

Form criticism and the *rîb* in Isaiah 41,21-42,4

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1. Introduction

This paper wishes to argue by the use of form critical methods that Isaiah 41,21-42,4 has the necessary features to be considered a *rîb* or trial speech, based on the form of the ancient Hittite covenant lawsuit proposed by G. Ernest Wright.¹ This form includes a summons (41,21-22a), case lead by prosecutor (41,22b-24.26-27), list of great deeds by the suzerain (41,25), an indictment/verdict (41,29) and a sentencing (42,1-4). At the time of its captivity Israel stood in a distinct position of ethnic identification which separated itself from its surrounding Gentile neighbors.² This paper holds that the author of Isaiah 40-55 uses a *rîb* form within 41,21-42,4 to express the controversy and tension that was occurring between Israel and the nations during the Exile.

Many authors have isolated Isaiah 42,1-4 (or v.1-9) due to the popularity and generally hegemonous view that this is one of the four servant songs. This view is still held today. McKenzie and Blenkinsopp both propose this idea.³ John Collins offers a more promising view in 1986, where he holds that 41,21-42,9 is a whole unit which mirrors the preceding passage, 41,1-20. Both passages envision trial scenes, the first for Israel and the second for foreign nations and their idols. Both contain a similar structure.⁴

Summons to trial	41,1	41,21
Legal questioning	41,2-4	41,22-29
Election of Israel	41,5-20	42,1-9

I agree with Collins that 42,1-4 belongs with 41,21-29, and that this scene parallels the previous trial in 4,1-20. I do, however, question the assumed identity of the defendant in the first trial as Israel (this will be discussed further below). Also his selection of structure does not focus enough on generic matters, for instance, he leaves behind the notion of verdict and sentencing. In addition, the form in 42,5 appears to change to a declaration speech ("Thus says God"), which is not common in trial settings.

¹ Wright, *Lawsuit* 53.

² Kaufmann, *Captivity* 108.

³ McKenzie, *Isaiah* 209.

⁴ Collins, *Isaiah* 28-30.

1.1 Partitioning 42,1-4 and 42,5-9

This paper proffers that 42,1-4 stands apart from v.5-9 on formal and lexical grounds. 42,1-4 acts as a verdict to the preceding trial scene in chapter 41. 42,5-9, however, begins with “Thus says God” כֹּה־אָמַר הָאֵל. Sayings of this sort are a prophetic declaration of God’s word, a “messenger speech,” and thus a different genre altogether.⁵

On lexical grounds, the phrase “Thus says [God]” (כֹּה־אָמַר) appears to separate v 5 from the preceding verses. The phrase כֹּה־אָמַר appears forty-nine times in the whole corpus of Isaiah: twenty-two in Isaiah 1-39; twenty in Isaiah 40-55; and seven in Isaiah 56-66. One can see how important this phrase was to the author of Isaiah 40-55 since the number of uses in his/her text is nearly equal to that found in Isaiah 1-39, even though the former is less than half the size of the latter. The majority of uses in Isaiah 40-55 denote a break in the text of the introduction of a new developing idea or new imagery (42,5; 43,1.14.16; 44,2.6; 44,24; 45,1.11.14.18; 48,17; 49,7.8.22.24; 50,1; 51,22; 52,3.4). To break the text after 42,4 and allow 42,5 to begin a new section would be completely consonant with the style found through the rest of 40-55. In addition, while there are many trial speeches within this piece, כֹּה־אָמַר does not fall within these sections (40,12-16.17-20.21-26; 41,1-5; 41,21-42,4; 42,18-25; 43,8-13; 48,14-16; 49,14-21). At the times when כֹּה־אָמַר is in close proximity to a trial scene, it immediately follows the verdict (42,5; 43,14; 48,17; 49,22).

Many examples of scholarship also show a partition between v.4 and 5, even if at times passively. English translations such as the NAB, REB, NKJV, RSV and NRSV include double-spacing between 42,4 and v.5. Scholars who treat 42,1-9 as a whole section still recognize differences in content enough to set one sort of partition or another. Blenkinsopp breaks v.1-9 into parts i) and ii), noting that the servant is addressed in the 3rd person in v.1-4 and the 2nd person in v.5-9.⁶ J. Oswalt also partitions and sections and states “the first four verses present the Servant to the hearers and readers... v.5-9 are an address by God to the Servant [that describes] what God will accomplish through his servant.”⁷ Aside from these passive partitions, scholars such as R. Clifford follow Mulenberg to establish a clear division between v.4 and 5, thus including 42,1-4 with its preceding lawsuit.⁸

⁵ Tucker, Criticism 59; Westermann, Forms 98-128.

⁶ Blenkinsopp, Isaiah 208-211; Watts, Isaiah 11. See also, Westermann, Isaiah 98.

⁷ Oswalt, Book 109-110.

⁸ Clifford, Function 453.

1.2 Identity of the Defendant(s)

The identity of the defendant(s) in the trial in chapter 41 has also been debated. Although some scholars argue that 41,1-8 is a trial of Israel and 41,21-29 is a trial against the nations, this paper agrees more with James Muilenberg who holds that 41,1-42,4 is a sustained trial against the nations and their idols.⁹ The first part (41,1-20) is against the nations themselves, and the second part (41,21-42,4) is against their gods. Although this paper focuses on the form and structure of 41,21-42,4, we will need to recognize its context within a larger trial. As it is, our text contains all of the necessary forms to be considered.

In this proposed trial scene God sets himself as true God, the sole ruler of the earth. The idols of the nations are proven to be worthless; and while the nations are denounced for their choice of gods, Israel is raised in high esteem before them. Even Cyrus, the ruler of the nations, is said to give homage and vassalage to Yhwh, and his success is attributed to Yhwh's patronage.

Though the verdict occurs in 41,29 the idols are sentenced in 42,1-4. Their punishment is to observe Yhwh (King of the gods) bestowing his spirit on Israel alone. Thus the prophet affirms God's supreme sovereignty, denounces the nations and their idols, and reaffirms God's love for Israel alone by using a trial setting and juridical language in a *rib* format to condemn idolatry and non-Israelites in a formal yet creative fashion.

2. The *rib* on Trial

Although the form of a general trial speech existed, investigations into Ancient Near Eastern forms of literature led some scholars to define the form further.¹⁰ One is tempted to use a more specific form of the *rib* for this passage, as compiled by Harvey.¹¹ This *rib* form, based on Ancient Near Eastern legal texts, can have two different variations. It can end with the threat of destruction and exhortation to change, as in Isaiah 1 and Micah 6, or it can conclude with a sentence of assured destruction or degradation, as in Jeremiah 2. The best fit for Is 41,21-42,4 would appear to be the *rib* of destruction. This contains 1) a summons of defendants and witnesses, 2) trial questions and an accusation, 3) a list of Yhwh's gracious acts in difference

⁹ Muilenburg, Isaiah 364.

¹⁰ It is not possible to undergo a thorough history of research on the *rib* in the present paper. What is presented above is a list of general candidates that resemble the given passage and remain pertinent to developing the paper in an expeditious manner. For a more thorough history of interpretation, see Nielsen, Yahweh 5-23.

¹¹ March, Prophecy 168.

to Israel's infidelity, 4) reference to the vanity of cultic efforts, and 5) a declaration of guilt and threat of destruction.¹²

This would appear to be a good fit, but although Harvey qualified his forms to allow for either destruction or a warning and exhortation to repentance, his structure does not reach back to the original *Sitz im Leben*, but rather incorporates factors that are clearly Israelite (such as the naming of Yhwh and the cult, and the comparison of Israel's infidelity). Thus we may conclude that our passage does not fit comfortably into Harvey's *rib* of destruction format.

After Hoffman classified the *rib* further as a "covenant lawsuit," in 1962 G. Ernest Wright combined studies of ancient covenantal treaties with Deuteronomy 32.¹³ He determined this form of argument found in Deuteronomy 32 has parallels in Hittite suzerain treaties, in which Yhwh, taking the place of a Hittite lord, "acts as judge, plaintiff and jury."¹⁴ We will use the form structure that Wright proposes:

Summons of Witnesses	41,21-22a
Introductory Statement of the Case	v.22b-24
Gracious Acts of the Suzerain	v.25-28
Indictment	v.29
Sentence	42,1-4

We prefer this model over the others given above because of its contingency (it includes options for prosecutor and indictment) and its adherence to Ancient Near Eastern literature (i.e.: the form mentions suzerain rather than Yhwh). Due to the nature of our passage, however, we will need to qualify one particular aspect of this form. It is assumed, and we will argue below, that this form was originally established and used in ceremonies so that a rebellious vassal could be tried for disobedience to the suzerain's covenant. In our passage, however, the defendants are not vassals of the suzerain, but rather they seem to question Yhwh's selection of his vassal, Israel. It is possible one is to assume the nations expected to receive Yhwh's lordship themselves. Regardless, their challenge of Yhwh's decision is a challenge of Yhwh's authority, and so they are brought to trial before the witnesses by Yhwh so that he might defend his covenant with Israel. In this instance the trial is on behalf of the vassal rather than against him. Despite this variance, the Hittite 'covenant lawsuit' form is apparent in the text, and it is to the author's credit for achieving this brilliant shift.

¹² March, Prophecy 167.

¹³ Wright, Lawsuit 53.

¹⁴ Wright, Lawsuit 153.

2.1 Setting and *Sitz im Leben* of the *rîb* form

Every genre has a starting point. Limburg has denoted a number of instances in the Hebrew Bible that show a likely place for court proceedings within the Jephthah story (Judg 10,17-12,6) and Sefire inscriptions.¹⁵ March adds, "...after Zedekiah rebelled against Nebuchadnezzar he was brought before the Babylonian king who 'spoke to him the judgments' (Jer 39,5; 2 Kgs 25,6)."¹⁶ Such a scenario is reticent of the infringement of a vassal treaty, as are the court scenes in Ezekiel where Zedekiah is condemned for his disloyalty to the treaty (Ezek 17,11-21; 21,23-29; 29,14-16), each carrying a statement of the case, an indictment and a sentence.¹⁷ Wright has argued that such *rîb* ceremonies were even incorporated into liturgies in Northern Israel, as they are reflected in both Deuteronomy and the prophets. It is a brilliant idea, but there is little evidence.¹⁸

From a more cautious angle D.F. Murray notes that there are dangers for those "who seek to define *post factum* the genres used by others,"¹⁹ and cites a lack of agreement in terminology within the field of study. He does, however, concede that when factors appear "so predominant" within a genre, it warrants making them the focus of the discussion, in so far as one considers a more general, as opposed to a particular, social setting.²⁰ He adds that the dialectical development inherent in prophetic disputations is precipitant of the day-to-day conflict a prophet would face in exilic and post-exilic times.

3. The Trial Against the Nations, Isaiah 41,1-20

Many scholars argue this passage is a *rîb* against Israel, and not the nations who simply act as witnesses. But this conclusion does not appear to hold.

1) Every *rîb* against Israel contains a clear summons of Israel to trial (Isa 1,4; 43,1; Ps 50,7; Deut 32,5; Jer 2,4; Mic 6,1). There is no question of the identity of the defendant in these cases: it is Israel. The matter is not as clear in Isa 41,1. Three characters are mentioned and addressed by Yhwh. Israel does not appear until v.8, and then he is comforted, not accused.

2) The use of grammar appears to show the nations being called to trial not as witnesses but as defendants. The coastlands are clearly the witnesses.

¹⁵ Limburg, Root 291-304.

¹⁶ March, Prophecy 168.

¹⁷ March, Prophecy 168.

¹⁸ Wright, Lawsuit 59.

¹⁹ Murray, Rhetoric 95.

²⁰ Murray, Rhetoric 96.

God orders the coastlands with a direct 2nd person imperative and orders them to be silent. But he addresses the nations (41,1b-d) with three indirect 3rd person imperatives: let them “get refreshed”, “approach”, and “speak.” So these are clearly not two groups of witnesses. God then uses the cohortative, “let us draw near for judgment,” but he appears to still be speaking to the nations. In this paragraph there are three characters coming to trial, and Israel is nowhere to be found.

The questioning overviews mythical events that only a true God can do: it implies that only one can do this without need for help. God accuses the nations of worshiping idols rather than the true God, and accuses the idols of being impotent. For the prophet the outcome is never truly in doubt. The verdict contains a satirical and scathing “compliment” to those who comfort each other with their idols, when they have already been found to be unable to answer the questions given them. The sentencing is found within the song of consolation to Israel. “Behold, all who are incensed against you shall be put to shame” (v.11). Israel is given mythical qualities which allow it to thresh mountains, clearly a change of status for this lowly nation, and a difficult matter for other nations to recognize. The trial is called in order for Yhwh to defend his right to elect and give extraordinary powers to Israel without the nations’ affirmation. It is with this context that one may understand the second act of this trial more clearly.

4. Trial of the Nations’ Idols, Isaiah 41,21-42,4

This paper argues that this text continues Yhwh’s defense of his own authority to elect and choose Israel against the nations; but in this pericope Yhwh addresses the nations’ gods / idols themselves, nearly taunting them to show their power and authority to do similar acts. The idols’ impotence is shown in their silence, and the passage closes with a final indictment of their utter uselessness by the coastlands.

The passage 42,1-4 is a sentencing for the nations’ idols, for “their particular destiny is interpreted in the light of Israel’s peculiar function as the instrument of divine judgment.”²¹ Muilenberg points out the prophet’s emphasis on *מִשְׁפָּט* (justice) throughout this strophe as a reassurance of God’s divine judgment and justice that has been laid out against the nations.

4.1 Summons: 41,21

The defendants are ordered to court; the speaker identifies himself as Yhwh and the King of Jacob. The second person imperatives are clearly addressed to the defendant, ordering them to come near for judgment and

²¹ Muilenberg, Isaiah 364.

plead their own lawsuit (רִיב) and defense or proofs (עֲצוּמָה). Yhwh calls on the defendants to bring both defensive and offensive arguments; the case against Yhwh²² is perhaps that he has assumed too much authority in defending Israel (41,8-20) and shaming the nations (41,1-7). If the defendants are the nations' idols (gods), and they likely are, then they will attempt to prove that they are more powerful than Yhwh.

The next verse (22a) presents a shift from imperative (2nd person) to jussive (3rd person) and indicates a shift in addressee; the new recipient of Yhwh's speech are the coastlands, called to be witnesses in 41,1. After a brief recess the trial has resumed. Yhwh calls directly to the coastlands, but he speaks indirectly to the idols, telling them for the third time to come near (קָרַב, נִגַּשׁ) and to say before the court "what is to happen."

This section is not the summons to a new trial, but rather repeats the pattern seen in 41,7. The call for the idols to present their case (רִיבֵכֶם) is consistent with other summonses (Mic 6,1; Hos 2,4),²³ and is purposed by the author to remind the reader of the present juridical setting. The witnesses are the coastlands, first called to witness in silence in v.1. The defendants now are not people, as before. Here Yhwh calls the idols of the nations to trial, as shown by "that we might know that you are gods" (v.23) and the implication that these subjects are the recipients of some adoration (v.24). The suzerain status, and thus his authority to act as prosecutor and judge, is emphasized by the title "King of Jacob." This title is seen nowhere else in the Hebrew Bible; it denotes not only Yhwh's kingship over Israel, but also over the idols. Baltzer sees here a heavenly court scene similar to that in Psalm 82; there the trial takes place at the highest king's palace, and the witnesses are called before him to plead their case.²⁴

4.2 Legal Case Introduced by Prosecution: 41,22b-24

In this section Yhwh presents three challenges to the defendants to prove their worth. In the first challenge Yhwh returns to imperative speech, directly calling on the idols to "tell us of the former things." In a switch to the cohortative Yhwh states that he expects proof that will elicit a reaction from him and the witnesses, such that they will be brought to consider these former things and "to know their outcome."

²² Childs, Isaiah 320, agrees that there is some pretension in the idols' approach to Yhwh, likely stemming from conflict in authority and power over earthly events.

²³ Muilenberg, Isaiah 346, holds that "bring your proofs" is a more likely translation of עֲצוּמוֹתֵיכֶם because of parallelism (LXX reads αἱ βουλὰὶ ὑμῶν and the Vulgate, *siquid forte habetitis*; cf. Prov. 18,18).

²⁴ Baltzer, Deutero-Isaiah 117.

What are the things of long ago? Yhwh addresses the import of the past, for it is in knowing the past that one can understand what has transpired to the present. The former things are undeniably intricate to the prophet's theology. Yhwh is the only one who can proclaim the things of old because he is the only one who devised them (42,9; 45,11.21; 46,9-11). The nations clearly cannot (41,22-24; and again in 43,9).

The lack of a response from the idols after the first challenge implies either that they were not able to answer or that Yhwh knows they are not able; it is likely that the author intends for both meanings. This second challenge presented is to "declare... the things to come." It points to the near future and the political changes about to take place on the earth's stage. They are to speak of these things that are to come, and then to even foretell "the things that shall come afterward." It is by knowledge of political events that the gods are to defend their authority and power.

The previous statement offered that actions have consequences; the former things created events and outcomes: the tension within the scene is then heightened since the easier question to answer would clearly be what happened before; but since the idols could not give response to that, it is even more unlikely that they can answer a question whose complexity is based on the prior. The farce is heightened as the stakes are raised: now Yhwh encourages the idols that if they can display such power, then he will acknowledge they are gods.

Third, they are challenged to do something, anything "good or evil" which is likely intended to include all possible actions. Yhwh excoriates them to instill "awe and fear" in him and the witnesses; but they can do nothing at all. The imagery the author is trying to convey is becoming clearer now: one can see Yhwh challenge idols carved from stone and wood sitting in inanimate silence. As with 41,1-5 the object of the proceedings is the legal settlement of who can claim to be God. Here divinity is proved through "a congruity in word and deed, promise and fulfillment."²⁵

Yhwh gives a special honor to Israel: after he wills the plans and speaks them, the plans do not come to pass until Israel has heard them (48,3,6). This is incredibly important for Israel's honor, because even the nations' idols do not know what is transpiring (41,22-24; and again in 43,9). Every event has an outcome, and the idols know neither the beginning nor the endpoint of earthly events. Israel is given a special honor in hearing of these incredible events before they are fulfilled.

The accusation (v.24) is a key point within the trial questions, and may be overly presumed in G. Wright's format. Regardless, this attribute is omnipresent in *rib* speeches: and is always found within the prosecutor's

²⁵ Baltzer, Deutero-Isaiah 116.

opening salvo. In this instance Yhwh responds to the idols' inaction by accusing them of being substantively nothing, and their works "nought." It is assumed by the text that Yhwh's diatribe goes uninterrupted primarily because the "gods" are completely ignorant and impotent. They are unable to discern any of the events prior or future because Yhwh is in full control of the situation. They are unable to perform acts of good or evil as well!

Because of their silence and inactivity Yhwh lashes out at them with a harsh charge: they are worthless; and those who choose (to worship) them are "an abomination" (תעבה). This is a loaded term that is used to describe a worshipper of idols (Jer 2,7) the offering of children (Jer 32,35), witchcraft (Deut 18,9,12) and idolatrous practices (Deut 13,5; 17,4; Ezek 16,50; 18,12 and Mal 2,11). Thus the accusation, though directed at the idols, indirectly offends the nations as well: in their ignorance the nations choose to worship the worthless idols rather than Yhwh, the true suzerain.

4.3 Gracious acts of the Suzerain: 41,25-28

In its original setting this form was intended to show the suzerain's authority and also his own fidelity to the covenantal relationship. Here the King of Jacob proves that he knows and has control over the past, present and future, and presents himself as the king of the gods by moving a major worldly figure without the other gods' approval or affirmation. Cyrus is the one who came from the North and from the East, and his calling on Yhwh's name is an acceptance of Yhwh's patronage. Yet another proof of Yhwh's head-Godship is found as Cyrus the king of the world makes himself a vassal of Yhwh, and not of the idols. Although the Cyrus Cylinder denotes Marduk as his helper,²⁶ the prophet's theology already knows who is in control of the situation; the prophet's theology has superceded the ruler's history. Cyrus becomes an instrument of Yhwh and succeeds only as Yhwh's servant, at Yhwh's command; thus the king of the world recognizes Yhwh as the true God King.

After this revelation of the coming events, Yhwh returns to interrogating the defendants: he asks which of them had foreseen Cyrus coming, as shown by the cohortatives which again group Yhwh and the witnesses together as expectant audience to the defendants. Because the idols did not know the past, they could not foretell the events about to unfold.

This sets up the next clear first person declaration by Yhwh: "I have declared," a fact which reiterates his knowledge of the former things and thus the things to come. Knowledge is proof of power, but declaring an event ahead of time is proof of both knowledge and power. "The Lord of history

²⁶ Muilenburg, Isaiah 343.

is he who can allow the future to be told in advance.”²⁷ Yhwh has done this, but he declared the news not to the nations but to Zion.

Yhwh gives a second accusation to the idols after they are unable to answer at all (v.28). No councilor steps forward to speak on behalf of the silent, inanimate idols. God’s authority is established in the text as the idols come to him for trial at his palace, and his movement of Cyrus to be “king of the world” is not open to discussion, nor is his election of Israel. His decision to let the Israelites return to their home to rebuild Jerusalem and their Temple has been promised from the beginning; since the idols did not know of this past promise, nor of the events that were about to unfold, it is clear that they have no control over any events on the earth.

4.4 Indictment: 41,29

The accusation made in v.24 that the idols are “nothing” (given in 2nd person) is now formalized as an indictment (in 3rd person). The speaker may either be Yhwh or the witnesses since the suzerain’s authority to act as judge may have transferred to the witnesses under Babylonian influence.

This statement brings the entire trial to a close. The speaker declares, Behold! But it is not clear who is speaking, or who is being spoken to. The third person is cogent if Yhwh is speaking to the coastlands; but it is also possible that here the coastlands speak since in v.24 Yhwh uses second person pronominal suffixes when he speaks directly to the defendants. The third person pronominal suffixes could denote the coastlands affirming the suzerain’s accusations and giving their verdict. Historically the suzerain had authority as judge, but the custom may have changed in Babylonian influence.²⁸ The defendant may be the nations for a second time, considering that the idols are the indirect objects in v.29c, and not the direct recipient. Here then, the nations are brought back in the last verse for condemnation (29c) along with their idols (29a, b).

4.5 Sentencing: 42,1-4

Muilenberg and other scholars believe משפט implies that the servant will have a mission to distribute justice to the nations.²⁹ Other scholars rebuke this idea and place this particular section as a separate entity, grouping it with the three other servant songs. Following the other forms of a *rib* genre, however, the only one remaining is a carrying out of judgment in the sentence. משפט and תורה denote a judicial sense, that when combined with four

²⁷ von Rad, Message 210.

²⁸ Wright, Lawsuit 53.

²⁹ Muilenberg, Isaiah 356; McKenzie, Isaiah 37.

other forms of a *rib*, logically entail a sentencing format. Despite his contentions of this point, McKenzie does concede that the servant clearly has a mission to the nations as he acts on behalf of Yhwh as a mediator.³⁰

There are only two *qatal* verbs in this passage: רצה (pleased) and נתן (gave). Everything else is in the *yiqṭōl* form. The current status-shift of Israel denotes present / ongoing action for the *yiqṭōl* verbs. Yhwh grasps his servant before the defendants at that moment to show where his favor truly rests. By Israel's redemption God will be honored above the other idols³¹; he is truly God of gods and Israel is truly his servant.

Israel is the servant (עבד) of the king God. This was the title "held by a royal plenipotentiary among Israel's neighbors, and so was a title of honor."³² This title implied absolute obedience, but it also allowed for a certain amount of executive power to be used in the king's name and by his authority. When combined with the terms משפט and תורה there is a heightened idea of justice being executed by a vicarious agent. Israel is the "royal vizier," no longer "not-my-people," but are now truly "my people" (40,1), with the King God's authority and honor bestowed upon her.³³ The theory that 42,1-4 acts as a sentencing takes better shape when seen in this perspective.

"To grasp" אתמך־בו (Gen 48,17; Amos 1,5, 8; Prov 3,18) is a preferred translation to "uphold."³⁴ The grasping action denotes more proper suzerain-vassal imagery and presents Yhwh as a powerful, earth-moving entity. Israel's history begins with her election – it is a privilege and an obligation (Exod 19,5-6; Amos 3,1-2; Deut 7,7ff; 14,2), but to be chosen entails a purpose. This idea of election and service go together often in Isaiah 40-55 (41,8-9; 43,10; 44,1-2). Israel has intimate ties with Yhwh, and he loves his people (41,8; 49,15-16; 54,9-10). Election is followed by endowment, and this gift of the spirit is permanent (11,2). The possessor now has unusual powers. Within this mission the servant will not use violence or coercion. The prophet explains Israel's weakness as a nation is divinely intoned, just as their election is.

The sentence and affirmation of Yhwh's verdict that the idols are nothing is found in the acting out of his earthly plans by setting his Spirit on Israel. Cyrus rising from the Northeast was only the beginning; with the Spirit on Israel, Yhwh declares her his servant, alongside his other servant Cyrus. Above all the other nations, Yhwh, king of the gods, has chosen

³⁰ Cf. Mulenberg, Isaiah 356; McKenzie, Isaiah 37.

³¹ Kaufmann, Captivity 110.

³² Knight, Deutero-Isaiah 70.

³³ Knight, Deutero-Isaiah 71.

³⁴ Mulenberg, Isaiah 356.

Israel. The nations' and idols' inability to plead their case forces them to accept Israel as the greatest nation, the servant of the highest king (an extraordinary status in the ancient world). And their sentence is to recognize and accept these events as fact, never to let their arrogance question Yhwh's authority again.

5. Conclusion

Israel existed as a national-religious community, even in captivity. They stood in a position to confront their Gentile neighbors. There was no warfare, but there was "controversy." The prophet shows this antagonism with metaphors, lawsuits, and judgment. Israel was despised and hated by the nations (49,7), and "reaction to blasphemy was often counter-blasphemy."³⁵

In this passage a lawsuit is used as proof that idolatry is worthless. Prophecy is used as a proof of polemic against idolatry, setting the arguments before "visionary courts" of God against the nations and their "gods" (40,18-26; 41,1-7; 42,8-9; 43,9-13; 44,6-20; 45,18-21; 46,5-11; 48,14-15).³⁶ The prophet uses a *rib* form to show ethno-political problems of his day, but also to reaffirm God's place and promise in Israel's history and faith. The passage follows a *rib* form as proposed by Wright. It contains a summons, presentation of case, acts of suzerain, indictment, and sentencing.

This conventional form was "creatively changed" to exist in the author's own theological message.³⁷ The vassal is no longer on trial but rather is honored before pretentious objectors. Yhwh's power and Israel's honor are proven before all the nations and their gods. In the end, it is a story of love and joy, of ethnic identity and religious pride, and the fortitude to maintain one's faith. For the prophet, even in the face of opposition, the outcome was never truly in doubt.

Summary

The author proposes that Isaiah 41,21-42,4 represents a covenant lawsuit, or *rib*, based on the structure formulated by G. E. Wright. The author argues that the passage contains a summons (41,21-22a), a case lead by prosecutor (41,22b-24.26-27), a list of gracious deeds by the suzerain (41,25), an indictment / verdict (41,29), and a sentencing (42,1-4). The author holds that Isaiah 40-55 uses a *rib* form within 41,21-42,4 to express the controversy and tension that was occurring between Israel and the nations during the Exile.

³⁵ Kauffman, Captivity 108.

³⁶ Kauffman, Captivity 109.

³⁷ Childs, Isaiah 322.

Zusammenfassung

Der Autor klassifiziert die gesamte Komposition Jes 41,21-42,4 als „Bundesprozess“ (*rib*, vgl. E. G. Wright). Die Struktur besteht aus einer formalen Vorladung, der Präsentation der Anklage, der Auflistung der Vorleistungen des Suzeräns, des Schiedsspruches und der Ankündigung der Strafe. Diese in Jes 40-55 gebräuchliche literarische Form bringt die kontroversielle Spannung zwischen Israel und den Nationen während der Epoche des babylonischen Exils zum Ausdruck.

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