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YAHWEH'S *RÎB* AGAINST ISRAEL:  
*GERICHTSREDE* AND THE MESSAGE OF MICAH

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## INTRODUCTION

In this essay I endeavor to explain how the *Gerichtsrede* or lawsuit (*rîb*) form contributes to the message of Micah. After delineating various scholarly positions on the nature of the *rîb* form, I use a brief exegesis of Micah 6:1-8 to show how the prophet's free use of this form strengthens his calls for Israel to embody repentant faithfulness toward faithful Yahweh.

## THE LAWSUIT (*RÎB*) FORM

The central term in this discussion is the Hebrew root רִיב (*rîb*), which occurs three times in the book of Micah (6:1, 2[x2]; 7:9). Swanson notes that the semantic range of the noun form of *rîb* includes “contention, hostility, quarrelling, legal dispute, taunting, fighting, accuser, court, and pain.”<sup>1</sup> It is this fourth possible meaning, “legal dispute, lawsuit, grievance, i.e., a legal action taken in court as a contest between two parties for justice,”<sup>2</sup> which has to what has been called the *Gerichtsrede* or lawsuit form. According to the *Theological Wordbook of the Old Testament* (TWOT):

There has been much discussion in recent times of the *rîb* motif as referring to the divine lawsuit against Israel for having broken the covenant. [...] It is indeed true that the figure of God's “controversy” with Israel is couched in legal terms. But it may be doubted if the wording of the “lawsuit” is a necessary feature of the prophetic speech based on an appeal to a covenant form, or if it is a broader figure based on God's eternal relation of love to his people.<sup>3</sup>

I shall trace the rough contours of the *rîb* discussion below.

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<sup>1</sup>J. Swanson, *Dictionary of Biblical Languages with Semantic Domains : Hebrew (Old Testament)* (electronic ed.; Oak Harbor: Logos Research Systems, Inc., 1997), DBLH 8190, #9.

<sup>2</sup>Swanson, *DBLH* 8190, #9.

<sup>3</sup>R. L. Harris, Archer, G. L., & Waltke, B. K., *Theological Wordbook of the Old Testament* (electronic ed.; Chicago: Moody Press, 1999, c1980), 845.

Relying on the work of Gunkel and Begrich, Huffmon provides the following main outline for the lawsuit form, of which there are variations:

- I. A description of the scene of judgment
- II. The speech of the plaintiff
  - A. Heaven and earth are appointed judges
  - B. Summons to the defendant (or judges)
  - C. Address in the second person to the defendant
    1. Accusation in question form to the defendant
    2. Refutation of the defendants possible arguments
    3. Specific indictment<sup>4</sup>

In the occurrence of this form at Psalm 50; Isaiah 1:2-3; 3:13-15; Jeremiah 2:4ff; and Micah 6:1-8, “Yahweh is the plaintiff, Israel is the defendant, and heaven and earth, according to Gunkel, are the judges.”<sup>5</sup> Huffmon then devotes considerable space to discussing this last point, the roll of the heaven and the earth, claiming that “this address to the natural elements is used only within the framework of passages that represent, imitate, or resemble the ‘lawsuit.’”<sup>6</sup> He comes to the conclusion that the heaven and earth are invoked not as judges or as members of Yahweh’s divine assembly, but as witnesses to the covenant (cf. similar appeals at Deut 4:26; 30:19; and 31:28).<sup>7</sup> Micah 6:1-8 is therefore an example of the lawsuit form as “an indictment of Israel for breach of covenant.”<sup>8</sup>

Watson uses an exegesis of Micah 6:1-8 to show the fruitfulness of form criticism, claiming that “the passage is illumined when the form in which the oracle is given is discovered and delineated.”<sup>9</sup> Based on a thorough delineation of the passage’s components, and yet also on a reduction of *rib*’s semantic domain to merely “trial” or “lawsuit,” Watson claims that Micah 6:1-8 is “one of the foremost examples in the prophets of the *Gerichtsrede*,

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<sup>4</sup> Herbert B. Huffmon, "Covenant Lawsuit in the Prophets," *JBL* 78 (1959): 285.

<sup>5</sup> Huffmon, 286.

<sup>6</sup> Huffmon, 289.

<sup>7</sup> Huffmon, 292.

<sup>8</sup> Huffmon, 295.

<sup>9</sup> Paul L. Watson, "Form Criticism and an Exegesis of Micah 6:1-8," *Restoration Quarterly* (1963): 63.

or trial-form.”<sup>10</sup> Similarly, although restricting the pericope to 6:1-5, Laney maintains that it is “best understood against the background of the international lawsuit. For literary and communicative purposes Micah has adopted the lawsuit forms which originally functioned in the sphere of international relations to bring God’s lawsuit against the people of Israel.”<sup>11</sup> According to Laney, passages like Micah 6:1-5 (including Hos 4:1-3, Isa 1:2-3, and 1:18-20) exemplify a legal process in which “a covenant lawsuit [is] brought by a messenger (a prophet) against the vassals (the people of Israel) for their violation of their treaty (the Mosaic covenant) with the Great Suzerain (Yahweh).”<sup>12</sup>

Ramsey dissents from Huffmon, Watson, and Laney by differentiating between “Complaint Speech” and “Judgment Speech,” based upon the presence/absence of “emphasis on forthcoming judgment.”<sup>13</sup> However, the strongest dissent comes from De Roche, who argues that to call the *rîb* form a “lawsuit” is to impose upon the text “a modern technical term that has no real Hebrew equivalent.”<sup>14</sup> De Roche maintains that “the word *rîb* does not in itself indicate a juridical process. It is a more general term indicating only that one party has grievance against another.”<sup>15</sup> He concludes that almost all *rîb* oracles are not modeled after lawsuits, and that the terms “prophetic lawsuit” and “covenant lawsuit” should therefore

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<sup>10</sup> Watson, 64.

<sup>11</sup> J. Carl Laney, “The Role of the Prophets in God’s Case against Israel,” *Bibliotheca Sacra* 138 (1981): 322.

<sup>12</sup> Laney, 323.

<sup>13</sup> He notes that, in Deut 32:1-43; Judg 2:1-5; 6:7-10; 10:10-16; Ps 81; Isa 1:2-3; Jer 2:2-37; and Mic 6:1-8, “there is practically no announcement of aggressive punitive action by Yahweh against Israel.” George W. Ramsey, “Speech-Forms in Hebrew Law and Prophetic Oracles,” *JBL* 96 (1977): 45.

<sup>14</sup> Michael De Roche, “Yahweh’s *Rîb* against Israel: A Reassessment of the so-called ‘Prophetic Lawsuit’ in the Preexilic Prophets,” *JBL* 102 (1983): 564.

<sup>15</sup> De Roche, 568. According to De Roche, this grievance can be solved in one of three ways: (1) between the two contending parties themselves (cf. Gen 3:7-9), (2) by a third party agreed upon to mediate the dispute (cf. Gen 31:28), or (3) by a acknowledged judge whose jurisdiction transcends the dispute and whose ruling is therefore binding. However, “it is only if the *rîb* is solved by this third means that it can properly be referred to as a lawsuit.” See De Roche, 569.

be abandoned.<sup>16</sup> Barker, however, maintains that De Roche has probably overreacted.<sup>17</sup> Nevertheless, as a concession to De Roche's valid points, he allows that "it might be preferable here to use Westermann's term 'legal procedure.'"<sup>18</sup>

On balance, then, it seems best to arrive at a mediating position with regards to the viability of the *rîb* form as a lawsuit. As long as the distinction between a *rîb* and a lawsuit in the modern technical sense can be maintained, I see no reason to abandon completely the legal terminology. After all, such abandonment (in favor of terms like "complaint speech") runs the risk of stripping the biblical *rîb* oracles of their *gravitas*. It seems preferable to use phrases such as "covenant accusation" or "case," which still carry legal/judicial connotations without retaining as much technical baggage as "lawsuit" might involve.

However, while discussions regarding the presence/absence of emphasis on forthcoming judgment or the bilateral vs. trilateral nature of various disputes have their merits, at some point these conversations should include examinations of the rhetorical effects of the *rîb* form. After all, whether "lawsuit," "complaint speech," or "legal procedure" best describes the *rîb*, there was a reason for its use, especially in the prophetic literature. I now turn to the book of Micah to examine how the *rîb* form is employed to intensify the prophetic call for repentance and covenant faithfulness.

#### MICAH 6:1-8

Micah 6:1-8 has been periodically mentioned throughout the discussion above because it is the clearest example of covenant accusation in the book of Micah. Coming at the beginning

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<sup>16</sup> De Roche, 574.

<sup>17</sup> Kenneth L. Barker, "A Literary Analysis of the Book of Micah," *Bibliotheca Sacra* 155 (1998): 441.

<sup>18</sup> Barker, 441. Cf. Claus Westermann, *Basic Forms of Prophetic Speech* (trans H.C. White; London: Lutterworth, 1967), 199.

of Micah's third and final cycle of judgment and salvation,<sup>19</sup> 6:1-8 employs the *rîb* covenant accusation form to implicitly accuse Israel of a lack of reciprocal covenant faithfulness to Yahweh (6:1-7), ending with a beautiful and concise summary of what such faithfulness should entail (6:8).

Much along the same lines as the previous discussion, McConville claims that the *rîb*-form of 6:1-8, instead of being viewed as a strict lawsuit form, "is better termed a 'covenant accusation.' It is not a rigid form, but used freely by the prophet."<sup>20</sup> As Ben Zvi notes:

[T]he text suggests to the intended readers that the image of legal procedures should not be taken too literally, and certainly not in a mimetic form. Indeed, the text clearly contradicts the expectations raised by a lawsuit simile. For instance, the identities of the accusers, accused, judge, and perhaps even the preside of the session if the last is not identified with the judge are not clear. It is often unclear who is speaking and to whom. In addition, there is no clear, explicit accusation in 6:3-5.<sup>21</sup>

While I agree with Ben Zvi's claim that Micah 6:1-8 is not meant to be read as a strict lawsuit form, I take a more optimistic view of the level of certainty we can achieve regarding the speakers' identities. Following Laney's analysis mentioned above, I hold that 6:1-8 is a covenant accusation brought by the prophet, on behalf of Yahweh, against the people of Israel for breaching the Mosaic covenant.<sup>22</sup>

The passage opens with a summons, first for the people of Israel to arise and plead their *rîb* before the mountains and hills (6:1) and then for the mountains and the foundations of the earth to hear Yahweh's *rîb* against his people (6:2). As Waltke notes, "the mountains served as sober and salient witnesses to the truthfulness of *I AM*'s accusation. They 'saw' both his saving acts that demanded as the only reasonable response Israel's heartfelt

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<sup>19</sup> Following the structural approach to Micah adopted by Allen (260-1), Barker (437-41), and J. Gordon McConville, *A Guide to the Prophets*, Vol. 4 of Exploring the Old Testament (Downers Grove, IL: IVP Academic, 2002), 197. First cycle: 1:1-2:13; second cycle: 3:1-5:15[14]; third cycle: 6:1-7:20.

<sup>20</sup> McConville, 199.

<sup>21</sup> Ehud Ben Zvi, *Micah*, Vol. XXIB, FOTL (Grand Rapids: Eerdmans, 2000), 150.

<sup>22</sup> Laney, 322-3.

commitment to *I AM* and also Israel's unfulfilled obligations."<sup>23</sup> Furthermore, they were also present to witness the curses promised for covenant faithlessness (cf. Deut 28).<sup>24</sup>

Yahweh's *rîb* against Israel is then presented in two strophes, each beginning with "my people" (*'ammî*; 6:3-4, 5). The first contains two rhetorical questions<sup>25</sup> which blend the roles of plaintiff and defendant (6:3). The questions seem to imply that the people of Israel had an accusation against Yahweh, that he had somehow wronged them. However, in Yahweh's defense of himself, he implicitly accuses Israel of wrong and of wearying him with their faithlessness. This is clear from the implicit answers to the rhetorical questions based on the verses to follow. What had Yahweh done wrong? *Nothing*. How had he wearied or burdened them? *He had not done so*. As Chisholm notes, "the similarity in sound between the Hebrew verbs translated 'burdened' and 'brought up' draws attention to the contrast between their false accusation and reality."<sup>26</sup> Yahweh had brought them from Egypt and provided them with leaders (6:4). Furthermore, in the second strophe he draws the people's attention to his successful intervention on their behalf (against Balak and Balaam) and his faithful deliverance of Israel through the Jordan and into the Promised Land (6:5).

In 6:1-5, Micah speaks on Yahweh's behalf to the people. In 6:6-7, he appears to speak on the people's behalf toward Yahweh, wondering aloud what is required to enter into Yahweh's presence. However, it is unclear whether the progression from burnt offerings (6:6b) to firstborn child (6:7b) is sincere or ironic hyperbole. If sincere, Micah appears to be representing the people's intensely legitimate, yet misplaced, desire to meet Yahweh's standards. If ironic, then he is illustrating their pompous, self-righteous attempt to

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<sup>23</sup> Bruce K. Waltke, *A Commentary on Micah* (Grand Rapids: Eerdmans, 2007), 375.

<sup>24</sup> Waltke, 375. Although there is not an emphasis on punishment in the pericope at hand, there are promises of punishment in the pericope to follow (6:9-16), and throughout the rest of the book.

<sup>25</sup> "[W]hat have I done to you? How have I wearied you?" Micah 6:3, English Standard Version (ESV).

<sup>26</sup> Robert B. Chisholm, Jr., *Handbook on the Prophets* (Grand Rapids: Baker Academic, 2002), 425.

sarcastically critique the impossibly high requirements for pleasing their deity. Based on Micah's blunt descriptions of the people's callous propensity for injustice elsewhere (cf. 3:1-4), however, the latter option seems most likely.

The pericope concludes with Micah's reminder to the people of Yahweh's *true* standards. "Apparently the people felt the Lord was being unfair to them. They brought plenty of sacrifices, but yet the Lord seemed displeased with them. Perhaps some thought the Lord wanted to burden them with more sacrifices. Micah refuted this kind of thinking by demonstrating that God's priorities are justice, loyalty, and obedience, not sacrifice."<sup>27</sup> The prophet thus shows his willingness and ability to adapt the lawsuit accusation form to meet his own needs. This is not the sentence/punishment end his audience might have expected. Instead, it is a beautiful distillation of the covenant principles to justice, steadfast love, and humility.

#### CONCLUSION: CONTRIBUTION TO MICAH'S MESSAGE

Although 6:1-8 is the clearest example of covenant legal procedure in the book, the form has its echoes throughout. Although they do not contain the term *rîb* as 6:1-8 does, Barker maintains that 1:2-7; 3:1-4; and 6:9-19 are all examples of divine covenant lawsuit or legal procedure form, presumably based on the presence of a call to "hear" and accusations related to the covenant.<sup>28</sup> I agree with his position of flexibility, because it seems to match Micah's willingness to modify the lawsuit form to achieve his own ends. Taking this approach allows us to transcend what can often be tiresome debates within form criticism to focus on the rhetorical effect of Micah's use of the *rîb* form to enhance his prophetic message.

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<sup>27</sup> Chisholm, 425.

<sup>28</sup> Barker, 441-7.



As Allen notes, “the God of Micah is supremely the covenant God.”<sup>29</sup> His summary of Micah’s use of covenant accusation merits quotation at length:

Micah reminds the community of the debt they owe to the grace of Yahweh, which is exemplified in the series of saving acts that commenced at the Exodus and culminated in their arrival in Canaan (6:4f.). These basic deeds of grace they all knew well from their recital in services of worship, but they had ceased to be moved by them sufficiently to shoulder the social and moral obligations laid down in the terms of the covenant. The *good* had been revealed (6:8), but there was little sign of the fellowship of the covenant being worked out in the community (2:2, 8f.; 6:10f.). The justice of God and the loyalty of God were not being reflected in dealings between those who shared in the covenant relationship with God. It was against the absence of justice, both in its forensic sense and in its wider meaning as a comprehensive term for fulfillment of the covenant’s demands, that Micah inveighed (3:1-3, 9; 6:8).<sup>30</sup>

The prophet knew that true faith in Yahweh leads to faithfulness toward Yahweh. He was also well aware of Israel’s faithlessness, their heinous breaches of covenant. Although scholarly opinion on the precise nature of the *rib* form is divided, Micah was willing and able to adapt this form in a way that was designed to convince his audience of the gravity of their covenant violations in the face of Yahweh’s accusations. Micah’s use of the covenant accusation form enhanced his call for the people of Israel to repent and be faithful to their God. After all, Yahweh was more than a formidable plaintiff. He was and is a faithful savior.

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<sup>29</sup> Leslie C. Allen, *The Books of Joel, Obadiah, Jonah, and Micah*, NICOT (Grand Rapids: Eerdmans, 1976), 254.

<sup>30</sup> Allen, 254.

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