

## Psalm 44: The Powers of Protest

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PSALM 44 has long been understood to reflect a sense of national catastrophe, likely that of the Babylonian exile in the aftermath of the destruction of Judah and Jerusalem.<sup>1</sup> Indeed, the psalm deals with a central topic in the religious deliberations of the sixth century B.C.E., the relationship between God and the people of Israel in the tremendous crisis of exile. Prophets, historiographers, poets, and “the people” all participated in this discussion, and the spectrum of opinions is wide and diverse. On the basis of the literary evidence, I have previously suggested that we should differentiate schematically between ideologically antagonistic social and literary circles. One set of voices expresses mainstream,

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<sup>1</sup>For recent discussions that place the psalm in the early exilic period, see Adele Berlin, “Psalms and the Literature of Exile: Psalms 137, 44, 69, and 78,” in *The Book of Psalms: Composition and Reception* (ed. Peter W. Flint and Patrick D. Miller; VTSup 109; Leiden: Brill, 2005) 65-86; William S. Morrow, *Protest against God: The Eclipse of a Biblical Tradition* (Hebrew Bible Monographs 4; Sheffield: Sheffield Phoenix, 2006) 94. For an earlier, northern origin, ca. 732 B.C.E., see Michael D. Goulder, *The Psalms of the Sons of Korah* (JSOTSup 20; Sheffield: JSOT Press, 1982) 85-120, here 85-102. For specific dating in the fourth century B.C.E., see Harold M. Parker, Jr., “Artaxerxes III Ochus and Psalm 44,” *JQR* 68 (1977-78) 152-68. Charles A. Briggs and Emilie Grace Briggs (*A Critical and Exegetical Commentary on the Book of Psalms* [ICC; Edinburgh: Clark, 1906] 375-76) distinguished three periods of compilation, starting from an early exilic context and extending to late Persian, and even Maccabean circumstances (pp. 377-82; this late Maccabean date follows the early church fathers of the Antiochene school). Compare Arthur Weiser (*The Psalms: A Commentary* [trans. Herbert Hartwell; OTL; London: SCM, 1962] 355), who preferred to hypothesize an original setting in the cult of the assumed covenant festival, rather than fixing the psalm in an exact historical time period.

“orthodox” thinking, which justifies the actions of God and thus places the blame on the people for their distressing present circumstances. This line of thought is expressed independently by prophetic, priestly, and historiographic circles.<sup>2</sup> The second set of voices can only be characterized as antagonistic to the first, expressing “nonorthodox” views; this grouping is represented by the Book of Lamentations, the communal laments, and diverse quotations in the prophetic books of Jeremiah and Ezekiel.<sup>3</sup> Psalm 44 can be ascribed to this second set of voices.<sup>4</sup>

Hans-Joachim Kraus defines the main theme of Psalm 44 as the idea that “Israel is chosen for suffering,” and Walter C. Bouzard argues that the communal laments in general share a “mournful and somber” mood.<sup>5</sup> I argue that, along with depicting suffering and mourning, Psalm 44 goes a step further and lodges, overtly but mostly covertly, not only a complaint but a bitterly painful protest against God.<sup>6</sup>

The dividing line between complaint and protest is not easy to draw.<sup>7</sup> One

<sup>2</sup> “Orthodox” and its counterpart “nonorthodox” serve here only to clarify the world of thought. See Sheila McDonough’s definition of orthodoxy: “correct or sound belief according to an authoritative norm” (“Orthodoxy and Heterodoxy,” in *The Encyclopedia of Religion* [New York/London: Macmillan, 1987] 11. 124). By making this schematic and binary distinction, I do not intend to gloss over the diversity of opinions within each circle and between them. It serves only to highlight the ideological differences between the central stream and antagonistic expressions of thought. A binary division was suggested by Walter Brueggemann in his “trial metaphor,” between “core testimonial” and others that Brueggemann calls “countertestimonial” texts (*Theology of the Old Testament: Testimony, Dispute, Advocacy* [Minneapolis: Fortress, 1997] 117-26, 400-401; and in reference to the communal laments, pp. 323-24).

<sup>3</sup> Dalit Rom-Shiloni, “God in Times of Destruction and Exiles: Theology and Ideology in the Prophetic Literature and in the Poetry of the First Half of the Sixth Century BCE” (Ph.D. diss., The Hebrew University of Jerusalem, 2001); eadem, “Socio-Ideological Setting or Settings for Penitential Prayers?” in *Seeking the Favor of God*, vol. 1, *The Origins of Penitential Prayer in Second Temple Judaism* (ed. Mark J. Boda, Daniel K. Falk, and Rodney A. Werline; SBLEJL 21; Atlanta: Society of Biblical Literature, 2006) 51-68.

<sup>4</sup> Erhard S. Gerstenberger (*Psalms* [2 vols.; FOTL 14, 15; Grand Rapids: Eerdmans, 1988] 1. 186) says concisely that Psalm 44 “presents a theological strand different from the dominant Dtr line of thinking.”

<sup>5</sup> Hans-Joachim Kraus, *Psalms 1–59: A Commentary* (trans. Hilton C. Oswald; Minneapolis: Fortress, 1989) 449; and earlier, Weiser, *Psalms*, 359; Walter C. Bouzard, *We Have Heard with Our Ears, O God: Sources of the Communal Laments in the Psalms* (SBLDS 159; Atlanta: Scholars Press, 1997) 128.

<sup>6</sup> Claus Westermann (“The Role of Lament in the Theology of the Old Testament,” *Int* 28 [1974] 20-38, here 30) emphasizes that protest is directed at God in the national laments, as also in Job (p. 32), and in the laments of Jeremiah (pp. 35-36). Robert Davidson (*The Courage to Doubt: Exploring an Old Testament Theme* [London: SCM, 1983] 6-17, here 8) argues that the communal laments “are characterized by protest and they have nowhere to take their protest except to God.”

<sup>7</sup> Protest in itself is not a common term in Psalms scholarship. See Westermann’s explanation for the general exclusion of the lament (and the protest) from Western Christendom (“Role of Lament,” 24). Davidson includes protest, questioning, and doubt in what he defines as “religious experience” (*Courage to Doubt*, esp. 209 n. 8). He explains that he uses “doubt” “in the widest



“*You let them devour us*”; זריתנו, “*You disperse us*” [vv. 10-12, and so on in vv. 10-23]. This stylistic feature, which indeed illustrates the central place given to the relationship between God and the people, accentuates even more the perception of *conflict* between God and the people, who in most of these verbal phrases are the victims of affliction brought about by God’s actions.<sup>11</sup>

This oppositional relationship between God and the people is masterfully built into the structure of the psalm in its three main segments: praise, complaint, and petition.

The psalm opens with praise (vv. 2-9).<sup>12</sup> This first section is in turn divided into two parts. Verses 2-4 recall God’s past salvific deeds, particularly the settlement in the land. The people’s appreciation is maintained as the story is retold by parents to their children throughout the generations (v. 2).<sup>13</sup> In the second section (vv. 5-9), the praise of past events develops into the psalmist’s declaration of present piety (“*You are my king, O God*” [v. 5]) and closes with the praise of the whole community (“*In God we glory constantly [NJPSV: at all times], and praise Your name unceasingly*” [v. 9]).<sup>14</sup>

The complaint in vv. 10-23, the core of this psalm, is similarly divided into two parts, each of which refers differently back to the verses of praise. The first part (vv. 10-17) describes the present distress as political-military defeat, destruction, and exile. Using a series of verbs in the second person, the author reproves God for God’s role in the people’s suffering. In contrast to God’s past salvific deeds, “*deeds You performed in their time, in days of old*” (vv. 2-9),<sup>15</sup> God’s

<sup>11</sup> Murray Joseph Haar (“*The God–Israel Relationship in the Community Lament Psalms*” [Ph.D. diss., Union Theological Seminary (Richmond), 1985] 31, 105-32) emphasizes the God–people relationship in seven communal laments, among them Psalm 44 (pp. 32-36). Yet Haar overlooks the element of protest that is here discussed. The accentuation of God’s actions against the people is much more prominent in this psalm than the questions directed to God (apparent in vv. 24-25), which are usually seen as the main characteristic of complaint/protest. See Patrick D. Miller, *They Cried to the Lord: The Form and Theology of Biblical Prayer* (Minneapolis: Fortress, 1994) 70-75.

<sup>12</sup> Introducing praise before request is a unique feature of the poetic compositions of Psalms and Lamentations, in contrast to the short prosaic prayers. See Moshe Greenberg, *Biblical Prose Prayer as a Window to the Popular Religion of Ancient Israel* (Taubman Lectures in Jewish Studies, Sixth Series; Berkeley: University of California Press, 1983) 10; and see *b. Ber.* 32a. For parallels in the Sumerian and classical literature, see Loren D. Crow, “*The Rhetoric of Psalm 44*,” *ZAW* 104 (1992) 394-401, here 395-96.

<sup>13</sup> Retelling the story to one’s children is of major importance in Exod 10:2; 12:26; 13:8; and Deut 6:20-25. The events of the exodus through the settlement are the focus of praise in other communal laments, as in Psalms 77; 80; and 89, and Psalm 84 draws on the struggle with chaotic forces in the creation.

<sup>14</sup> Verses 5-9 are also recognized by their rapid alternation between first person singular and plural (so also v. 16). For a recent discussion, see Morrow, *Protest against God*, 96-101.

<sup>15</sup> For פעל repeated in reference to God’s saving deeds, see Kraus, *Psalms 1–59*, 446.

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present *misdeeds* express desertion of the people: “Yet You have rejected and disgraced us; / You do not go with our armies” (v. 10). Moreover, God’s actions contribute to the enemies’ success: “You let them devour us like sheep; / You disperse us among the nations” (v. 12). This amounts to delivering the people into the enemies’ hands: “You sell Your people for no fortune, / You set no high price on them” (v. 13). Finally, God consigns the people to disgrace, shame, and mockery: “You make us the butt of our neighbors, / the scorn and derision of those around us. / You make us a byword among the nations, / a laughingstock among the peoples” (vv. 14-15).<sup>16</sup>

Between vv. 2-9 and vv. 10-17, the triangular relationship of God–people–enemy has drastically shifted. A chiasmic and concentric order marks the references to the foe and to the people in vv. 2-9:

vv. 2-9	vv. 10-17
לַאֲמִים, גּוֹיִם v. 3	מִשְׁנֵאֵינוּ, צָר v. 11
יַעֲקֹב v. 5	גּוֹיִם v. 12
קָמִינוּ, צָרִינוּ v. 6	עַמֶּךָ v. 13
מִשְׁנֵאֵינוּ, צָרִינוּ v. 8	לַאֲמִים, גּוֹיִם v. 15

God remains the Warrior, yet rather than save the people from *their* enemies, God becomes *the* major foe who empowers the *people’s* enemies.

This literary structure closes in an opposition between v. 9 and vv. 16-17. The voices of constant praise, בָּאֱלֹהִים הִלְלָנוּ כָּל הַיּוֹם (“In God we glory constantly [NJPSTV: at all times],” v. 9), change into permanent self-contempt, כָּל הַיּוֹם כְּלִמְתִּי, נִגְדִי (“I am constantly [NJPSTV: always] aware of my disgrace” [v. 16]), and the only voice heard is “the sound of taunting revilers” (v. 17).<sup>17</sup>

The second part of the complaint (vv. 18-23) is not less painful, as the psalmist proclaims the people’s innocence. Loren D. Crow has shown that vv. 18-23 form a parallel construction (A A B || A A B, vv. 18-20 || 21-23), which sets proclamations of piety to God (A: vv. 18-19, 21-22) in opposition to God’s deeds

<sup>16</sup> God’s active responsibility for the people’s disgrace is further illuminated when Ps 44:14 (and 80:7) is compared to Pss 31:12; 79:4; 89:42, and also to Deut 28:37 and Lam 5:1. God afflicts the people with disgrace (חַרְפָּה) in Hos 12:15; Jer 24:9; 29:18; and Ezek 22:4, just as God acts against the nations in Jer 49:13 and Ps 78:66.

<sup>17</sup> Martin Kessler (“Psalm 44,” in *Unless Some One Guide Me . . . : Festschrift for Karel A. Deurloo* [ed. Janet W. Dyk et al.; Maastricht: Shaker, 2001] 193-204, here 198) points out the contradiction between the elements of perpetual praise in v. 9 and perpetual disgrace in vv. 16-17. I suggest that this contrast between v. 9 and vv. 16-17 calls for a yet deeper appreciation of מַחֲרֵף וּמַגְדִּיף, which at face value appear to apply to the people of God (cf. also Isa 51:7; Zeph 2:8), but in the present context may also denote blasphemy against God (see 2 Kgs 19:22; Isa 37:23; also Zeph 2:10).

against the people and to the consequences of these deeds for the people's distressing situation (B: vv. 20, 23).<sup>18</sup> This God–people opposition is given formal expression also in the verbal phrases. In contrast with vv. 10-17, God and people here switch grammatical places. With the exception of v. 20 (דְּכִיתָנוּ, “You cast us,” וַתִּכַּסּ עָלֵינוּ, “and covered us over”), the people are the agents of the verbal phrases (or suffixes) in vv. 18-23 and thus appear in the first person plural; God becomes the object of action (וְלֹא שָׁכַחְנוּךָ וְלֹא שָׁקַרְנוּ בְּבְרִיתְךָ, “yet *we* have not forgotten *You*, / or been false to *Your* covenant” [v. 18]; כִּי עָלֶיךָ הִרְגָנוּ, “It is for *Your* sake that *we* are slain” [v. 23, etc.]; compare vv. 10-17, etc., and v. 20). This grammatical feature reinforces the thematic opposition suggested in these verses between the people's loyalty, on the one hand, and God's fatal actions against them, on the other, which thus brings forcefully to the fore the question of divine justice.

Verses 18-23 gain even further force in comparison with the psalm's previous segments. Concluding this subunit, and following vv. 9 and 16, v. 23 contains the third occurrence of כָּל הַיּוֹם (“constantly”). The repetition of the phrase marks the general movement through the psalm as it expresses the decline in the people's condition, which starts with praise (v. 9), changes into disgrace (v. 17), and concludes in defeat and death (v. 23).<sup>19</sup>

Psalm 44 ends with petition (vv. 24-27). Calling God to intervene on behalf of the people, these requests further emphasize God's inactivity in the present circumstances. First, the petitions call God to awaken, a figure of speech that reflects the feeling that God has long deserted and neglected the people: “Rouse Yourself; why do You sleep, O Lord? / Awaken, do not reject us forever!” (v. 24).<sup>20</sup> Second, God seems to hide God's face (v. 25); that is, God is present, but seems to choose not to act according to divine capabilities. Finally, in contrast to the loyal *people*, who continuously praise God for past salvation (vv. 2-4) and who even in these times of distress have never forgotten God (v. 18), it is *God* who forgets the people's affliction (“you forget [*NJPSV*: ignore] our affliction and distress” [v. 25]). By using עָנִי and לַחֲזֵץ, the psalmist alludes to the exo-

<sup>18</sup> So Crow, “Rhetoric of Psalm 44,” 397-99; and see Kessler, “Psalm 44,” 198-99.

<sup>19</sup> For this and other “keyword plays,” see Kessler, “Psalm 44,” 202-4. Compare Fløysvik (*When God Becomes My Enemy*, 64-65), who argues that this flow presents a steady trust and faithfulness on the part of the people in order to emphasize that “Only God's actions have changed.”

<sup>20</sup> Bernard F. Batto (“The Sleeping God: An Ancient Near Eastern Motif of Divine Sovereignty,” *Bib* 68 [1987] 153-77) points out the use of divine “sleep as a symbol of divine authority” in mythic creation episodes (pp. 159-64). Yet, with the exception of Psalm 74, which ties together creation and exodus traditions, most of the psalmodic contexts of individual (Psalms 7; 35) and communal laments (Psalms 44; 59 [see v. 6]) do not develop this image of God as Creator, but rather present God as Lord of History, in the character of Warrior, Sovereign, and King (cf. also Ps 78:65; and compare Batto, 169-72). This difference, however, is not observed in Andrzej Mrozek and Silvano Votto's criticism of Batto (“The Motif of the Sleeping Divinity,” *Bib* 80 [1999] 415-19).

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dus traditions, which have become the paradigmatic examples for God's benevolent response to the people's agony (Exod 3:6-9; Deut 26:7).<sup>21</sup> The psalmist completes the prayer with a further call for help. From the midst of the people's distress, which brings them as low as the dust of the ground ("We lie prostrate in the dust; / our body clings to the ground" [v. 26]), the psalmist calls on God to arise—to regain sovereignty, thus to help and redeem the people ("Arise and help us, / redeem us, as befits Your faithfulness" [v. 27]). God is still considered to be, and can still prove to be, Savior of the people.<sup>22</sup> The goal of protest (similar to the goal of the complaint in general) is to bring a change—to cause God to awaken and act in favor of devoted, suffering, and innocent believers.<sup>23</sup>

Yet Psalm 44 differs both from the general structure identified by Claus Westermann for the communal laments (lament–petition–praise) and from Walter Brueggemann's cognitive pattern (orientation–disorientation–reorientation).<sup>24</sup> Psalm 44 fails to reach the final stage; praise is merely an introductory element of national memories of past salvation.<sup>25</sup>

As a final structural observation, the two basic segments, of praise (vv. 2-9) and complaint (vv. 10-23), form a symmetry, after which the psalm closes with petitions for help that tie together the two preceding units (vv. 24-27). The organizing element seems to be the opposition between God and people, observed from a chronological perspective (see chart on p. 676).<sup>26</sup>

This structure highlights the mental turmoil in which the protestor-psalmist is trapped. Throughout the psalm, the poet declares faith in God, devotion to God, and a continuing bond with the community of believers (vv. 5, 23).<sup>27</sup> Yet, in the proclamation of innocence and obedience (vv. 18-23), the psalmist concentrates on three problematic issues: agonizing over God's warlike judgmental

<sup>21</sup> So Kessler, "Psalm 44," 200.

<sup>22</sup> Requests for help appear regularly at the end of communal laments; see Pss 77:22; 80:4, 8, 20; 89:47; etc.

<sup>23</sup> See Westermann, "Role of Lament," 24-28; Miller, *They Cried to the Lord*, 86-114, esp. 97-114.

<sup>24</sup> See Westermann, "Role of Lament," 26-27. Brueggemann's model is adapted from Paul Ricoeur's dialectic of disorientation and reorientation, applied to the study of the function of the Psalms (Walter Brueggemann, *The Psalms and the Life of Faith* [ed. Patrick D. Miller; Minneapolis: Fortress, 1995] 3-32).

<sup>25</sup> Psalm 44 falls, then, into Brueggemann's category of "unanswered complaints," exemplified by Psalm 88 (*Psalms*, 56-57). Brueggemann emphasizes "the direct accusation against God" in these psalms, as well as the intensification of the elements of desperation.

<sup>26</sup> Fløysvik (*When God Becomes My Enemy*, 60) presents the same structure but does not point out the above-mentioned opposition and the chronological dimension. Compare Crow's concentric trajectory ("Rhetoric of Psalm 44," 394); and Kessler ("Psalm 44," 194-95), who suggests a chiasmic structure.

<sup>27</sup> A similar example of protest occurs in Psalm 77; see Meir Weiss, *Ideas and Beliefs in the Book of Psalms* (Jerusalem: Bialik Institute, 1991) 114-17.

Praise (vv. 2-9)	A (vv. 2-4)	God was known as Warrior-Savior of the people, rescuing them from enemies in the distant past, and God's saving deeds continue to be recalled
	B (vv. 5-9)	Psalmist/people currently endure in complete piety
Complaint (vv. 10-23)	A' (vv. 10-17)	God as Warrior currently fights the people, hands them over to enemies
	B' (vv. 18-23)	Psalmist/people proclaim innocence and obedience; God nevertheless afflicts the people
Petition (vv. 24-27)	C	Psalmist/people expect God to act as Warrior-Savior in the future

actions against the people, emphasizing the people's loyalty to God and to the covenant, and measuring the present political distress through the concept of retribution. Throughout, the psalmist's anxiety does not obscure the orderly criticism of the way in which these three elements seem to function in the present situation of distress.

## II. Two Covert Polemics

An examination of vv. 18-23 in their intertextual relationship to the Deuteronomistic literature, to prophetic exhortation, and to wisdom/psalmodic literature shows that in addition to a clear protest against God, these verses mount a more subtle polemic against contemporary views on the theological meaning of the present calamity.

### A. Responsibility for Breaching the Covenant Relationship

A polemical protest opens each of the two subsections of this passage, vv. 18-20 and vv. 21-23:

v. 18: All this has come upon us,  
**yet we have not forgotten You,**  
 or been false to Your covenant.  
 כל זאת באתנו ולא שכחנוך ולא שקרנו בבריתך

vv. 21-22: **If we forgot the name of our God**  
 and spread forth our hands to a foreign god,  
 God would surely search it out,  
 for He knows the secrets of the heart.

אם שכחנו שם אלהינו ונפרש כפינו לאל זר  
 הלא אלהים יחקר זאת כי הוא ידע תעלמות לב

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The verb שָׁכַח (“forget”) commonly occurs in the Bible in two opposing phrases that reverse their subject and object, הָעַם שָׁכַח אֶת יְהוָה אֱלֹהָיו, “the people forgot Yhwh its God,” versus יְהוָה שָׁכַח אֶת עַמּוֹ, “Yhwh forgot his people.” The contexts in which these phrases occur demonstrate their central theological weight in justifying God’s actions or, on the contrary, in protesting against them/against God. Repeating שָׁכַח first in the negative (in v. 18), and then in an oath (v. 21), the psalmist refutes the repeated accusation set out commonly by Deuteronomy, by the Deuteronomistic historiographers,<sup>28</sup> and by the prophets, especially Jeremiah.<sup>29</sup>

Deuteronomy uses הָעַם שָׁכַח אֶת יְהוָה as part of its covenant terminology, exhorting the people not to forget God, the creator of the nation (Deut 32:18), the Lord of Israel (Deut 8:11, etc.), the Savior of the people from Egypt (6:12; 8:14; etc.), and therefore the one who demands obedience and obliges Israel to follow the commandments (6:12-13; 8:11-18, 19; also Deut 4:9, 23). The Deuteronomists pursue this theme and present a history of sin and judgment, in which forgetting God is exemplified by worship of other gods. Thus, human forgetting brings about divine judgment in the form of handing the people over to their enemies, defeat, and subjugation (Judg 3:7; 1 Sam 12:9).<sup>30</sup>

Jeremiah continues this line of thought in his prophecies of judgment on the people, using Deuteronomic phraseology and themes to lay the blame for the present distress on the disobedient people (Jer 3:21; 13:25; 23:27 [twice]). In two series of rhetorical questions, the prophet expresses the inexplicable behavior of Israel. First, Jer 2:32 asks: הַתִּשְׁכַּח בְּתוּלָה עֵדִיָּה כְּלָה קִשְׁרִיָּה / וְעַמִּי שָׁכַחוּ יָמִים / אֵיךְ מִסְפֵּר (“Can a maiden forget her jewels, / A bride her adornments? / **Yet My people have forgotten Me**— / days without number”). Subsequently, in Jer 18:13-17, the prophet designates the people’s behavior as unheard of and horrible:

<sup>28</sup> Heinrich Gross (“Geschichtserfahrung in den Psalmen 44 und 77,” *TTZ* 80 [1971] 207-21) considers Psalm 44 to be a refutation of the Deuteronomistic theology of guilt, which predominated in this period. According to Gross, Psalm 44 suggests a correction to the prevailing conception of God, closer to the mystery of the divine in Job (pp. 213-16); Gerstenberger (*Psalms*, 1. 182-86) notes the resemblances to Dtr phraseology and themes in 44:2-3 and accepts the resemblance to Job’s “protestation of innocence”; see also Kraus, *Psalms 1-59*, 447-49. Finally, compare Berlin (“Psalms and the Literature of Exile,” 71-74), who recognizes the Deuteronomic phrases and themes yet does not consider them examples of polemic, but rather of an exilic perspective that adapted Deuteronomic and prophetic approaches to demonstrate that the exile should end.

<sup>29</sup> Whereas Hosea presents the retributive power of שָׁכַח (Hos 4:6; 8:14; 13:6), Jeremiah uses this phrase the most, in both poetry and prose passages of judgment (six times: 2:32; 3:21; 13:25; 18:25; 23:27 [twice]); and once to project obedience in the future (50:5). Close to this usage are Hos 2:15; Ezek 22:12; 23:35 (in the imagery of Israel/Jerusalem as God’s wife). Compare the only reference in Isaiah son of Amoz (Isa 17:10) and two occurrences in Deutero-Isaiah (51:13; and in a disputation speech, 49:14-15).

<sup>30</sup> Horst D. Preuss, “שָׁכַח,” *TDOT*, 14. 671-77.

Assuredly, thus said the LORD:  
 Inquire among the nations:  
 Who has heard anything like this?  
 Maiden Israel has done  
 A most horrible thing.  
 Does one forsake Lebanon snow  
 from the mountainous rocks?  
 Does one abandon cool water  
 flowing from afar?  
**Yet My people have forgotten Me:**  
 They sacrifice to a delusion:  
**They are made to stumble in their ways—**  
**The ancient paths—**  
**And to walk instead on byways,**  
**On a road not built up.**  
 So their land will become a desolation,  
 An object of hissing for all time. . . .  
 Like the east wind, **I will scatter them**  
**Before the enemy.**  
**I will look upon their back, not their face,**  
 In their day of disaster.

לכן כה אמר יהוה  
 שאלו נא בגוים מי שמע כאלה  
 שערת עשתה מאד בתולת ישראל  
 היעזב מצור שדי שלג לבנון  
 אם יתשו מים זרים קרים נוזלים  
 כי שכחני עמי לשוא יקטרו  
 וכשלו בדרכיהם שבילי עולם  
 ללכת נתיבות דרך לא סלולה  
 לשום ארצם לשמה שריקת עולם  
 כל עובר עליה ישם ויניד בראשו  
 כרוח קדים אפיצם לפני אויב  
 ערף ולא פנים אראם ביום אידם

Three points of similarity connect Ps 44:18-23 with Jer 18:13-17. First, the use of the verb שכח denotes, for the prophet, the people's violation of the covenant: "Yet My people have forgotten Me; / they sacrifice to a delusion" (Jer 18:15; see also 23:27). As we have seen, the psalmist fiercely negates this accusation: "yet we have not forgotten You" (Ps 44:18). Second, the image of transgression as straying off the road, implying the worship of other gods (Jer 18:15; so also Jer 3:19-22, esp. v. 21), is contravened in Ps 44:19: "Our hearts have not gone astray / nor have our feet swerved from

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Your path” (to be discussed below).<sup>31</sup> Finally, both texts share the portrayal of God’s active role in the destructive punishment to come. Using the first person, Jeremiah’s prophecy threatens that God’s active judgment will cause military defeat (v. 17) and total destruction (v. 16). Psalm 44 presents this same conception as the core of its protest in vv. 10-17.

Hence, Psalm 44 stands explicitly against these and other similar Deuteronomic and prophetic conventions, opposing the more usual explanation that places all blame for the current situation on the people’s violation of the covenant. In refuting these conventions, Psalm 44 joins proclamations heard in nonorthodox sources, including other communal laments (Pss 42:10; 74:19; 77:10; Lam 5:20) and in prose prayer (1 Sam 1:11).<sup>32</sup> Like Psalm 44, these texts give precedence to the feeling of desertion and neglect. They call on God not to forget obedient servants/people and not to withdraw from the long-standing covenant (Pss 74:20; 89:50; also the communal lament in Jer 14:19-22).<sup>33</sup>

In its direct accusation of God, then, Psalm 44 elucidates the contradiction between the actions of a God who seems to have forgotten the people, and the people’s constant devotion and loyalty to God. For this the psalmist coins a unique phrase, ולא שקרנו בבריתך (“we were not false to Your covenant” [v. 18b]),<sup>34</sup> and declares the people’s innocence (vv. 18-19). Thus, this section of the psalm protests the injustice of God’s actions (vv. 18-20), rephrases the protest in an oath (vv. 21-22), and concludes with a further description of the people’s distress (v. 23).

### B. Divine Justice

Similarly, in both subsections of vv. 18-23, a second polemic brings to the fore the issue of divine justice. Through allusions to the language of Psalm 37,

<sup>31</sup> For the geographical background of Jeremiah’s imagery, see Nogah Hareuveni, *Desert and Shepherd in Our Biblical Heritage* (trans. Helen Frenkley; Neot Kedumim: Biblical Landscape Reserve in Israel, 1991) 118-27.

<sup>32</sup> See n. 3 above.

<sup>33</sup> The above-mentioned petitions for help repeatedly call on God not to forget, but there is doubt in the background of announcements that forcefully negate the possibility that God may forget the people (e.g., Deut 4:31; and see Pss 9:13; 10:11, 12; also Hannah’s prayer, 1 Sam 1:11). Deutero-Isaiah (Isa 49:14-15), dating from the second half of the sixth century B.C.E., quotes and refutes the protest blaming God for forgetting Jerusalem.

<sup>34</sup> Two phrases in the communal laments are close to this unique phrase: (1) Isaiah 63:8: אך עמי המה בנים לא ישקר (“Surely they are My people, children who will not play false”). Both Psalm 44 and Isa 63:7–64:11 share the basic conception that the people’s obedience to the covenant will bring salvation, and disobedience will bring defeat (Isa 63:8-10). (2) Psalm 89:34b, ולא אשקר (“and I will not betray My faithfulness”), presents a contrast to Psalm 44 in God’s loyalty to the covenant with David. The two examples do not have a literary intertextual connection with Psalm 44, yet they do enlighten the thematic value of this unique phrase.

the psalmist examines the ideology of retribution as advocated in its most conventional way.<sup>35</sup> Psalm 37:30-31 thus describes the “righteous one”:

The mouth of the righteous utters wisdom,  
and his tongue speaks what is right.

**The teaching of his God is in his heart;  
his feet do not slip.**

פי צדיק יהגה חכמה ולשונו תדבר משפט  
תורת אלהיו בלבו לא תמעד אשריו

The sequence of לב (“heart”) and אשורים (“feet”) in close parallelism is unique to Psalms 37 and 44 (v. 19): “Our hearts (לבנו) have not gone astray, / nor have our feet (אשרנו) swerved from Your path.” This pairing thus serves as a “marker” of the intertextual connection between these two psalms, through which Ps 44:19 alludes to the description of the righteous in Psalm 37.<sup>36</sup> In both contexts the term לב indicates thoughts of piety and obedience, whereas אשורים metaphorically denotes following God.<sup>37</sup> Through this linguistic allusion to Psalm 37, the poet of Psalm 44 draws an analogy between the people and the righteous one. As the righteous one does not stray from God’s path, so have the people neither strayed from the covenant nor disobeyed God.<sup>38</sup>

<sup>35</sup>Weiser (*Psalms*, 315-16) considers Psalm 37 to be “a collection of proverbs” similar to those in Proverbs, part of “the treasure of the popular maxims of the Wisdom writers,” brought together for the practical didactic purpose of expressing “the calm serenity and assuredness of a firm faith.” Compare Brueggemann (“Psalm 37: Conflict of Interpretation,” in *Of Prophets’ Visions and the Wisdom of Sages: Essays in Honour of R. Norman Whybray* [ed. Heather A. McKay and David J. A. Clines; JSOTSup 162; Sheffield: Sheffield Academic Press, 1993] 229-56), who explores two different readings of Psalm 37. According to the first, ideological reading, the psalm is a social manifesto of landowners, based on a confident, coherent, and unambiguous view of moral conduct and reward that functions in “‘structure legitimating’ and serves to sustain a socio-theological ‘orientation’” (pp. 238-45, quotation from 245). In a second, utopian reading, Psalm 37 gains an eschatological significance of hope for the landless, which reflects a sociotheological dispute close to the content of the Book of Job and suggests a revision of the old ideology, though this is still close to the first reading (pp. 245-54).

<sup>36</sup>On the process of allusion, see Ziva Ben-Porat, “The Poetics of Literary Allusion,” *Journal for Descriptive Poetics and Theory of Literature* 1 (1976) 105-28; in reference to prophetic literature, see Benjamin D. Sommer, *A Prophet Reads Scripture: Allusion in Isaiah 40–66* (Contraversions; Stanford: Stanford University Press, 1998) 6-31; and to the Psalms, Beth LaNeel Tanner, *The Book of Psalms through the Lens of Intertextuality* (Studies in Biblical Literature 26; New York: Peter Lang, 2001) 70-75.

<sup>37</sup>אשורים (“feet”), in parallel to רגלים and פעמים, occurs in contexts of obedience to God with נטה (Ps 73:2; Job 23:11; see also Ps 17:5). Compare Briggs and Briggs (*Psalms*, 330) who, following the LXX and the Syriac, read ולא in Ps 37:31b and thus interpret this verse as indicating the reward of the pious, drawing on vv. 23-24 as well. מעד indeed appears with this meaning in 2 Sam 22:37 and Ps 18:37. In reference to obedience, see Ps 26:1 (with the verbs הלך and מעד in a similar context, though without any of the above-mentioned nouns).

<sup>38</sup>In military contexts, נסוג אהור means “turn back, withdraw, flee” (as in 2 Sam 1:22; Jer



**לעולם נשמרו וזרע רשעים נכרת  
צדיקים יירשו ארץ וישכנו לעד עליה**

Although there is no literal similarity (thus no direct allusions; compare לעד, לעולם [37:27, 28, 29] to לנצח [44:24]; עזב [37:28] contra זנה [44:24]; and the lack of reference to the verbs ירש, ישכן), Psalm 44 seems to stand in a thematic opposition to the conventions of reward and retribution in Psalm 37. Psalm 44 accentuates the tension between the people's piety and the distressing reality of dislocation they face. Contrary to the assertion "He does not abandon His faithful ones" (Ps 37:28), God has indeed deserted the faithful people, "Yet You have rejected and disgraced us" (44:10). Thus the psalmist requests, "do not reject us forever" (אל תזנה לנצח [44:24]).<sup>41</sup> Their suffering as they are scattered among the peoples (44:12-17) can hardly illustrate the promise (or the convention) that the faithful "shall abide forever" (וישכן לעולם) and "are preserved forever" (לעולם נשמרו) in the land (37:27b, 28b; see further 44:23). The direct accusation in 44:20, "Though You cast us, crushed, where jackals reside / and covered us over with deepest darkness," indicates the loss of the inherited land and loss of life—the fate opposite to that of the righteous one emphasized in 37:27-29.<sup>42</sup>

Nevertheless, protest has its limits. In making use of the retributive convention, the psalmist assumes two restrictions. First, only covertly, through these echoes to Psalm 37, are the psalmist and the psalmist's contemporaries identified not only as loyal and pious but also as righteous.<sup>43</sup> The psalmist seems deliber-

<sup>41</sup> Although Psalm 44 does not use the more common verb עזב (as in 37:28), both עזב and זנה, indicate desertion and have God as the subject. Note the use of זנה in Pss 74:1; 88:15; 89:39, and in military circumstances in Pss 60:12; 108:12. Compare Reuven Yaron's discussion of זנה as indicating God's anger ("The Meaning of ZANAH," *VT* 13 [1963] 237-39). Although Yaron's suggestion is intriguing, I would consider the context of זנה in Psalm 44 to emphasize the lack of God's presence and involvement—therefore rejection, not anger. For זנה in the semantic field of divine desertion and neglect, and its consequences in military defeat, see Monica J. Melanchthon, *Rejection by God: The History and Significance of the Rejection Motif in the Hebrew Bible* (Studies in Biblical Literature 22; New York: Peter Lang, 2001) 75-80.

<sup>42</sup> The *NJPSV* translation "sea monster" follows תנינים of Ezek 29:3; 32:2. In this context, however, מקום תנים may better suit a place "were jackals reside"; see Briggs and Briggs, *Psalms*, 381-82; Weiser, *Psalms*, 355; Kraus, *Psalms 1-59*, 448.

<sup>43</sup> This then may be the reason for the lack of the terms connected to righteous and wicked, which are so prominent in Psalm 37. Compare Psalm 7, which presents petitions to God to act as a judge in favor of the innocent psalmist, called צדיק (v. 10), over against the psalmist's enemy, called רדפי, צוררי, אויב, ("my pursuers, my foe, enemy" [vv. 2-6]). The terms are transformed to the plural in the national context: צוררי, לאמים, עמים ("my foes, peoples, peoples" [7:7-9]). Finally, in opposition to the צדיק, the foes are designated as רשעים ("wicked" versus "the righteous" [7:10; as well as Psalm 35]). Gerstenberger (*Psalms*, 1. 65) defines the genre of Psalm 7 as "Protestations of Innocence." Therefore, Kraus's reference (*Psalms 1-59*, 448) to the implied theme of צדיק in this psalm suggests this direction. But Kraus does not mention the intentional avoidance of terminology.

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ately to refrain from directly using the terminology typical of the wisdom psalms (רשע, צדיק, etc).<sup>44</sup>

Second, the author treats cautiously the tripartite relationship of God, the righteous, and the wicked. The conventional scheme presented clearly in Ps 37:32-33 (also in v. 12) guarantees God's involvement on behalf of the righteous against an evil enemy:

**The wicked watches for the righteous,  
seeking to put him to death;  
the LORD will not abandon him to his powers**

צופה רשע לצדיק ומבקש להמיתו  
יהוה לא יעזבנו בידו ולא ירשיענו בהשפטו

In contrast, the human enemies are not at the core of the distress in Psalm 44. They do appear in vv. 10-17, but only as those who benefit from *God's* actions against the people (44:11, 12, 15, etc.), whereas God, conventionally the source of confidence and salvation for the righteous (as in Psalm 37), is here the source of distress, directly responsible for the defeat, the destruction, and the exile. Still, this burdensome reversal is not spelled out openly; it is only implied, through the echoes of Psalm 37 evoked by the psalmist.

### III. Conclusion

Protest in Psalm 44 takes shape in four formal and thematic ways. Two are explicit: (1) verbal forms present direct accusations against God; and (2) through minimizing the role of the human enemies, the psalmist highlights God as the main actor and foe. In this study I have examined two additional implicit avenues of protest: (3) the oppositional structure of the psalm, in sections of both praise and complaint, which emphasizes the discord between God and the people; and (4) the intertextual connections of Psalm 44 to Deuteronomistic and prophetic literature as well as to Psalm 37, which bring sharply to the fore accusations of divine neglect and injustice.

<sup>44</sup> The opposition between righteous and wicked is transformed in the communal laments as part of the conception of God as judge. See Ps 74:18-21, and also Psalms 9-10, which use alternately the terms גוים and רשע ("nations" and "wicked" [9:16-18, 20-21]) to designate the opponents, whereas the people are indicated by such expressions as דך, יהום, עני, ענוים ("downtrodden," "orphan," "lowly," "oppressed" [9:10; 10:2, 9, 18]), הלכאים ("the hapless" [10:10]), and יודעי שמך ("those who know Your name . . . those who turn to You" [9:11]); this last in opposition to כל גוים שכחי אלהים ("all the nations who ignore God" [9:18]). The latter distinction draws a national-religious difference between the two groups. On the contrary, Psalm 44 does not employ this terminology and is directed to only the national sphere, with God as warrior.

The psalm's treatment of "orthodox" traditional concepts deserves a further comment. Doubt and protest have often been tied by modern scholars to the process of rethinking, reshaping, even rewriting old traditions.<sup>45</sup> Protest, however, gains its powers in Psalm 44 *precisely* from the psalmist's trust in the constancy of three interconnected roles of God: Warrior, Lord of the people, and Judge. Protest, though harsh, does not contradict a basic belief in God. The author of Psalm 44 continues to expect that God will act in the future just as in the past. The psalmist treats the present as a temporary, though long and painful, period during which God's face is hidden.<sup>46</sup>

Moreover, the psalmist fully accepts the conventional traditions of obedience to the covenant and divine justice. Protest reaches its height *because* of the unresolved dissonance between the circumstances of crisis and accepted doctrinal conventions:<sup>47</sup> the collective historical memory and heritage of God's salvation in the past (vv. 2-4), and the people's continuing complete loyalty to God and to the covenant (vv. 18-23). Through the implicit allusions to Psalm 37, the people's loyalty in their agony is further set in opposition to the traditional conceptions of judgment, retribution, and reward.<sup>48</sup> Protest against God thus responds to "orthodox" voices, which tend to justify God at all costs. Psalm 44 indeed remains on Job's side in preferring the faithful struggle over theodicy.<sup>49</sup> In all piety, the psalmist clings to the just people over the justification of God.

<sup>45</sup> Davidson (*Courage to Doubt*, chaps. 6-9 and *passim*) presents the influence of doubt and protest on the reshaping of thought and literature in prophecy, historiography, and poetry. In reference to the Deuteronomistic historiography, see Yair Hoffman, "The Creativity of Theodicy," in *Justice and Righteousness: Biblical Themes and Their Influence* (ed. Henning Graf Reventlow and Yair Hoffman; JSOTSup 137; Sheffield: Sheffield Academic Press, 1992) 117-30.

<sup>46</sup> Psalm 44 has gained a central position in discussions on martyrdom in the tannaitic period. For its place (esp. vv. 18-23) in medieval Jewish philosophy, see Joseph Hacker, "'If We Have Forgotten the Name of Our God' (Psalm 44:32): Interpretation in Light of the Realities in Medieval Spain" (in Hebrew), *Zion* 57 (1992) 247-74.

<sup>47</sup> Brueggemann (*Psalms*, 16-25) talks about "the collapse of convention" (p. 21) as motivating theological questions and disorientation in the lament. This, however, does not seem to contradict the psalter's piety. Cf. Abraham J. Heschel (*Man Is Not Alone* [Philadelphia: Jewish Publication Society, 1951] 155-56), who quoted Psalm 44 in full as an example of "the guidance of faith." I thank Dr. Rabbi Michael Marmor for referring me to Heschel's observations.

<sup>48</sup> A further connection to the concept of retribution is found in the verb *חקר* ("explore, search out") in Ps 44:22; see also Jer 17:10; Pss 7:10; 139:1, 23.

<sup>49</sup> So Gerstenberger, *Psalms*, 1. 185. In contrast to Gross, who emphasized the resemblance to Job in the theological *resolution* of the crisis ("Psalmen 44 und 77," 218-21), I would accentuate the *unresolved* cry of protest in Psalm 44.