Reading Ezekiel 20:25–26 Intertextually:
A Psalmist's Guide to Ezekiel's "Not-Good Statutes"

Introduction

      Ezekiel 20 records one of the most theologically challenging historical summaries in the Old Testament.[1] The summary itself is occasioned by an enquiry made by the elders of the exilic community. Israel's elders seek a word from YHWH through his prophet Ezekiel (20:1). However, the community is not in good standing with YHWH, and their request is refused (20:3). Instead of granting their request, YHWH directs his prophet to rehearse Israel's history of rebellion from their time in Egypt down through to the current generation. It is within the context of this historical summary that readers are confronted with the following theologically challenging text:

20:25	וְגַם־אֲנִי֙ נָתַ֣תִּי לָהֶ֔ם חֻקִּ֖ים לֹ֣א טוֹבִ֑ים וּמִ֨שְׁפָּטִ֔ים לֹ֥א יִֽחְי֖וּ בָּהֶֽם׃	I also gave them statutes *that were* not good and judgments whereby they could not have life.[2]
20:26	וָאֲטַמֵּ֤א אוֹתָם֙ בְּמַתְּנוֹתָ֔ם בְּהַעֲבִ֖יר כָּל־פֶּ֣טֶר רָ֑חַם לְמַ֣עַן אֲשִׁמֵּ֔ם לְמַ֙עַן֙ אֲשֶׁ֣ר יֵֽדְע֔וּ אֲשֶׁ֖ר אֲנִ֥י יְהוָֽה׃	And I defiled[3] them by their gifts, by *their* causing to pass over all *their* firstborn, so that I might devastate[4] them that they might know that I *am* YHWH.[5]

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    [1] "Historical summaries," as the name suggests, refers to those texts which summarize extended portions of Israel's history. Other examples include Josh. 24, Judg. 2, 1 Sam. 12, II Ki. 17, Neh. 9, and the so-called "historical psalms."

    [2] As many have noted, Ezekiel 20:25 is clearly juxtaposed with the text's earlier citation of Leviticus 18:5 (20:11, 13, 21). As Milgrom points out, Leviticus 18:5's promise that those obedient to Yahweh's laws "shall live" stands in contrast to Leviticus 18:29's warning that the disobedient "shall be cut off," a threat he interprets as communicating the idea of a "death sentence" (Milgrom, 1522). Obedience would allow Israel to continue (i.e. live) in the land. Translating יִחְיוּ as "have life" helps to avoid the potential misunderstanding that this text claims Israel's *inability* to keep (i.e., "live by") these not-good statutes (so ESV, RSV; contra NIV, NASB).

    [3] Friebel offers an interesting argument for translating וָאֲטַמֵּא as "I declared them defiled" (cp. NASB) comparing Ezekiel's use of the Piel with that found Leviticus (e.g., 13:3, 8, 11, 15, 20, 22, 25, 27, 30, 44, and 59). He writes, "[Ezekiel] 20:26 is stating that Yahweh is declaring the people to be ritually unclean and thereby unfit to worship him in his sanctuary. The 'being unclean' is therefore not what Yahweh has caused them to be, nor is it something that Yahweh has done to them, but it is a consequence of what the people themselves have done" (Friebel, "The Decrees of Yahweh That Are 'Not Good': Ezekiel 20:25–26," 32). This is certainly a possibility. However, "I defiled them" (so NIV, ESV, RSV) appears to fit better with the purpose clause "so that I might devastate them" (Francis Brown, Samuel Rolles Driver, and Charles Augustus Briggs, *Enhanced Brown-Driver-Briggs Hebrew and English Lexicon* (Oxford: Clarendon Press, 1977, 1031).

    [4] Friebel (relying on Cooke, *The Book of Ezekiel*) argues שׁמם should be translated "horrify" because "when the *Hiphil* of שׁמם has a person as the accusative it clearly has an emotional connotation" (Friebel, 34). However, Brown-Driver-Briggs cite three instances (in addition to Ezek. 20:26) where the Hiphil of שׁמם appears with a person (or persons) as its accusative while communicating the idea "to devastate" or "ravage": I Samuel 5:6, Hosea 2:14 (figuratively), and Job 16:7. Commenting on the issue, Heider suggests rendering שׁמם "devastate" or "desolate" "but not 'horrify'… as if Yahweh meant thereby to work repentance" (Heider, 721). Heider correctly observes that Yahweh's purpose here is judgment; however, contra Heider's conclusion, the purpose of the judgment is repentance as the following clause clearly indicates ("that they might know that I *am* Yahweh").

    [5] Unless otherwise noted, all Scripture citations will be the author's translation.

The interpretive difficulties in this passage are at once apparent. While most of the events in YHWH's summary are readily identifiable within the Pentateuchal traditions, the historical event behind vv. 25–26 is less clear.[6] Which event in Israel's past could satisfactorily be described as YHWH giving Israel "not-good statutes"?

But it is not just the historical question that causes the interpretive challenge; equally difficult are the potential theological implications of such an event in Israel's past. Block summarizes the theological challenge raised by the text: "How could Yahweh, the gracious covenant God, be portrayed as granting his people 'bad' laws that would not result in life? Even more unconscionable, how could he defile the nation by demanding of them their firstborn, offered up as child sacrifices, so he could destroy them? Students of Scripture have struggled with these problems through the centuries."[7]

The purpose of this paper is to draw attention to an exegetical element that has often been neglected in past studies of this text: the intertextual connections between Ezekiel 20 and another historical summary, Psalm 106. As will be shown, intertextual touchpoints between these texts indicate that the psalmist used Ezek. 20 as a source text in his own recounting of Israel's past. This, of course, raises an interesting possibility: does the psalmist offer any guidance for better understanding YHWH's surprising words. If the psalmist leans on Ezek. 20 as one of his sources, how has he read the prophet and does his reading contribute to the discussion of Ezek. 20:25's interpretation?

This paper proceeds in two parts. First, after giving a brief overview of the two major approaches to the interpretation of Ezek. 20:25–26, one of these views will be suggested as best accounting for the exegetical evidence. The second part of this paper will then demonstrate how intertextual connections between Ezek. 20 and Ps. 106 help to alleviate some of the difficulties this interpretation raises.

I.

Past Interpretations of Ezekiel 20:25's "Not-Good Statutes"

While numerous studies have addressed Ezek. 20:25's "not-good statutes," Heider has helpfully identified two interpretations[8] that emerge as the most popular approaches to this text:

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[6] For an attempt to identify to historical referents in Ezek. 20's summary, see Brian Peterson's analysis, "Ezekiel's Perspective of Israel's History: Selective Revisionism?" in *Prophets, Prophecy, and Ancient Israelite Historiography* (Winona Lake, IN: Eisenbrauns, 2013, 295–332, esp. 299–306).

[7] Daniel I. Block, *The Book of Ezekiel: Chapters 1–24*, The New International Commentary on the Old Testament (Grand Rapids: Wm. B. Eerdmans Publishing Co., 1997), 637.

[8] This overview primarily focuses on those solutions that preserve the theological unity of the Old Testament. There are, of course, interpretations that move beyond this limitation. For example, Corrine Patton sees Ezekiel 20:25–26 as the prophet's criticism of a set of pre-exilic laws (i.e., a since-lost law code familiar to Ezekiel but different from the extant version of the Mosaic law) that had apparently failed Israel, hence Israel's current situation of exile (Corrine Patton, "'I Myself Gave them Laws that Were Not Good': Ezekiel 20 and the Exodus Traditions," *JSOT* 69 [1996]: 73–90). Similarly, Hahn and Bergsma's recent "canonical" solution (i.e., their attempt to discover the identity of the "not-good statutes" within the OT canon) identifies Ezekiel 20:25–26 as a priestly polemic against the laws of the Deuteronomist (Scott Walker Hahn and John Sietze Bergsma, "What Laws Were 'Not Good'? A Canonical Approach to the Theological Problem of Ezekiel 20:25–26," *Journal of Biblical Literature* 123, no. 2 [Summer 2004]: 201–218). Neither view presupposes an essential theological harmony in the Old Testament canon and therefore are not included in the overview of solutions surveyed in this paper.

1) studies identifying the "not-good statutes" as in some sense referring to the Mosaic law, and 2) studies identifying the "not-good statutes" as a reference to Canaanite customs.[9]

The first of the interpretive solutions proposes that Ezek. 20:25's "not-good statutes" refers to Israel's *misinterpretation* of a Sinaitic used by Israel to justify child sacrifice.[10] Heider

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In addition to focusing on solutions compatible with viewing the OT as a theological unity, this overview also focuses on those views that apply a synchronous approach to Ezekiel 20. There are, of course, diachronic studies that do not see the extant form of the text as original. David Frankel's study, for example, suggests emending the text by removing verses 15–27 as the work of a later redactor (David Frankel, "Ezekiel 20: A New Redaction-Critical Analysis," *Hebrew Union College Annual* 90 [2019]: 5). This suggested emendation is not based on variant readings but rather on Frankel's assessment that the current reading is inconsistent and therefore evidences redactive layers. The inconsistency identified by Frankel has to do with how Yʜᴡʜ responds to Israel's sins throughout the summary. While the summary's opening Egyptian scene portrays Yʜᴡʜ as forbearing punishment (20:9), the wilderness scenes that follow—those Frankel claims represent a later redaction (cf., vv. 15–27)—*include* divine punishment, thus creating a sort of theological discontinuity in the summary's presentation of divine activity. It should be noted, however, that what Frankel sees as an inconsistency (forbearing punishment in Egypt but punishing in the wilderness), others have seen as part of Yʜᴡʜ's intentional rhetorical structure. Zimmerli, for example, observes that Yahweh's movement from forbearance to what he refers to as the "double threat" against the wilderness generation conveys a "clear heightening" in God's responses to Israel's continued rebellion (Walther Zimmerli, *Ezekiel 1: A Commentary on the Book of the Prophet Ezekiel, Chapters 1–24*, trans. Ronald E. Clements [Philadelphia: Fortress Press, 1969], 411). Rather than inconsistency in need of emendation, the progressively worsening threats and punishments are key to the summary's rhetorical point. The studies examined in this overview treat Ezekiel 20 as a literary unity. (For a list of additional interpretive approaches falling outside the parameters of compatibility with OT theological unity and a synchronous view of Ezek 20, see Block, *Ezekiel*, 638–639.)

[9] George C. Heider, "A Further Turn on Ezekiel's Baroque Twist in Ezek 20:25–26," *Journal of Biblical Literature* 107, no. 4 (December 1988): 722. Though not as common, a third category could be helpfully added to Heider's list on account of its prominent appearance in NICOT's *Ezekiel* volume (Block, 1997). In his view, Daniel Block ultimately rejects both approaches identified by Heider and instead favors another solution that leans into genre considerations. Block claims that Ezekiel 20:25–26 has no correspondence with real history; instead, these verses are a rhetorical embellishment within Ezekiel's quasi-historical recounting of Israel's past rebellion. "Any attempt to correlate this statement [Ezek. 20:25] with a historical event is mistaken. Ezekiel's survey of Israel's history is not intended as a true reconstruction of the past. His purposes are rhetorical—to demonstrate to the exiles (represented by the elders) that their own rebellion is of a piece with the consistent pattern of Israelite responses to Yahweh down through the centuries" (Block, *Ezekiel*, 640). In short, Block contends that "Ezekiel is a preacher, not a chronicler or a systematic theologian; he offers an interpretation of Israel's history, not an objective record of the past" (Block, *Ezekiel*, 640). However, such an interpretation fits poorly with the overall context of the passage. There are two reasons for rejecting Block's view. First, it is not the prophet who is speaking but Yahweh Himself. Suggesting that the text is only "loosely historical" because prophets are concerned more with rhetorical effect than historical accuracy does not here apply if Yahweh is the speaker. If the text is taken seriously in this regard, these should be seen not as the words of the prophet, but as the words of Yahweh Himself given to the prophet. The oracle's introductory formula (20:5, כֹּה־אָמַר אֲדֹנָי יְהוִה) along with its first-person narration makes it clear that this is the intended reading of the text. Second, when God first speaks with Ezekiel, He tells Ezekiel to rehearse Israel's history to the enquiring elders (20:4b "make known to them the abominations of their fathers"). It seems strange that Yahweh's speech, which intends to make a point through appeal to past events, would vacillate between the truly historical and the merely rhetorical. Even a surface reading of Israel's history demonstrates that it provides numerous illustrations of "detestable" acts so as not to require imagining new ones simply to make a rhetorical point. While the phrasing of the text certainly introduces historical and theological challenges, it seems incongruous with the text to conclude that Yʜᴡʜ's speech does not intend to correspond with historical reality.

[10] Block argues against this view giving four reasons why the "not-good statutes" of Ezekiel 20:25–26 cannot be a reference to Exodus 13 (one of suggestions by adherents of this view for which law was being misinterpreted by Israel). Although many interpreters see lexical parallels between Ezek. 20:26 and Exod. 13:12–13 as indication of a literary connection between the texts, Block rejects the notion of equating Exodus's firstborn laws with Yahweh's "not-good statutes." He offers the following reasons: 1) on account of Ezek. 20:18's note of a

explains the view: "According to the usual reconstruction, Ezekiel's contemporaries were citing some form of the 'law of the firstborn' as a divine directive to engage in cultic child sacrifice."[11] In potential support of this view, Heider draws attention to Jer. 7:31 where God says such practices as child sacrifice were never commanded by Him. In other words, if God had to specify that he never commanded child sacrifice, it is therefore assumed that the opposite was being claimed by some within the Israelite community.[12]

There are, however, at least two significant problems with this view. First, it is arrived at abductively rather than inductively and relies on a reconstruction of a form of syncretism that is not directly attested in Scripture.[13] Second, it seems highly unlikely that such a striking use of irony would appear alongside an otherwise straightforward summary of Israel's sinful past with no additional explanation or clarification.

The second, and much more likely, interpretive solution sees the "not-good statutes" as referring to Israel's adoption of Canaanite customs (esp. child sacrifice). Heider mentions that the set of texts often appealed to in attempts to identify YHWH's "not-good statutes" as Canaanite customs are those recording Israel's practice of Molech worship. Ezek. 20:26's use of the Hiphil of עבר (= "cause to pass over") in reference to child sacrifice naturally draws attention to the well-known texts recording these atrocities (cf., 2 Ki. 16:3, 17:17, 21:6, and 23:10.[14]

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change in generation, 20:25 refers to God's actions to the conquest generation and not the exodus generation who received the Sinaitic law; 2) the section of the historical summary in which 20:25 appears already mentions Israel's disobedience to the Sinaitic law in 20:19–21a—whatever is mentioned in 20:25–26, therefore, is something else altogether; 3) the laws of 20:25–26 are described in such a way as to stand in direct contradiction with the Sinaitic law; and 4) the inflection change from Ezekiel's typical use of the feminine plural form חקות, demonstrates an intentional distinction between the laws of 20:25 and "Yahweh's normative decrees" (Block, *Ezekiel*, 640). Block's criticisms are only effective, however, against positions holding that the "not-good statutes" refer to the Sinaitic law as God gave it. That is not, as Heider puts it, the "usual reconstruction" (Heider, 722). The usual reconstruction conjectures that *misinterpretations* of the law of the firstborn had arisen in Israel. Thus, Block's criticisms do not apply to the "usual reconstruction" that sees in Ezekiel 20:25–26 a reference to Exodus 13. The following rebuttals could be offered to Block's criticisms: 1) The change in generation does not matter as the point now is not about when God first gave the law but rather when the misinterpretation of those laws began. 2) Again, it does not matter if the law was already mentioned in this panel of the summary. If Yahweh refers to Israel's misinterpretation of the law, then that could be considered a separate and later event. Thus, within a single panel both the giving of God's good laws and the genesis of Israel's misinterpretation could both appear. 3) If a misinterpretation is in view, then it would be quite natural to portray the "not-good statutes" as contrary to God's good (i.e., rightly interpreted) laws. 4) The inflection change, if it is indeed meant to distinguish good laws from bad (on which subject scholars are far from agreed), would still be appropriate since it would be a distinction between Yahweh's laws and Yahweh's laws misinterpreted.

[11] Heider, 722.

[12] Ibid., 722. Craigie (et al), for example, interprets Jer. 7:31 in this way: "The prophet's comment with respect to God's attitude to child-sacrifice ('a thing that I did not command and that never even crossed my mind,' v 31) is probably designed to undercut the claims of those who practiced the cult, namely that they were only carrying out the ancient Mosaic law (Exod 22:29)" (Craigie, *Jeremiah 1–25*, 126).

[13] Clear instances of Israel using Sinaitic law to justify child sacrifice are lacking in the biblical record. For a related discussion in which potentially relevant texts are cited, see Milgrom's critique of claims that child sacrifice was a component of early forms of Yahwism (Milgrom, *Leviticus 17–22*, 1586–1591).
[14] Feinberg, for example, provides an excellent explanation of this view (Charles Lee Feinberg, *The Prophecy of Ezekiel: The Glory of the Lord* (Eugene, OR: Wipf and Stock, 2003), 12).

Support for Identifying Ezek. 20:25's "Not-Good Statutes" as Canaanite Customs

A strong case can be made for this second interpretive approach—interpreting the "not-good statutes" of Ezek. 20:25 as Canaanite customs—by examining Ezek. 20's relationship with Lev. 18:5. Throughout his oracle, YHWH cites Lev. 18:5 ("You shall keep my statutes and my judgments, which, if a man does, he shall live by them") three times to describe the Sinaitic law Israel refused to obey (Ezek. 20:11, 13, 21). As many have noted, v. 25 echoes this language in reversed form to describe the "not-good statutes" he gave to Israel. Allen, for example, sees the "giving" of not-good statutes (20:25) to be the "counterpart" to God's life-giving statutes mentioned earlier in the summary (20:11). "The people's fate is sealed by a new and harmful gift, which in the concentric structuring of vv 1–31 and also in the development of thought is the counterpart of the good gift of v 11."[15] Whereas the Sinaitic law could give life and was therefore good, the statutes of Ezek. 20:25 could not give life and were therefore not good. Given this repeated dependence on Lev. 18:5—and especially the inversion of its language in v. 25—it becomes important to consider Lev. 18:5's original context when examining the identity of the "not-good statutes."

In its context, Lev. 18:5 juxtaposes YHWH's life-giving statutes with the "doings" (מַעֲשֶׂה) of the Canaanites (cf., Lev. 18:3). The point is to explain to Israel that obedience to the Sinaitic law would bring life and blessing while adoption of Canaanite customs would bring death and expulsion from the land (Lev. 18:3, 5, 28).[16] In Lev. 18:3, the Canaanite "doings" (מַעֲשֶׂה) are also referred to as their "statutes" (חֻקָּה), language that is echoed in Ezek. 20:25's reference to "not-good statutes" (חֻקָּה).[17] If the language of Ezek. 20:25 reverses the description of the Sinaitic law in Lev. 18:5, YHWH must be indicating that whatever the "not-good statutes" might be, they are opposite to his life-giving law. In the context of Lev. 18, it is the Canaanite customs that are presented as the opposite of YHWH's life-giving law. As Sklar observes:

> The LORD begins [in Lev. 18:3] by stating the Israelites must be a distinct people and must not follow the evil customs of those from whom he has delivered them (Egypt) or those into whose midst (Canaan) he is bringing them (18:3)… The LORD then states what the Israelites are to do: '[But] my regulations you must do, and my statutes you must keep by conducting yourselves according to them' (18:4a)… Clearly, the Israelites are not to walk in the nations' ways but in the LORD's. The passage structure emphasizes the contrast, since each phrase in 18:3–4a puts the noun ahead of the verb, changing the normal word order to draw attention to the noun: *Their deeds and customs* you must not do (18:3)! *My deeds and customs* you must do (18:4)![18]

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[15] Leslie C. Allen, *Word Biblical Commentary*, vol. 29, *Ezekiel 20–48* (Dallas: Word Books, 1990), 12.

[16] Milgrom also observes this basic juxtaposition within the text (life vs. death) contrasting Lev. 18:5's וָחַי ("live") with Lev. 18:29's וְנִכְרְתוּ ("cut off"). He comments, "Since the violation of these laws leads to [כָּרֵת] (v. 29), this latter term must signify the opposite of 'live,' namely, death (by divine agency)" (Milgrom, *Leviticus*, 1522). In other words, though Milgrom does not juxtapose the repeated use of "statutes" (Canaan's in v. 3 contrasted with YHWH's in v. 5), he nonetheless identifies the same basic schema for the passage. Two diametrically opposed futures are being presented.

[17] The historical summary of 2 Ki. 17 contains an interesting parallel. In this passage which lays out the theological rationale for the northern kingdom's defeat and exile, it is reported that Israel followed the "statutes" ("customs"; Heb. חֻקָּה) of the Canaanite people (2 Ki. 17:8). The verse goes on to explain that it was these "statutes" that caused YHWH to expel the Canaanites from the land thus, an explanation that is shared by Lev. 18.

[18] Sklar, *Leviticus*, 478–479.

This contrast continues through the whole of the chapter as Y<small>HWH</small> moves on to describe in detail the Canaanite customs his people were to avoid. In Lev. 18:5's original context, therefore, the opposite of Y<small>HWH</small>'s life-giving statutes is the death-bringing statutes of the Canaanites. With Lev. 18:5 featuring so heavily in Y<small>HWH</small>'s historical recital, it seems likely that his reversal of its language when referring to the "not-good statutes" draws on this juxtaposition of Sinaitic law and Canaanite customs observed in Lev. 18. This possibility is strengthened when considering that both passages also highlight the specific Canaanite custom of child sacrifice. Though primarily condemning the sexual perversions of the Canaanite people groups, Lev. 18 specifically condemns child sacrifice to Molech (18:21).[19] In Ezek. 20, it is this same sin of child sacrifice that is mentioned immediately after the reference to the "not-good statutes" (with numerous scholars seeing Ezek. 20:26's reference to child sacrifice as providing an archetypal example of the "not-good statutes" of the previous verse).[20] In short, the broader context of Leviticus 18:5 presents Canaanite customs as antithetical to Y<small>HWH</small>'s life-giving laws. Thus, when Ezek. 20:25 reverses the language of Lev. 18:5 in reference to statutes that were "not good," it is reasonable to identify these statutes with the Canaanite practices that Leviticus 18 explicitly contrasts with the Sinaitic law.[21]

Difficulties with Identifying Ezek. 20:25's "Not-Good Statutes" as Canaanite Customs

Despite the strong support from Lev. 18:5's original context, identifying the "not-good statutes" as Canaanite customs is not without its difficulties. Blenkinsopp (who takes this view) implicitly raises two concerns in his discussion of this interpretive approach.[22] The first difficulty raised by the Canaanite customs view relates to chronology. Halfway through the Ezek. 20 summary of Israel's history, Y<small>HWH</small> highlights the generational shift from the exodus generation to the conquest generation with the phrase "and I said to their children in the wilderness" (Ezek. 20:18). Presumably, the verses that follow, which include 20:25–26, now deal with the conquest

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[19] Scholars have proposed many explanations for the unexpected placement of the child sacrifice law amongst a collection of laws focused on sexual ethics. For further discussion, see Milgrom's compilation of the various views (Milgrom, *Leviticus*, 1558–1559).

[20] For example, Heider identifies Ezek. 20:26, which describes child sacrifice, as laying out "the archetype of obedience to [Y<small>HWH</small>'s] 'not-good' laws" mentioned in the previous verse (Heider, 722). However, there is nothing in the grammar of the text that necessitates this connection between vv. 25 and 26. If one were to interpret the "not—good statutes" as Sinaitic law (or perhaps the book of Deuteronomy), then v. 26 could relate to v. 25 by giving an example of *rebellion against* the "not-good statutes" rather than an example of the "not-good statutes" themselves. This is the view of Jason DeRouchie as he sees the statutes of 20:25 as a reference to the book of Deuteronomy and 20:26 as an archetypal example of disobedience to Deuteronomy's commands (DeRouchie, personal communication).

[21] A additional parallel can be seen in the way that Ezek. 20's historical summary follows the basic schema laid out in Lev. 18:3. Lev. 18:3 warns Israel not only of the influence of the Canaanites that lay before them, but also of the vestigial influence of Egypt that now lay behind them. Interestingly, Ezekiel 20's historical summary appears to echo these bookends with a description of Israel's failure in both regards. Not only did Israel eventually adopt Canaanite customs (Ezek. 20:26, 30–31), but they had also previously struggled against the pagan influences from their time in Egyptian bondage (cf., Ezek. 20:7–8). Thus, Y<small>HWH</small>'s summary is essentially an extended explanation of how Israel failed the warnings of Lev. 18:3 and thus demonstrates another potential connection between the texts.

[22] Joseph Blenkinsopp, *Ezekiel*, Interpretation: A Bible Commentary for Teaching and Preaching (Louisville, KY: John Knox Press, 1990), 89–90.

generation since no further generational shifts are mentioned. Herein lies the problem that Blenkinsopp appears to recognize: How could Ezek. 20:25, a passage that appears directed at the conquest generation, refer to Canaanite customs? Stated another way, if Ezek. 20:25–26 describe Israel's adoption of Canaanite ways and their devolvement into child sacrifice, how could this accurately describe the children of the exodus generation when "the evidence for Israelite practice [of child sacrifice] is concentrated in the later period of the monarchy (II Kings 16:3; 17:17; 21:6; 23:10, 13)"?[23] Thus, the Canaanite customs view potentially raises an anachronism by indicting the conquest generation in sins not historically attributed to them.

A second difficulty raised by the Canaanite customs view relates to the interpretation's resulting theology. In addition to the chronological difficulty, Blenkinsopp also appears to acknowledge that his view results in a theologically challenging reading: "YHWH gave Israel Canaanite customs." Citing the Targum's translation which interprets Ezek. 20:25 as God giving Israel over to its stubborn disobedience, Blenkinsopp concludes, "Perhaps [the Targumic interpretation] is what it comes down to, that God left the Israelites to their own misguided devices."[24] Sensing potential theological difficulty, he adds, "Our liberal theological way of thinking finds it difficult to assimilate these darker and more destructive aspects of divine activity of which the Hebrew Bible occasionally speaks."[25] In short, the Canaanite customs interpretation faces two major challenges: its seemingly anachronistic condemnation of the conquest generation and its apparent attribution of Israel's adoption of Canaanite practices to divine agency.

<div align="center">II.</div>

A Psalmist Reads Ezekiel 20

Despite the challenges of Ezek. 20 that have been raised by modern interpreters, these apparent difficulties did not prevent the author of Ps. 106 from citing Ezek. 20 in his own summary of Israel's history. As many have observed,[26] the high concentration of lexical and

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[23] Blenkinsopp, 89.

[24] Blenkinsopp, 90.

[25] Ibid.

[26] Block's important commentary is a notable exception to those identifying a parallel between Ps. 106:26–27 and Ezek. 20:23. Describing the oath recorded in Ezek. 20:23, Block writes, "While in the desert [God] swore to scatter his people among the nations." He continues: "*Neither the preconquest narratives nor any other texts allude to such an event.* This observation, combined with Ezekiel's propensity to apply the expression [וּלְזָרוֹת אֹתָם בָּאֲרָצוֹת], 'to scatter among the lands,' to the present situation, suggests that the prophet has telescoped eight or nine centuries of national history into one cryptic statement and retrojected it on Israel's desert experience" (Block, 636; emphasis added). Not only does Block appear to have missed the intertextual link with Psalm 106:26–27 ["nor any other text"?], but he also appears to read the oath to disperse Israel as necessarily needing to be carried out against the generation to which it was spoken (i.e., the conquest generation who were, at that time, still in the wilderness). Block is not the only scholar who writes on Ezekiel 20 without mentioning its relationship with Psalm 106. Hals, who traces multiple intertextual connections between Ezekiel 20 and other passages of Scripture, does not mention the psalm (Ronald M. Hals, *Ezekiel,* The Forms of the Old Testament Literature, vol. XIX [Grand Rapids: Wm. B. Eerdmans Publishing Co., 1989], 140–141). Patton, also citing multiple intertextual relationships does not include Psalm 106 (Patton, 73). And notably, Zimmerli's landmark commentary also appears to not include this connection (Zimmerli).

syntactical parallels between Ezekiel 20:23 and Psalm 106:26–27 offers compelling evidence that the psalm, often considered to be the receptor text within this literary relationship,[27] has borrowed from Ezekiel's summary of Israel's past.[28] The psalmist's reliance on Ezek. 20 raises interesting exegetical possibilities for the study of the "not-good statutes."[29] How did the psalmist read Ezek. 20 and does his reading provide insight into the more difficult phrases of YHWH's oracle?

The purpose of the analysis that follows is to demonstrate that the psalmist's reading of Ezek. 20 helps to alleviate the chronological and theological problems raised by identifying YHWH's "not-good statutes" as Canaanite customs.

Alleviating the Chronological Problem: Ps. 106:26–27's Reading of Ezek. 20:23

The psalmist's reading of Ezek. 20:23 helps to alleviate the Canaanite customs interpretation's chronological problem by highlighting a forward leap in YHWH's summary. In the most widely recognized instance of intertextual dependence between Ezek. 20 and Ps. 106,

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[27] The identification of Psalm 106 as the later text. Relying on the chronological marker in Ezekiel 20:1, Scholars regularly date the oracle to 591 B.C. While Psalm 106 is far more difficult to date, Ross notes that scholars tend to place it either during or shortly after the exilic period (Allen P. Ross, *A Commentary on the Psalms: 90–150,* vol. 3, *Kregel Exegetical Library* [Grand Rapids: Kregel Academic, 2016], 282).

[28] While Ezek. 20 is typically dated to 591 B.C. on account of the information provided in 20:1, the date for the composition of Ps. 106 is far less certain, though Ross notes that scholars tend to place it either during or shortly after the exilic period (Allen P. Ross, *A Commentary on the Psalms: 90–150,* vol. 3, *Kregel Exegetical Library* [Grand Rapids: Kregel Academic, 2016], 282). Despite the uncertainty around Psalm 106's dating, Kugler argues convincingly that Ezekiel is the earlier text. Her first two arguments focus on Ezekiel's idiolect. Kugler claims that Ezekiel's use of the expressions "lifted my hand" (e.g., Ezek. 20:5, 6, 15, 23) and "scattering them among the nations and dispersing them throughout the lands" (e.g., Ezek. 12:15; 22:15; 29:12; 30:23, 26; 36:19), expressions which also appear in Ps. 106 but with far less frequency, identify the prophet as the source text. An additional argument from Kugler relates to her observation that the view of history promoted in Ezek. 20:23 is the same view promoted throughout the entire chapter: "that the nation's fate is predetermined and exclusively dependent on God's decisions" (Gili Kugler, "The Dual Role of Historiography in Psalm 106: Justifying the Present Distress and Demonstrating the Individual's Potential Contribution," *ZAW* 126:4 [2014]: 548–549). By contrast, it could be said that the psalm has a far greater focus on human participation in the divine plan. This is supported by Swale's analysis which argues that the psalm's chiastic structure draws attention to the intercessory acts of Moses and Phinehas in order to highlight human involvement in the divine plan (Swale, 401–405). Interestingly, these same acts of intercession appear to be highlighted in Ezek. 20 only the human actors—Moses and Phinehas—are not specifically named. This further supports Kugler's contention that Ps. 106:26–27's emphasis on divine prerogative perhaps points to Ezekiel as the source text for the shared material.

[29] Any comparison of these two texts should, of course, proceed with caution considering the differences in genre between Ezek. 20 and Ps. 106. Brettler's warning on this point is worth considering. Commenting on the label "historical psalm" for Pss. 78 and 105, he writes, "To the extent that they each depict *a* past, this is a reasonable label, but close examination indicates that this label obscures more than it reveals. It hides the fact that they each belong to a different genre as well; for example, it is quite clear that Psalm 136, is a communal thanksgiving liturgy (Gerstenberger 2001, 388). The label 'historical psalm' suggests that all such psalms have the same function, but as we have seen, they do not—traditions about a past are 'recalled' for very different reasons… This explains why, when we juxtapose the depiction of the 'same event' in different psalms, the event is often depicted quite differently" (Brettler, "Application of Biblical Source Material" in *Understanding the History of Ancient Israel*, 311). Brettler is quite right to caution the interpreter to consider genre and, therefore, authorial intent despite two texts sharing similar content (in this case, a summary of Israel's history). That said, in the particular case of Ezek. 20 and Psalm 106, the psalmist's citation of Ezek. 20 for his own summary invites a close comparison and analysis of the way in which the psalmist has read his source.

Ps. 106:26–27 leans on Ezek. 20:23 in the psalmist's summary of Numbers 14.[30] Kugler, in her study on Psalm 106's historiography, visually traces the lexical parallels to help demonstrate the close connection between these two texts (see Table 1; lexical correspondences appear in bold):

Ezekiel 20:23		Psalm 106:26–27	
v. 23a	גַּם־אֲנִ֗י נָשָׂ֧אתִי אֶת־יָדִ֛י לָהֶ֖ם בַּמִּדְבָּ֑ר	v. 26	וַיִּשָּׂ֣א יָד֣וֹ לָהֶ֑ם לְהַפִּ֖יל אוֹתָ֣ם בַּמִּדְבָּֽר׃
v. 23b	לְהָפִ֤יץ אֹתָם֙ בַּגּוֹיִ֔ם וּלְזָר֥וֹת אוֹתָ֖ם בָּאֲרָצֽוֹת׃	v. 27	וּלְהַפִּ֣יל זַ֭רְעָם בַּגּוֹיִ֑ם וּֽלְזָר֖וֹתָ֣ם בָּאֲרָצֽוֹת׃

Table 1[31]

Ezekiel 20:23		Psalm 106:26–27	
v. 23a	Also **I swore to them in the wilderness**	v. 26	**And I swore to them** To cause them to fall **in the wilderness**
v. 23b	to disperse **them among the nations** **and to scatter them among the lands**	v. 27	And to cause their descendants to fall **among the nations** **And to scatter them among the lands**

Table 2

As mentioned above, one of the issues raised by identifying the "not-good statutes" of Ezek. 20:25 as Canaanite customs relates to Ezek. 20's chronology. YHWH's summary begins with the exodus generation (Ezek. 20:5–17), however, at 20:18, the summary moves on to address the disobedience of the conquest generation. By Ezek. 20:23, Yahweh is clearly still describing events occurring "in the wilderness" and by the time YHWH speaks of giving Israel "not-good statutes" (20:25–26), no major scene changes have occurred. Presumably, therefore, the actions described in vv. 25–26 are carried out against the conquest generation.

Herein lies the chronological problem: how can the "not-good statutes" refer to Canaanite child sacrifice when those accused of carrying out these practices appear to be the conquest generation who lived centuries before this occurred? Why does YHWH say "they" (the conquest generation) committed child sacrifice (Ezek. 20:26) when the former prophets clearly ascribe this sin to a much later generation?[32]

The psalmist's expanded reading of Ezek. 20:23 (see Tables 1 and 2 above) is helpful at this point. While the psalmist generally retains the wording and syntax of Ezek. 20:23, he does add his own creative touch to the prophet's words.[33] Two important changes, helpfully identified

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[30] Goldingay identifies the Ps. 106:24–31 strophe as summarizing the events of Num. 13–25 (Goldingay, *Psalms*, 231).

[31] This table is adapted from Kugler, 550.

[32] To solve the chronological problem with his interpretation, Blenkinsopp offers the following potential explanation: "The story of the 'binding of Isaac' in Genesis 22 could be read as recommending the substitution of an animal, and this could be taken to imply that the practice [i.e., the practice of child sacrifice] was not unknown in early Israel" (Blenkinsopp, 89–90). In other words, Genesis 22 may indicate that child sacrifice was pervasive in Israel much earlier than the records found in the former prophets. For further discussion on child sacrifice in Israel, see Milgrom, *Leviticus 17–22*, 1586–1591.

[33] Briggs sees the psalmist's reference to exile as a gloss that creates a chronological problem within Ps. 106's summary (Briggs, *Psalms*, 351). However, what Briggs identifies as a gloss should instead be recognized as

by Kugler, are the addition of the infinitive להפיל ("that he would cast them down") and the addition of the noun phrase זרעם ("their descendants").[34] With these additions, Kugler observes that the psalmist "distinguishes between the death sentence that allegedly had already been carried out in the desert, and the sentence of exile by specifying the occasion on which it was originally determined for a future generation."[35] The psalmist, therefore, invites a forward-looking reading that reaches beyond the conquest generation that is being addressed and toward the generation that would one day experience the judgment sworn by Yʜᴡʜ, a reading Frankel rightly commends: "The formulation of [Ezekiel 20:23] is very close to that of Psalm 106:26–27, where it clearly refers to the dispersion of the distant descendants of the Israelites of the wilderness. In light of this, it seems best to understand Ezek 20:23 as similarly referring to the future descendants."[36] This, of course, is not an invented reading. If the psalmist wanted to communicate something radically different from Ezek. 20:23's intrinsic meaning, there would be little reason cite Yʜᴡʜ's summary. The psalmist has simply made explicit what was already implicit in Ezekiel: that the story here jumps ahead to focus on the exile.

The value of the psalmist's reading of Ezek. 20:23 is that it raises the possibility for a similarly forward-looking reading of the pronominal referents in the "not-good statutes" passage that directly follows (20:25–26). If Ezek. 20:23 refers to the conquest generation (clearly the ones highlighted as being disobedient in 20:24), but also looks ahead to the exilic generation (so the psalmist's reading), it is at least possible that Yʜᴡʜ's reference to "them" in the following verse ("I gave *them* statutes that were not good"), could likewise be forward looking.[37] The reading that results is as follows: Ezek. 20:23 relays Yʜᴡʜ's oath to the conquest generation that he would scatter "them." This pronoun not only refers to the individuals receiving the oath, but also to a future generation of their descendants that would experience the promised exile (cf., Ps. 106:27). The narrative then continues this focus on the exilic generation by explaining the

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the psalmist's faithfulness to his source material. Far from being "historically improper" (so Briggs), the psalmist's use of Ezekiel's material alleviates the chronological tension in his source, indicating a level of concern within the psalmist for historiographical propriety.

[34] Kugler, 549.

[35] Kugler, 550. Interestingly, in Psalm 106, the very next event described is the rebellion at Baal-peor with its accompanying judgment. The first of the psalmist's alterations to Ezekiel 20:23 may be an attempt to smoothly introduce this event to his readers.

[36] Frankel, 19.

[37] Ezek. 20:23 may not be the only instance of Yʜᴡʜ's use of a pronoun to refer to historical Israel in a more collective, intergenerational sense within this chapter. In Ezek. 20:28, Yʜᴡʜ declares, "I brought *them* into the land which I swore to give *them*." However, if Yahweh is employing strict referents in his use of pronouns in Ezek. 20 (as some claim), his statement applies more directly to the exodus generation. Frankel explains: "Verse 28 states that YHWH brought the Israelites into 'the land concerning which he lifted up his hand to give to them.' This formulation is not quite accurate… YHWH lifted up his hand to give the land to the fathers living in Egypt (v. 6). He never made this oath to the second generation. Strictly speaking, then, verse 28 should have been formulated to state that he brought the Israelites of the second generation into the land he promised their fathers" (Frankel, 7). Frankel makes this point to support his argument that this verse is not part of the original text. While his conclusions regarding the originality of the text are not accurate, his observation cited here helps to demonstrate that attempts to rigidly identify each pronoun in Ezek. 20 as identifying a specific generation, difficulties result. However, a recognition that some of the pronouns are used in a collective sense helps to alleviate the tensions raised by the more rigid reading.

catalyst that would bring about the fulfillment of Yнwн's oath to disperse Israel among the nations: Israel would adopt "not-good statutes" (Ezek. 20:25) with the prime example being their devolvement into child sacrifice (Ezek. 20:26).

Ezekiel 20:23–26		Generational Referents	Explanation
v. 23a	Also I swore to **them** in the wilderness	conquest generation	Yнwн swears to the conquest generation that they (Israel, collectively across the generations) would be scattered from the land
v. 23b	to disperse **them** among the nations and to scatter **them** among the lands,	exilic generation(s) (per Ps. 106:27)	
v. 24	Because **they** did not do my judgments, but refused my statutes, and defiled my sabbaths, and **their** eyes were after the idols of **their** fathers.[38]	conquest generation	Explanation for the oath: Israel's disobedience
v. 25	I also gave **them** statutes *that were* not good and judgments whereby **they** could not have life.	pre-exilic generations during monarchic period	Explanation of the means by which the oath of exile would be carried out: Israel would engage in Canaanite customs leading to expulsion from the land
v. 26	And I defiled **them** by **their** gifts, by *their* causing to pass over all *their* firstborn, so that I might devastate **them** that **they** might know that I *am* Yнwн.	pre-exilic generations during monarchic period	

Table 3

Returning once again to the context of Lev. 18:5 helps to explain the reason for the narrative's forward leap from wilderness to exile. Lev. 18:3, as noted above, warned Israel of both the influences behind them (Egyptian paganism) as well as those that lay before them (Canaanite paganism). Yнwн's summary in Ezek. 20, leaning heavily on Lev. 18:5 but also on its broader context, demonstrates that Israel failed to heed both warnings. Having demonstrated Israel's failure to reject Egyptian customs (cf., Ezek. 20:8, 16), the narrative jumps forward to demonstrate Israel's additional failure to reject Canaanite customs (cf., Ezek. 20:25–26).

That Ezek. 20:25–26 continues Yнwн's change of focus from the conquest generation to the future exilic generation is demonstrated by the logical flow of the passage. Once the narrative has moved forward to the exile (Ezek. 20:23–24), Yнwн then explains the events that would bring the exile to pass, namely, Israel's embrace of Canaanite customs (Ezek. 20:25–26; cf., Lev. 18:24–25). Heider helpfully explains the connection between Ezek. 20:23–24 and 20:25–26.

> The prophet identifies cultic child sacrifice as the epitome of apostasy, even as do Deuteronomy (12:31) and the Deuteronomic History (2 Kgs 16:3; 17:17; 21:6). This combination helps explain the juxtaposition

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[38] For sake of readability, this translation does not reflect the inverted clausal structure of the Hebrew text which fronts the direct objects for emphasis. A rendering that better reflects Hebrew's ordering of the constituents is as follows: "Because my judgments they did not do, and my statutes they refused, and my sabbaths they defiled, and after the idols of their fathers were their eyes."

of the verses under present study [Ezek. 20:25–26] with the two which precede them, in which Israel is vowed exile [Ezek. 20:23–24]. Ezekiel is appropriating the Deuteronomic logic that the disaster of dispossession from the land lies before Israel for the same reason it had come to the Canaanites at the hands of Israel, viz., participation in the 'abomination of their fathers' (20:4), chief among which was the cult of child sacrifice.[39]

Ultimately, the psalmist's reading of Ezek. 20:23 clarifies the chronology of the whole of Ezek. 20:23–26 by identifying the conquest generation's descendants (Ps. 106:26–27) as the generation that would experience the exile. Thus, the psalmist draws attention to a major forward movement within YHWH's summary that, when recognized, alleviates the chronological difficulties with identifying the "not-good statutes" as Canaanite customs.

Alleviating the Theological Problem: Ps. 106:39's Reading of Ezek. 20:30

Not only does the Canaanite customs view face a chronological problem, but it also faces a theological problem and one that has been recognized from very early on in its interpretive history. Citing rabbinic conversations related to the book of Ezekiel more generally, Kugler highlights multiple passages that caused earlier Jewish interpreters "difficulty" (Ezek. 1) and "embarrassment" (Ezek. 16, 23) as they engaged the prophet's writings.[40] She continues, "To these texts one should add the statement in Chapter 20 which attributes to God a deliberated promulgation of harmful laws for the people of Israel," a passage whose difficulty, Kugler claims, is demonstrated by the lack of discussion in rabbinic literature until the 3rd century AD.[41] While the alternative interpretive solution—that these "not-good statutes" were Israelite misinterpretations—essentially avoids this theological challenge, the Canaanite customs view must explain in what sense it can be said that YHWH gave these customs to Israel.

It is possible that an additional intertextual link between Ezek. 20 and Ps. 106 helps to alleviate this theological tension. While many scholars have noted Psalm 106:26–27's borrowing of Ezek. 20:23, another verbal parallel, Ps. 106:39's shared language with Ezek. 20:30, deserves attention but has gone virtually unnoticed among scholars. Allen represents a rare exception when he observes the potential parallel, but even his note includes only a passing suggestion that the two texts "may be compared."[42] In light of the potential significance of Ezek. 20:30 to the discussion of the "not-good statutes" of 20:25, the psalmist's use of this passage within his own historical summary needs further analysis. The proposed intertextual link reads as follows:

Lexical Parallels Between Ezek. 20:30 and Ps. 106:39		
Ezek. 20:30	הַבְּדֶרֶךְ אֲבוֹתֵיכֶם אַתֶּם **נִטְמְאִים** וְאַחֲרֵי שִׁקּוּצֵיהֶם אַתֶּם **זֹנִים**׃	Are you **defiling** yourselves after the ways of your fathers? Are you **fornicating** after their abhorrent things?
Ps. 106:39	**וַיִּטְמְאוּ** בְמַעֲשֵׂיהֶם **וַיִּזְנוּ** בְּמַעַלְלֵיהֶם׃	And they were **defiled** by their works, and they **fornicated** by their deeds

Table 4

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[39] Heider, 722.

[40] Kugler, *The Cruel Theology of Ezekiel 20*, 47.

[41] Ibid.

[42] Allen, *Psalms*, 49.

Validating the Intertextual Link between Ezek. 20:30 and Ps. 106:39

Because the shared lexemes are significantly fewer than those between Ezek. 20:23 and Ps. 106:26–27, and since this connection has received almost no attention in the literature, a careful case for literary dependence will first be made before considering its implications for understanding the psalmist's reading of Ezek. 20. Following Jeffery Leonard's approach to assessing the validity of intertextual links, the following three observations should be considered when determining whether Ps. 106:39 indeed draws on Ezek. 20:30:[43]

1. *The presence of an exceptionally rare word pair shared between Ezek. 20:30 and Ps. 106:39 strengthens the case for literary dependence between the texts.* According to Leonard's criteria for identifying intertextual links, the presence of "shared language is the single most important factor in establishing a textual connection."[44] Ezekiel 20:30, which picks up on the theme of child sacrifice from Ezek. 20:25, further describes Israel's actions as "defiling" (טמא) acts of spiritual "fornication" (זנה). This word pair in Ezekiel 20:30—טמא and זנה—also appears in Psalm 106:39's description of Israel's engagement in child sacrifice thus establishing the possibility of a literary connection. It is true that while the texts share the זנה / טמא word pair, Ps. 106:39 also includes language not found in Ezek. 20:30. But as Leonard observes, "The fact that a text contains additional language that is idiosyncratic language may be a reflection of the creativity or writing style of a given author" and does not, in and of itself, undermine the possibility of literary dependence.[45] Additionally, it should be noted that the non-shared language in Ps. 106:39 nonetheless maintains semantic continuity with phrases from the proposed source text.

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[43] Jeffery M. Leonard, "Identifying Inner-Biblical Allusions: Psalm 78 as a Test Case," *Journal of Biblical Literature*, 127, no. 4 (Summer 2008): 245–257. Leonard's approach to assessing the validity of intertextual links, which focuses primarily on identifying lexical parallels, relates to his more specific concern of identifying literary "allusion." However, "allusion" indicates an intent by the borrowing author to draw his reader's attention to his source text. Kelly argues that true identification of a literary allusion cannot stop at the recognition of shared language. Leaning on the work of Ben-Porat, Kelly explains that recognizing the similarities between the texts (the focus of Leonard's study) is only the first step toward identifying a literary allusion. After identifying lexical similarities between texts, the reader must then examine how an allusion would advance the alluding text's intent (Kelly, 28–29). Kelly's purpose in examining the Ben-Porat's approach to identifying literary allusion is "to articulate more precisely the problem of relying primarily or exclusively on a formal feature like shared language" (Kelly, 27). In other words, an allusion is not simply the re-use of language from a source text; an allusion is an intentional vehicle of meaning. It is the re-use of the language or ideas of an earlier text for the purpose of enriching in some way the meaning in the author's own text. After exploring Leonard's approach to validating inner-biblical allusion (Leonard, 2008)—which focuses almost exclusively on identifying shared language—Kelly observes that Leonard accomplishes something different than what he sets out to accomplish in his study. "Without additional guidelines that establish a rhetorical function within the literary relationship [i.e., guidelines beyond principles related solely to the analysis of shared language between two texts]… source criticism and literary allusion become theoretically and practically indistinct disciplines" (Kelly, 30). Though Kelly is correct in criticizing Leonard's approach to validating allusions, his study nonetheless reflects excellent methodological considerations for determining literary dependence which is why his study is used here. The purpose of the current paper is not to make claims regarding the presence of allusions to Ezek. 20; rather, the claim here is that the psalmist has drawn on Ezek. 20's summary as a source when constructing his own summary of Israel's past. In so doing, he has left behind clues regarding his reading of Ezek. 20 that offer potential help to modern interpreters.

[44] Leonard, 246.

[45] Leonard, 249.

Ezekiel 20:30 speaks of Israel being "defiled" (shared language) "after the ways of their fathers" (nonshared language) by their spiritual "fornication" (shared language) with "their abhorrent things" (nonshared language). Instead of Israel's defiling "ways," the psalmist speaks of their defiling "works" (בְּמַעֲשֵׂיהֶם); and instead of committing spiritual fornication with their "abhorrent things," the psalmist speaks of their spiritual fornication by "their deeds" (בְּמַעַלְלֵיהֶם). Despite the presence of this nonshared language, the psalmist has nonetheless maintained semantic consistency with his source text and has not fundamentally altered its meaning. In short, the presence of the shared verbs טמא and זנה (despite appearing alongside nonshared language) at least raises the possibility of literary dependence between the texts.[46]

The possibility of literary dependence is further raised by another of Leonard's considerations: that shared language becomes a more valuable marker for identifying literary links when that shared language is rare.[47] While טמא and זנה are not individually rare words, their pairing is. The verb טמא shows up 162 times in the Hebrew Bible while the verb זנה appears 59 times. However, these verbs rarely appear together within the same context. Excluding Ezekiel's usage and the occurrence under discussion in Psalm 106:39, טמא and זנה appear together only two other times in the Hebrew Bible (Hos. 5:3 and Amos 7:17).[48] The point here is that the shared word pair cannot be explained simply as an occurrence of an otherwise common collocation found throughout the Old Testament.[49]

2. *The psalm's widely recognized citation of Ezek. 20:23 in Ps. 106:26–27 increases the likelihood that the psalmist is drawing from additional material in Ezek. 20.* As Leonard

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[46] Differences in phrasing and syntax are quite expected because of the genre differences between these two texts. Though leaning on Ezekiel 20, the psalmist no doubt alters elements of Ezekiel's narrative style to meet the demands of Hebrew poetry. Therefore, this criterion listed by Leonard is especially important to consider when examining allusions where genre differences exist between source and receptor texts.

[47] Leonard, 251.

[48] For this study, all instances of the verbs טמא and זנה (including infinitival and participial forms) occurring within thirty words of each other were examined. This delimiter was meant to be reasonably broad enough to account for all contexts where the words could still be considered paired within a particular context. The exact results, including instances in Ezekiel, are as follows: Ezekiel 20:30; 23:30; Hosea 5:3; Amos 7:17; and Psalm 106:39. When the search is expanded to include all cognate forms of טמא and זנה (i.e., all non-verbal forms that share the same lexical root), the pairing maintains its rarity. The exact results for the expanded search add the additional results to the above list: Ezekiel 23:7; 23:17; 43:7; and Hosea 6:10.

[49] It is true, of course, that any analysis of usage statistics is limited by available data. There is always the possibility that the word pair was common stock among the priests and prophets of Israel in their orations and no longer extant texts. As Edenburg cautions, "Recurrent use of rare, but not unique, expressions may support an argument for literary interrelationship, but should not be viewed as decisive evidence since our knowledge of the language of the biblical authors is limited to a closed corpus of texts, and what appears to be rare within the framework of those texts, may have had wider actual usage" (Edenburg, "How (Not) to Murder a King: Variations on a Theme in 1 Sam 24; 26," 72). The argument for literary dependence, therefore, is best made on factors beyond shared rare language. When considering the possibility of the psalmist's dependence on Ezek. 20:30, the observation of the shared rare word pair should be weighed alongside the additional arguments considered below.

observes: "While an isolated term or phrase may well constitute an allusion, the likelihood of a connection [between two texts] increases with the accumulation of other shared terms."[50] The unique verbal pair טמא and זנה may not, on its own, offer compelling evidence for claiming its dependence on Ezek. 20:39. However, this unique pairing considered alongside additional shared language with Ezekiel 20 strengthens the case considerably. In addition to the well-established citation of Ezek. 20:23 in Ps. 106:26–27 examined above, scholars have noted an additional possible citation in the proposed usage of Ezek. 20:9 in Ps. 106:8.

Ezekiel 20:9	Psalm 106:8
וָאַעַשׂ לְמַעַן שְׁמִי לְבִלְתִּי הֵחֵל לְעֵינֵי הַגּוֹיִם אֲשֶׁר־הֵמָּה בְתוֹכָם אֲשֶׁר נוֹדַעְתִּי אֲלֵיהֶם לְעֵינֵיהֶם לְהוֹצִיאָם מֵאֶרֶץ מִצְרָיִם:	וַיּוֹשִׁיעֵם לְמַעַן שְׁמוֹ לְהוֹדִיעַ אֶת־גְּבוּרָתוֹ:

Table 5

Stopping short of claiming literary dependence, Goldingay has noted the unique phrasing shared by these passages. He observes, "'For the sake of his name' is [an] expression that does not appear in Exodus [i.e., a potentially critical source text for the psalmist's historical summary], but it features in connection with the exodus and wilderness events in Ezek. 20:9, 14, 22."[51] Schnittjer goes farther, claiming the shared language does in fact indicate the psalmist's dependence on Ezekiel for the formulation of his own account of the events of Exod. 14: "The psalmist turns to Ezekiel to offer interpretation of the sea crossing . . . Ezekiel 20:9 provides two theological rationales for salvation at the sea even in the face of Israel's rebellion [i.e., Yhwh saved them for his name's sake and because he had made himself known] . . . The psalmist borrows both of Ezekiel's rationales."[52] Granting Schnittjer's conclusions, this would be a second instance (adding to the instance in Ps. 106:26–27) of material drawn from Ezek. 20.[53] Thus Leonard's observation—that

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[50] Leonard, 253.

[51] John Goldingay, *Psalms 90–150,* Baker Commentary on the Old Testament, vol. 3., ed. Tremper Longman (Grand Rapids: Baker Academic, 2008), 227–228.

[52] Gary Edward Schnittjer, *Old Testament Use of Old Testament: A Book-by-Book Guide* (Grand Rapids: Zondervan Academic, 2021), 515.

[53] It is possible that the psalmist's literary dependence on Ezek is not confined to parallels with ch. 20 only. In his commentary on Psalm 106, Briggs suggests that v. 23 references Ezek 22:30 (Briggs, 342). Briggs's claim is strengthened by the fact that these two passages contain the only occurrences of the shared phrase וְעֹמֵד בַּפֶּרֶץ (= "stand in the breach"; the psalmist exchanging the participle for a finite verbal form to fit his historical context: עָמַד בַּפֶּרֶץ). In addition to the shared phrase, both passages also share similar usage as both refer to an individual interceding for the purpose of deferring divine judgment (Ezek 22:30 refers generically to Yhwh's search for "a man" to intercede and the psalmist applies the phrase specifically to Moses' intercession, cf., Exod. 32:11–14). This observation is relevant to the current study. If Briggs is correct in identifying the shared phrasing as an instance of literary dependence, identifying this additional instance of reliance on Ezekiel provides further justification for exploring links (both ideological and theological) between the two texts.

"the accumulation of shared language" increases the probability of literary borrowing—becomes relevant for identifying Ps. 106:39 as relying on wording from Ezek. 20:30.[54]

3. *The texts' shared literary context—combined with their shared vocabulary and the psalmist's demonstrable use of Ezek. 20 elsewhere—further supports the conclusion that Ps. 106:39 is literarily dependent on Ezek. 20:30.* As Leonard explains, "Shared language *in similar contexts* suggests a stronger connection than does shared language alone."[55] To demonstrate his point, Leonard observes that the word pair אוה and תאוה used in Pss. 78 and 106 occurs only once in the Pentateuch's record of Israel's time in the wilderness (cf., Numbers 11). Because these words are used in these psalms to refer to that same event recorded in Numbers 11 (i.e., they share a literary context), the likelihood of allusion is increased.[56] The relationship between Ezekiel 20:30 and Psalm 106:39 parallels Leonard's example. Not only do these texts share a rare word pair, but they also share identical contexts: both authors use the shared language while discussing Israel's engagement in Canaanite child sacrifice within the context of their respective historical summaries (cf. Ezek. 20:30 with 20:31; Ps. 106:39 with 106:34–38).

To summarize the above analysis, the following arguments, taken together, support identifying Ps. 106:39 as an allusion to Ezekiel 20:30. First, the shared rare word pair raises the possibility of intertextual dependence. Second, that possibility is increased by the fact that the psalmist elsewhere leans on Ezek. 20's oracle. And third, the psalmist uses the language from Ezek. in the exact same literary context as the prophet: to describe Israel's engagement in the sin of child sacrifice.

The Significance of Ezek. 20:30 to the Discussion of the "Not-Good Statutes"

What needs to be observed at this point is that Ezek. 20:30 is an extended description of the "not-good statutes" of Ezek. 20:25. If the statutes of Ezek. 20:25 are taken to refer to Canaanite customs, it is natural to see Ezek. 20:26's reference to child sacrifice as laying out an example of these customs. Ezek. 20:30–31 is an extension of this discussion, a fact that is demonstrated by the repetition of key words. Ezek. 20:26 mentions that Israel was "defiled" (טמא) on account of its child sacrifice (Hiph. of עבר; lit. "cause to pass over").[57] In Ezek. 20:30, YHWH has ended his historical summary of the ancestors' abominations and now addresses Ezekiel's generation for their own sins. He poses the rhetorical question, "Are you defiling yourselves after the ways of your fathers?", thus repeating the key word טמא from 20:26.[58] YHWH

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[54] Leonard, 253.

[55] Ibid., 255; emphasis added.

[56] Leonard, 255.

[57] The Hiphil of עבר could alternatively be translated "present offerings," which is the gloss suggested by HALOT in Ezek. 20:26, 31 (Ludwig Koehler et al., *The Hebrew and Aramaic Lexicon of the Old Testament* (Leiden: E.J. Brill, 1994–2000), 780).

[58] In this rendering, the Niphal participle is taken reflexively. English translations have rendered this verbal in various ways. What is important to note here for this paper is that this word represents a lexical echo with 20:26 thus indicating a continuation of the topic addressed in this previous verse.

then goes on to explain that when they "cause their children to pass through the fire," they are in fact walking in their fathers' ways and thus defiling themselves just as their ancestors did (20:31). Thus, Ezek. 20:30 repeats the key words טמא and עבר of 20:26 to make the following point: the current generation is involved in the same defiling sins as their ancestors. What sin are they guilty of? They have engaged in child sacrifice which earlier was presented as an archetypal example of Ezek. 20:25's "not-good statutes."[59] Therefore, when Ps. 106:39 leans on the language of Ezek. 20:30, he has incorporated the section of YHWH's summary that contains the "not-good statutes" into his own summary. But the question remains, how has he read it?

	Lexical Echoes Connecting Ezek. 20:25–26 with 20:30–31	
25	וְגַם־אֲנִי נָתַתִּי לָהֶם[אֲבוֹתָם] חֻקִּים לֹא טוֹבֵים וּמִשְׁפָּטִים לֹא יִחְיוּ בָּהֶם:	Yahweh gives "not-good statutes" to "them" [Israel's **ancestors**]
26	וָאֲטַמֵּא אוֹתָם בְּמַתְּנוֹתָם בְּהַעֲבִיר כָּל־פֶּטֶר רֶחַם לְמַעַן אֲשִׁמֵּם לְמַעַן אֲשֶׁר יֵדְעוּ אֲשֶׁר אֲנִי יְהוָה:	Archetypal "not-good statute" practiced by the ancestors: **defiled** on account of **causing** their firstborn **to pass over**
30	לָכֵן אֱמֹר אֶל־בֵּית יִשְׂרָאֵל כֹּה אָמַר אֲדֹנָי יְהוִה הַבְּדֶרֶךְ אֲבוֹתֵיכֶם אַתֶּם נִטְמְאִים וְאַחֲרֵי שִׁקּוּצֵיהֶם אַתֶּם זֹנִים:	Question to descendants: Are you **defiling** yourselves like your **ancestors**?
31	וּבִשְׂאֵת מַתְּנֹתֵיכֶם בְּהַעֲבִיר בְּנֵיכֶם בָּאֵשׁ אַתֶּם נִטְמְאִים לְכָל־גִּלּוּלֵיכֶם עַד־הַיּוֹם וַאֲנִי אִדָּרֵשׁ לָכֶם בֵּית יִשְׂרָאֵל חַי־אָנִי נְאֻם אֲדֹנָי יְהוִה אִם־אִדָּרֵשׁ לָכֶם:	Archetypal "not-good statute" practiced by Ezekiel's generation: **defiled** on account of **causing** their children **to pass over** in the fire

Table 5

The Psalmist's Reading of Ezek. 20:30

The psalmist's discussion of Israel's adoption of Canaanite customs begins in Ps. 106:34. This verse records Israel's failure to destroy the Canaanite inhabitants of the promised land (106:34).[60] Just as God had warned (cf., Deut. 7:4; 20:18; etc.), Israel "learned the works" of the Canaanites (106:35) that remained after the conquest and began worshipping their gods (106:36). Elaborating on this idolatry, the psalmist goes on to highlight Israel's adoption of Canaanite child sacrifice. These offerings spilled innocent blood and defiled the land (106:38). It is at this point in his historical summary—in a final description of Israel's adoption of child sacrifice—that the psalmist borrows from his Ezekiel source: "So they were defiled by their works, and they fornicated by their deeds" (106:39; cf. Ezek. 20:30).

Alleviating the Theological Problem: Ps. 106:39's Reading of Ezek. 20:30

[59] This is Heider's understanding of the relationship between 20:25 and 20:26 as was mentioned above (Heider, 722).

[60] The word "destroy" (שמד) here reflects the psalmist's choice of language as he summarized God's command to the conquest generation. There are, of course, several words used throughout the Pentateuch and the former prophets to describe Israel's actions toward the Canaanites.

While the psalmist does not cite Ezek. 20:25 directly, his dependence on Ezek. 20:30 nonetheless draws on the broader context of the "not-good statutes." The psalmist's willingness to use Ezek. 20:30 in his own summary of Israel's adoption of Canaanite customs indicates that his understanding of this portion of Israel's history is not radically different from that of the prophet's. Thus the psalmist presents an alternate, though theologically compatible, account of Israel's adoption of the Canaanite custom of child sacrifice. YHWH claimed that as an act of judgment he gave Israel Canaanite customs; the psalmist presents an alternative and theologically compatible account that clarifies Ezek. 20:25.

First, the psalmist helps demonstrate that YHWH's unique wording "I gave them not-good statutes" is rhetorically tailored to the unique theological emphasis of his oracle. Specifically, YHWH's summary includes a concentrated focus on divine agency. Ezek. 20:13, which appears to relay the golden calf incident, makes no mention of Moses' intercession while the psalmist does (Ps. 106:23; cf., Exod. 32:7–24).[61] In YHWH's summary, he decides when to judge and he decides when to defer judgement. A similar contrast in emphasis appears in Ezek. 20:21–22's summary of the events at Baal-peor. While YHWH makes no mention of Phinehas's intercession, the psalmist does (Ps. 106:30; cf., Nu. 25:1–9). This pattern of Ezek. 20's emphasis on divine agency (contra the psalmist's emphasis on human involvement) appears again in the account of Israel's practicing child sacrifice. While the psalmist's summary emphasizes Israel's failures in this episode (Ps. 106:34), YHWH's summary continues to emphasize divine agency: "I gave them not-good statutes." Contrasting the psalm with Ezek. 20 demonstrates that the unique wording of Ezek. 20:25 can be accounted for by considering the unique theological emphasis of YHWH's oracle. Thus, as Feinberg observes, YHWH here once again emphasizes divine agency with an arresting wording in which he "identifies Himself with the instruments of His wrath."[62]

Second, the psalmist helps readers recall that the unique formulation in Ezek. 20:25 is more at home in Israel's historical traditions than it at first appears. Within the psalmist's stanza describing Israel's engagement in Canaanite child sacrifice (106:34–39), the psalmist alludes to earlier texts warning Israel of the "snare" (מוֹקֵשׁ) of Canaanite religion: "They mixed with the people [i.e., the Canaanites], and they learned their doings, and they served their idols, and they became a snare to them" (Ps. 106:35–36). This last phrase, "they became a snare to them," recalls YHWH's warnings throughout the Pentateuch and into the former prophets. First appearing in Exod. 23:33, God warning of Canaanite influence should they be allowed to remain in the land is repeated again in Exod. 24:12 and Deut. 7:16. However, when the warning appears in the speeches of Joshua (Josh. 23:13) and the angel of YHWH (Judg. 2:3), the formulation slightly changes with both texts warning that failure to drive out the inhabitants would result in

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[61] Ezek. 20's summary is vague on details and speaks in generic terms (notice, for example, the lack of place names, etc., that would help the audience align descriptions with their corresponding historical traditions). This leads Greenberg to comment that Ezekiel's "schematic presentation ignores all the particulars of the Pentateuchal traditions" potentially on account of its highly stylized form. However, despite the vague way in which the events are relayed, it is clear that the first record of YHWH's (post-Exodus) law being given (i.e., Sinai) appears in Ezek. 20:11. And the reference to Israel's subsequent disobedience (20:13a), the threat of divine punishment (20:13b), and deferred wrath on account of his concern for his reputation (20:14) are all details that align well with the golden calf incident.

[62] Feinberg, Feinberg, 112–113. Citing this section of Feinberg's commentary, Kaiser calls his explanation "one of the finest treatments of this problem" (Kaiser, 25, fn. 31.)

Yʜᴡʜ's allowing the Canaanites to retain a foothold in the land ("I will not drive them out from before you," Judg. 2:3).[63]

Exodus 23:33	Psalm 106:36
וְגַם אָמַ֫רְתִּי לֹא־אֲגָרֵשׁ אוֹתָם מִפְּנֵיכֶם וְהָי֣וּ לָכֶם לְצִדִּ֔ים וֵאלֹ֣הֵיהֶ֔ם יִהְי֥וּ לָכֶ֖ם לְמוֹקֵֽשׁ׃	וַיַּעַבְד֖וּ אֶת־עֲצַבֵּיהֶ֑ם וַיִּהְי֥וּ לָהֶ֖ם לְמוֹקֵֽשׁ׃
Exodus 34:12	
לֹ֣א יֵשֵׁב֮ בְּאַרְצְךָ֒ פֶּן־יַחֲטִ֥יאוּ אֹתְךָ֖ לִ֑י כִּ֤י תַעֲבֹד֙ אֶת־אֱלֹ֣הֵיהֶ֔ם כִּֽי־יִהְיֶ֥ה לְךָ֖ לְמוֹקֵֽשׁ׃	
Deuteronomy 7:16	
וְאָכַלְתָּ֣ אֶת־כָּל־הָֽעַמִּ֗ים אֲשֶׁ֨ר יְהוָ֤ה אֱלֹהֶ֨יךָ֙ נֹתֵ֣ן לָ֔ךְ לֹא־תָחֹ֥ס עֵֽינְךָ֖ עֲלֵיהֶ֑ם וְלֹ֤א תַעֲבֹד֙ אֶת־אֱלֹ֣הֵיהֶ֔ם כִּֽי־מוֹקֵ֥שׁ ה֖וּא לָֽךְ׃	
Joshua 23:13	
יָד֙וֹעַ֙ תֵּֽדְע֔וּ כִּי֩ לֹ֨א יוֹסִ֜יף יְהוָ֣ה אֱלֹֽהֵיכֶ֗ם לְהוֹרִ֤ישׁ אֶת־הַגּוֹיִם֙ הָאֵ֣לֶּה מִלִּפְנֵיכֶ֔ם וְהָי֙וּ לָכֶ֜ם לְפַ֣ח וּלְמוֹקֵ֗שׁ וּלְשֹׁטֵ֤ט בְּצִדֵּיכֶם֙ וְלִצְנִנִ֣ים בְּעֵֽינֵיכֶ֔ם עַד־אֲבָדְכֶ֗ם מֵעַ֨ל הָאֲדָמָ֤ה הַטּוֹבָה֙ הַזֹּ֔את אֲשֶׁר֙ נָתַ֣ן לָכֶ֔ם יְהוָ֖ה אֱלֹהֵיכֶֽם׃	
Judges 2:3	
וְגַם אָמַ֫רְתִּי לֹֽא־אֲגָרֵ֥שׁ אוֹתָ֖ם מִפְּנֵיכֶ֑ם וְהָי֤וּ לָכֶם֙ לְצִדִּ֔ים וֵאלֹ֣הֵיהֶ֔ם יִהְי֥וּ לָכֶ֖ם לְמוֹקֵֽשׁ׃	

Table 6

While it is difficult to determine which of the above five passages the psalmist alludes to, argument can be made for identifying Judges 2 as the psalmist's source. In his study on allusion in Psalm 106, Matthew Swale argues for Judges 2 as the antecedent text on account of the large number of lexical parallels appearing in high concentration within the psalm.[64] This is potentially significant on account of the theological outlook of Judg. 2. In addition to the warning that the remaining Canaanites would become a snare (2:3b), but Yʜᴡʜ would no longer fight against them (2:3a), he would leave them "to test" Israel's obedience (2:22), and he would allow the Canaanites to remain in the land (2:23). If the psalmist here relies on Judg. 2, as the lexical parallels appear to suggest, it is at least possible that his reference to Canaan's gods becoming

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[63] Joshua 23:13 and Judges 2:3 repeat the warnings in nearly identical ways with slight adjustments to their context—Joshua's text taking the pre-conquest perspective and Judges the post-conquest perspective.

[64] Matthew E. Swale, "Structure, Allusion, Theology, and Contemporary Address in Psalm 106," *Bibliotheca Sacra* 176:704 (Oct. 2019): 406. Swale's study is specifically focused on overlaps Ps. 106:34–46 and Judges 2:11–23 (where he observes fourteen parallels). This, of course, does not include Judg. 2:3. However, when he increases the parameters of his study to the entire book of Judges, an additional sixteen parallels are discovered. With the tremendous amount of shared language, it does indeed seem likely that the psalmist's reference to "snares" leans on the Judges version of the warning.

snares invites readers to recall the broader description of YHWH's actions recorded in this antecedent passage.

It is not difficult to see a theological parallel between the Canaanite snare tradition and a theological explanation for Ezekiel's "not-good statutes." By not driving out the Canaanites, Yahweh did, in a sense, give Israel "not-good statutes and judgments whereby they could not have life." These were not the statutes of the law given at Sinai; these were the statutes—the ways of living but especially the ways of worshipping—practiced by the Canaanites Israel failed to drive out. Ezekiel 20:25–26 does not record an active lawgiving like the scene that played out at Sinai; rather, it records a passive one. Ezekiel's reference to Yahweh's dealings does not embellish the past or twist Israel's history. It makes explicit what the Canaanite snare tradition made implicit: by leaving the Canaanites in the land, their gods would become a snare to YHWH's people, and Yahweh would permit them their choice. He would give them their desired "not-good statutes."[65]

The claim here is not necessarily that the psalmist is using the snare tradition to support or explain the theology behind Ezekiel 20:25–26. That would be difficult or perhaps even impossible to prove. The claim here is that the psalmist, when describing Israel's devolvement into Canaanite child sacrifice, leans on traditions in Israel's past that are theologically aligned with Ezekiel's explanation. Seeing the psalmist's rendition of this period of Israel's history, and knowing that he was to some extent relying on and interacting with the historical schema of Ezekiel 20, perhaps provides additional insight into navigating the theology behind the challenging claims of Ezekiel 20:25–26.

Conclusion

Ezek. 20:25–26's startling phrasing has generated a tremendous amount of discussion as commentators attempt to work through the historical and theological problems presented in the text. This paper has suggested that of the two major interpretations frequently presented in scholarship, the Canaanite customs view is preferable on account of the juxtaposition of

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[65] Without leaning on the psalmist's reading, adherents to the Canaanite customs view of Ezek. 20:25 have come to similar theological explanations. Of the various explanations of the theology behind YHWH's claim that he gave Israel Canaanite customs, Kaiser opines that Feinberg's is best (Kaiser, 25, fn. 31.) For this reason, it is worth including here in full: "Undeniably, this heathenish worship [i.e., Canaanite child sacrifice] was never promoted by God, but rather strongly condemned by Him many times in the Old Testament prophetic messages. Ezekiel was declaring that in retribution the Lord allowed them to go after their own ways in order to punish them according to their deeds. The passage is speaking in the sense of a judicial sentence. The problem is susceptible of solution if we see that God identifies Himself with the instruments of His wrath and His providential chastisements which He brings upon Israel in answer to their sin. The Lord gave them these worthless and unprofitable statutes in the same sense as Isaiah 63:17. Disobedience leads to greater sin. Sin becomes its own punishment (Ps. 81:12; Ezek. 14:9; Acts 7;42; Rom. 1:24–25; II Thess. 2:11). The statutes were not good in the sense that they did not lead to life and welfare ('whereby they should not live,' v. 25*b*). Of course, the matter of justification by the law is not in view here. An example of the outworking of the principle in verse 25 is to be found in Numbers 25. The Lord punished Israel by allowing the worshipers of Baal to tempt them to idolatry, and then by judging them for their departure into idolatry. Verse 26 is the divine commentary on verse 25. In the polluting worship of Molech, children were cast into the fire as a sacrifice to the idol. Judicial blindness from God resulted in this degradation. . . The gifts referred to were all God had given them, the produce of the ground and their children. The firstborn of man and animals (Exodus 13:12) belonged to God, and were not to be offered to Molech (Deut. 18:10). The unbelieving were deluded continually and increasingly until they ended in death" (Feinberg, *Ezekiel*, 112–113).

Canaanite statutes as the antithesis of Sinaitic law in the original context of Lev. 18:5. But neither of the major views is without difficulties, with the Canaanite customs view presenting both chronological and theological problems. However, it has been suggested that Ps. 106, which appears to draw from Ezek. 20 in several places, provides a sort of guide to the modern reader presenting potential solutions to the difficulties raised by YHWH's claim, "I gave them statutes that were not good."

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One theological connection that may be seen as an additional indicator of the psalmist's reliance on (and therefore acceptance of) the theological outlook of Ezek. 20 is by observing its structuring Israel's story around two individuals whose intercessions averted God's wrath. As Goldingay observes, Psalm 106:24–31's "plot follows that of vv. 13–23, only now Phinehas, not Moses, acts to avert Yhwh's wrath" (Goldingay, *Psalms* 231).

- Furthermore, the fact that the psalmist identifies the intercessors as Moses and Phinehas while Ezekiel leaves them unmentioned (seemingly presenting Yhwh's decision to defer his wrath as completely autonomous and unaffected by human intercessors) open up an interesting similarity as well as dissimilarity (JT).
    - Similarity: both summaries focus on Yhwh's deferral of his wrath
    - Dissimilarity: Ps. 106 connects the actions of human agents to Yhwh's wrath whereas Ezek. makes no mention of human agency.
        - If this observation does indeed mark unique characteristics of the theological presentations of Ezekiel 20 and Psalm 106, then it would make sense for the psalmist to move away from Ezek.'s presentation of Yhwh acting alone (i.e., "I also gave them statutes *that were* not good") and toward a presentation that includes human agency (i.e., "they did not destroy the peoples").