck & Ruprecht, 1959) = English transla-  
tion by H. Hartwell, *The Psalms* (OTL; London: SCM Press, 1962); W.O.E. Oester-  
ley, *The Psalms* (London: S.P.C.K., 1962); S. Mowinckel, *The Psalms in Israel's Wor-  
ship I–II* (Oxford: B. Blackwell, 1962); G. Castellino, *Libro dei Salmi* (SB; Torino /  
Roma: Marietti, 1965); A. Maillot and A. Lelièvre, *Les Psaumes I–III* (Genève: Labor  
et Fides, 1961–69); M. Buttenwieser, *The Psalms* (LBS; New York: Ktav, 1969); M.  
Dahood, *Psalms I–III* (AB 16–17A; Garden City, New York: Doubleday, 1965–1970);  
A.A. Anderson, *The Book of Psalms I–II* (NCBC; Grand Rapids, Michigan / London:  
Wm.B. Eerdmans / Marshall, Morgan & Scott, 1972); Nic.H. Ridderbos, *Die Psalmen:  
Stilistische Verfahren und Aufbau mit besonderer Berücksichtigung von Ps 1–41*  
(BZAW 117; Berlin / New York: W. de Gruyter, 1972); J.W. McKay, *Psalms I–III*  
(Cambridge: Cambridge University Press, 1977); E. Beaucamp, *Le Psautier I–II* (SB;

Several psalms reflect a profound concern with justice vis-à-vis the forces of oppression. In situations of conflict, whether caused by exterior or interior factors, their authors express indignation, protest, petition or assurance concerning the past, present, and future. Quite often there are calls for appropriate retribution to be visited on those who oppose God and God's faithful people<sup>2</sup>. There are two possible sources of indignation, protest, or condemnation of hostile powers: God and the psalmist. The forces of evil are sometimes well defined; on other occasions they are obscure. Several psalms give the impression that God's and Israel's enemies act mysteriously – in a manner reminiscent of numinous, chaotic forces. When God reacts or the psalmist utters a supposed divine response, the emphasis is on power, absolute sovereignty, and justice. Hence the petition for retribution on the evildoers or that God should put to shame those who plan evil against the forces of righteousness, whether divine or human (21: 9–14; 28:4; 31:18; 35; 40:14–17 + 70; 59:6,11–14), and the assurance that God will judge and humiliate the wicked (75; 76). Elsewhere, the community or individuals in distress complain of their extreme affliction and cite the law of retribution; in a situation of weakness God is their only ground of hope. In an emotional outburst they cry for divine intervention, either demanding retaliation (79:12; 94:1–2,23; 137:8) or simply expressing hatred (139:19–22). Finally the people are called to praise God as the giver of victory over their enemies (149).

These are general points; some psalms of petition call for special attention: 5; 7; 9/10; 58; 82. Among these Ps 82 is of greatest interest. The short poem reflects great concern for justice in a seem-

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Paris: J. Gabalda, 1976–79); H.-J. Kraus, *Psalmen I–II* (5th ed.; BK.AT XV/1–2; Neukirchen-Vluyn: Neukirchener Verlag, 1961/1978) = English translation by H.C. Oswald, *Psalms 1–59* (ConC; Minneapolis, MN: Fortress Press, 1993); *Psalms 60–150* (ConC; Minneapolis, MN: Augsburg Fortress, 1989); *idem*, *Theologie der Psalmen* (BK.AT XV/3; Neukirchen-Vluyn: Neukirchener Verlag, 1979) = English translation by K. Crim, *Theology of the Psalms* (ConC; Minneapolis, MN: Fortress Press, 1992); G. Ravasi, *Il Libro dei Salmi I–III: Commento e attualizzazione* (Bologna: Centro editoriale dehoniano, 1981–84); P. C. Craigie, *Psalms 1–50* (WBC 19; Waco, Texas: Word Books, 1983); M.E. Tate, *Psalms 51–100* (WBC 20; Dallas, Texas: Word Books, 1990); L.C. Allen, *Psalms 101–150* (WBC 21; Waco, Texas, Word Books, 1983); L. Sabourin, *Le Livre des Psaumes* (Montreal / Paris: Les Éditions Bellarmin / Les Éditions du Cerf, 1988); L. Alonso Schökel and C. Carniti, *Salmos I–II* (NBE; Estella: Editorial Verbo Divino, 1992–93); H.-L. Hosfeld and E. Zenger, *Die Psalmen I: Psalm 1–50* (NEB; Würzburg: Echter Verlag, 1993).

<sup>2</sup> It is noteworthy that the question of retribution has attracted the attention of some scholars: B. Romberg, "Die Vergeltungslehre in den Psalmen," *NKZ* 41 (1930) 539–66; B. Hall, "The Problem of Retribution in the Psalms," *Scripture* 7 (1955) 84–92; E. Pax, "Studien zum Vergeltungsproblem der Psalmen," *SBFLA* 10 (1959–60) 56–112; G. Sauer, *Die strafende Vergeltung Gottes in den Psalmen* (Erlangen: Dissertation, 1961); J.K. Kuntz, "The Retribution Motif in Psalmic Wisdom," *ZAW* 89 (1977) 223–33.

ingly hopeless situation and exudes powerful religious and moral force. It refers to the problem of theodicy that stems from the fact that ungodly rulers have shaken the foundations of the moral order. Psalm 82 is perplexing in terms of situation, genre, composition and function. It has variously been seen as a didactic psalm, a prophetic speech, a cultic-prophetic utterance, a lament, or a vision. It is obvious that the elements of prophetic speech are present, but that alone could not explain the intent of the psalm; we must also take into consideration its setting, theme, and form of address. The psalm is a poetic protest against the intolerable fact that the weak are frequently deprived of justice. It is essential to note that the psalmist does not proclaim that this problem will be solved today or tomorrow but envisages an *ultimate* vindication of righteousness by God in an undefined future time. The persistence of oppression, attributed to the activities of forces hostile to God, precludes any imminent solution to the problem of theodicy. The key to proper understanding of the psalm is found in its last verse, with its urgent appeal to God to rise up in judgment (v. 8):

Arise, O God, judge the earth;  
for to thee belong all the nations!<sup>3</sup>

This appeal reflects the profound belief that God the Most High alone can resolve the issue of justice on the earth. How, then, can the main body of the psalm be explained?

In view of the concluding verse it seems appropriate to see vv. 1–7 as an account of a vision of God standing forth in the midst of a celestial company (cf. 1 Kgs 22:19–23; Isa 6; Job 1:6–12; 2:1–6; Pss 29:1; 58:2; 103:19–22; 148:2; Dan 7:9–10)<sup>4</sup>. The psalmist was probably thinking of divine servants or intermediaries who were entrusted with the office of judge; they may also be regarded as demoted gods of the nations or as angels. It is taken for granted, however, that they perform judicial functions. Since the tradition of a divine court in heaven is to be found in all periods of Canaanite and Israelite history, the dating of the psalm remains open. The vision of judgment among the gods suggests the period when Israelite monotheism was well established. The vision is of a verdict being delivered on divine judges who are absolutely responsible to God, the Most High, which implies

<sup>3</sup> See M. Tsevat, "God and the Gods in Assembly: An Interpretation of Psalm 82," *HUCA* 41–41 (1969–70) 131: "What makes this poem a psalm, i.e., an address in poetic form by man to God, is the last verse ... This verse has an importance, moreover, which goes beyond even the function of constituting the poem as a psalm. For it plays a key role in the answer to the question, What specific genre confronts us in the psalm?"

<sup>4</sup> Cf. M. Tsevat, *HUCA* 40–41 (1969–70) 131–34.

that other gods are dependent upon the supreme divine authority for their very existence.

The first part of the psalm (vv. 1–4) reports the author's vision of a heavenly court and the accusation of "the gods":

God stands in the divine council (*ba'adat-'el*):  
 in the midst of the gods (*bēqereb 'ēlōhim*) he holds judgment:  
 "How long will you judge unjustly  
 and show partiality to the wicked?  
 Defend (*šiptū*) the weak and the fatherless;  
 maintain the right (*hasdīqū*) of the afflicted and the destitute.  
 Rescue the weak and the needy;  
 deliver them from the hand of the wicked."

The phrase *'adat-'el* is unique in the Hebrew Bible, although equivalents are to be found elsewhere: *sōd 'ēlōah*, "the council of God" (Job 15:8); *sōd yhwah*, "the council of the Lord" (Jer 23:18); *sōd-qēdōšim*, "the council of the holy ones" (Ps 89:8). Similarly, the Ugaritic texts contain the terms *phr ilm = p/h/r. bn ilm = mphrt bn il*, "the assembly of the gods"<sup>5</sup>. In the Akkadian "Creation Epic" (*enūma eliš*) the expression *puhur ilani*, the "council of the gods," is employed for the divine assembly that makes major decisions. The assertion in Ps 82:2 that God "stands" in the assembly of the gods signals an extraordinary judgmental event (cf. Isa 24:21)<sup>6</sup>.

God's celestial subjects are called to account because they have misused their authority in the direction of justice. The requirements that it be administered in conformity with the divine order of righteousness was continually proclaimed by the prophets in relation to human rulers; here it is applied to the world of the gods. The rhetorical question asked in v. 2 implies an unacceptable answer and thus uncovers a guilt that requires the intervention of the supreme divine authority. Verses 3–4 comprise a set of commands to the heavenly assembly. It is worth noting that the imperative verb *šiptū* (v. 3a) and the jussive verb *hasdīqū* (v. 3b) do not refer to the legal or formal administration of justice but to the fundamental order of divine righteousness, which holds good in heaven and on earth. To "defend" the defenceless and to "maintain the right" of those who are devoid of it implies effecting the deliverance of the afflicted, i. e., turning the di-

<sup>5</sup> See C.H. Gordon, *Ugaritic Textbook* (AnOr 38; Rome: Pontifical Biblical Institute, 1965), *Texts* 2:17,34; 17:7; 51:II:14; 107:3 and *Glossary* Nr. 2037.

<sup>6</sup> See the statement by M. Tsevat, *HUCA* 40–41 (1969–70) 127: "... standing is a sign of an extraordinary event. The meaning, then, of the psalm's opening is that what might normally be a routine assembly, where the gods report or participate in deliberations, has unexpectedly turned into a tribunal; God has stood up to judge the assembled."

vine salvific will into accomplished fact. The higher the rank of the divine intermediaries, the more is expected of them.

Verse 5 describes in language vivid with irony the lamentable state of the gods:

They have neither knowledge nor understanding,  
they walk about in darkness;  
all the foundations of the earth are shaken.

The identity of the speaker here is uncertain; it may be God, or the psalmist, or an anonymous member of the heavenly assembly. The passing of the judgment recalls the description of the wicked judges in Ps 58:4. It is not clear whether the speaker envisions those who are criticised as “inherently incapable of grasping the issue”<sup>7</sup> or as subjects who deliberately reject the divine moral order. In any event, the result is that “the foundations of the earth are shaken”<sup>8</sup>. Chaos threatens, and the conflict between the Most High and the powers of darkness appears total. So God must finally act in order to ensure the salvation of the world.

The trial typically ends with the pronouncement of judgment on the gods (vv. 6–7) in which past divine rank is juxtaposed with the future lot of ordinary morals:

I say, “You are gods (*’ēlōhim ’attem*),  
sons of the Most High (*bēnē ’elyōn*), all of you;  
nevertheless, you shall die like men (*kē’ādām*),  
and fall like any prince (*’ahad haššārīm*).”

A similar form of antithesis is found in Isa 49:4; Jer 3:19–20; Zeph 3:7; Pss 31:23; 66:18–19; Job 32:7–8. All these passages share a general pattern: erroneous earlier thinking needs correction. Past error may have taken the form of an imagination that was in conflict with reality (Isa 49:4a; Pss 31:23a; 66:18; Job 32:7) or a groundless expectation (Zeph 3:7ab). But it may also have been characterised by solid determination, even though some condition is implied (Jer 3:19). In the first case the corrective statement means amendment of a mistaken evaluation, in the second one relegation of a decision or promise because the required conditions were not met; fulfilment may be made impossible by the wrong reaction of some chosen instrument (Jer 3:20). The prophetic-visionary message of Ps 82:6–7 shares the same

<sup>7</sup> See M. Tsevat, *HUCA* 40–41 (1969–70) 128.

<sup>8</sup> See the remark by A. Weiser, *The Psalms*, 560: “No wonder that the foundations of the moral order on earth are shaken when those who had been appointed to act as the heavenly guardians of God’s order of the universe themselves do not even know and obey that order!”

moral background as Jer 3:19–20. In both cases God speaks of a firm determination, but from the divine nature it follows that the deliberation implies fulfilment of moral conditions on the part of the bearer of the divine commission or promise. Unfaithfulness or corruption alone can make fulfilment of God's promise uncertain. This kind of relationship between the Most High and the gods necessarily implies that God is absolute Lord of all other beings. Moreover, it rests on the axiom: *summum esse summum bonum*. The concept of God Most High involves an inherent or "ontological" unity with absolute standards of righteousness. It follows that God is the only true model for human righteousness. And such a model implies an inbuilt obligation to imitate it. Intrinsic faithfulness or obedience to the Creator is in fact the determinant of whether the people will increase in exaltation or suffer sudden decline.

This recognition provides the only possible clue to the question of whether the terms *'Im* in Ps 58:2a and *'ădat-'ēl, 'ēlōhīm* and *bēnē 'elyōn* in Ps 82:1a,6 imply divine or human judges. Both alternatives have been supported by attractive arguments, but the majority of commentators have interpreted these psalms as referring to Israelite judges. The psalms give the impression, however, that the issue at stake is the confrontation of two fundamentally different ideas of God: on the one hand a strong polytheistic framework based on a dualistic conception of the world, on the other a profound monotheism given expression by the psalmist. The polytheistic view was obviously highly relevant to the nations as well as to Israel, because the persistence of evil was a dramatic actuality<sup>9</sup>. "Other gods" were for the Jews of the Old Testament realities that attracted the compass needles of their minds<sup>10</sup>. The Hebrew prophets saw only one solution: the way of divine judgment in the near or distant future. The psalmist was a realist and knew that no real solution was imminent, but his faith opened up vistas of expectation or hope that God would some day restore the original order by destroying evildoers. God is the Holy One and can not therefore tolerate any kind of injustice.

<sup>9</sup> For the fact of persistence of evil see the illuminating contribution by J.D. Levenson, *Creation and the Persistence of Evil: The Jewish Drama of Divine Omnipotence* (London / San Francisco: Harper & Row, 1988).

<sup>10</sup> H.-J. Kraus is probably right when he says in *Psalms 60–150*: "Psalm 82 can be understood only when we recall the harsh contests which Israel had to endure against the pretenses of power of the heathen gods." See also the statement by M. Tsevat, *HUCA* 40–41 (1969–70) 125: "In most of the nonprophetic books of the Bible, we have actuality pitted against actuality and not actuality against nonactuality. If the modern reader is disillusioned with the polytheism and occultism of some parts of the Bible, let him consider that it is the aspect of actuality (reality) against actuality that makes the Bible a living book; where the issue is actuality against nonactuality, interest flags because battle with a strawman is no battle at all."

On the other hand, the greatness of the Most High implies benevolence towards all other divine and human beings who sustain the right. There can be no suggestion of a challenge to divine authority here, for the divine assembly and humankind exist because their Creator so determined. The relationship between creation and election is very close. The mention of the divine assembly in various contexts implies the belief that God created superhuman beings, which must by definition be immortal. But immortality in a different mode is also promised to human beings. God created man “in his own image, in the image of God he created him” (Gen 1:27; cf. Wis 2:23). This privilege implies the promise of deathlessness, but its fulfilment is contingent upon obedience. God said to Adam: “Of the tree of the knowledge of good and evil you shall not eat, for in the day that you eat of it you shall die” (Gen 2:17; cf. 3:3–5). Messiah can sit on the right hand of God (Ps 2:7), and David received the promise of an eternal covenant (2 Sam 7:14–16; Ps 89:19–37). So far as God’s nature, intentions, and activity are concerned, there is no clear boundary between divine and human beings; all of them are, in the divine plan, in some fashion immortal. The boundary is drawn when created beings misuse their prerogatives or commissions and rebel against their Creator. The critical point is therefore obedience: beneficiaries who rebel against their master or misuse their position are judged and stripped of their dignity. According to Pss 58 and 82 God calls “gods” to account because they have not fulfilled their duty of enforcing justice among humans. But the verdict is communicated to the earthly rulers who rely on them and who must learn that a similar inescapable downfall will befall themselves should they follow their chosen models and persist in rebellion. The issue of faithfulness or unfaithfulness, of obedience or disobedience, and of justice or injustice is a matter of life or death in the strict sense of the phrase.

As for trends in exegesis, it seems that most exegetes tend to argue for an extrinsic or forensic interpretation of Pss 58 and 82. This may be the main reason why there are two groups, one applying “gods” and its associated vocabulary to superhuman beings and the other identifying them with human rulers. It is vital to examine the intrinsic criteria on which this judgment is based, for they alone can indicate where the truth lies<sup>11</sup>. The decisive point is that both superhuman and human beings are bound by the same moral standards. Faithfulness to the Origin of the moral order is the only way in which they can achieve some kind of immortality.

<sup>11</sup> H. Niehr, “Götter oder Menschen – eine falsche Alternative: Bemerkungen zu Ps 82,” *ZAW* 40–41 (1969–70) 94–98, rejects the alternative gods / humans and proposes a middle way: on the basis of recognition that superhuman realities are in the Bible presented analogically he assumes that the terms denoting “gods” refer to both gods and humans. But his argument is still basically extrinsic or forensic; consequently it cannot provide an sufficient ground for an adequate interpretation.

The midrashic interpretation of Ps 82 is highly illuminating on this question of immortality and mortality. There is a clear indication that intrinsic (i. e., moral) grounds alone are pertinent to the question of whether and in what sense created beings can be considered deathless. In the early Jewish traditions the theme of immortality and downfall as envisioned in Ps 82 attracted a great deal of attention. “Gods” in Ps 82 was understood to refer to angels, Melchizedek, the judges, or Israel at Sinai<sup>12</sup>, and this last reference is especially noteworthy. Several passages in midrashic literature claim that Israel resumed at Sinai the “image and likeness of God” given to humankind at creation but lost at the fall. God’s statement in Ps 82:6a, “I say, ‘You are gods,’” is held to apply to this exaltation with its implications of immortality. According to this interpretation the Angel of Death should have had no dominion over Israel, but her people committed the sin of apostasy by worshipping the golden calf and consequently suffered the penalty of death; as God declared in Ps 82:7: “You shall die like men.” Let us cite one of the early midrashim:

You stood at Mount Sinai and said, “All that the Lord hath spoken will we do, and obey” (Exod 24:7), (whereupon) “I SAID: YE ARE GODS” (Ps 82:6); but when you said to the (golden) calf, “This is thy god, O Israel” (Exod 32:4), I said to you, “NEVERTHELESS, YE SHALL DIE LIKE MEN” (Ps 82:7).<sup>13</sup>

Apostasy at Sinai is reminiscent of disobedience in the Primeval history, and is regarded as a new Fall story. Adam was created in holiness and so was deathless; yet sinned by eating the forbidden fruit and died. Israel at Sinai was reconstituted in holiness and so became deathless; yet sinned by worshipping the golden calf and died. This parallelism shows how crucial is the demand for obedience in both stories. Obedience to the supreme divine authority or inner unity with God alone leads to holiness, godlikeness, and deathlessness. This principle is valid for all created beings: gods and humans alike. And this principle follows from the inner structure of the relationship between the Most High and the created world. Even when made deathless, the gods remained less than God and therefore liable to undoing.

<sup>12</sup> Cf. especially A. Hanson, “John’s Citation of Psalm LXXXII Reconsidered,” *NTS* 13 (1966–67) 363–67; J.S. Ackerman, “The Rabbinic Interpretation of Psalm 82 and the Gospel of John,” *HTHR* 59 (1966) 186–91; J.H. Neyrey, “‘I said: You are Gods’: Psalm 82:6 and John 10,” *JBL* 108 (1989) 647–63.

<sup>13</sup> *Sifre: A Tannaitic Commentary on the Book of Deuteronomy*, Piska 320 (translated by R. Hammer; New Haven: Yale University Press, 1986) 329. For similar statements see *Mekilta de-Rabbi Ishmael*, Tractate Bahodesh 9; *The Babylonian Talmud*, ‘Abodah Zarah 5a; *Midrash Rabbah Exodus* 32:7; *Midrash Rabbah Leviticus* 11:3; *Midrash Rabbah Numeri* 16:24; *Midrash Rabbah Qohelet* 3:16; *Pirkei de-Rabbi Eliezer* 47; *Pesikta Rabbati* 1:2; 13:10; 33:10; *Pesikta de-Rav Kahana* 4; *Eliyahu Zuta* 4; *Eliyahu Rabbah* 24.