Psalm 44: The Powers of Protest

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

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

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

The dividing line between complaint and protest is not easy to draw. One
distinguishing characteristic is the roles given to God and to the human enemies. Most of the complaints in the communal laments differentiate between the source of distress, commonly identified as the human enemies, and God, who, being uninvolved in the distress, is the addressee of petitions for help (as in Psalms 74; 79; 137; etc.). Psalm 44 is among the few communal laments that lay responsibility for the actual action of destruction and exile upon God (while the human enemies play only minor roles in the affliction); nevertheless, the psalmist still calls for divine help. This distinction may serve as a starting point from which to delineate the unique voice of Psalm 44.

My goal is to discuss the themes and the techniques by which protest is expressed in Psalm 44. I will first present the voice of protest that governs this psalm’s language and literary structure, and then, by identifying intertextual connections, I will discuss the polemical nature of this protest.

I. Protest in the Language and Literary Structure of Psalm 44

The protest in Psalm 44 exhibits both formal and thematic features. It is first articulated by the voice of the psalmist speaking directly to God. Although God is thrice designated by two terms (הֶלְצָר [vv. 2, 9]; אֱלֹהִים [v. 24]), throughout the psalm God is emphatically addressed in second person verb forms with first person plural pronominal suffixes (bָעֲשֵׂנִי שָׁפֵטֶנִי, “You give us victory” [v. 8]; לֹא נָתַן עָנָה וַתֹּאכַלֵנוּ, “Yet You have rejected and disgraced us”; לֹא נָתַן בְּנֵי עַם, “You do not go with our armies”; תְּשִׁבֵנִי אַחֲרוֹן, “You make us retreat”; תְּתַנֵּנוּ מַכָּל, “You give us victory”), sense to indicate any questioning of, or protest against the adequacy of inherited faith” (p. 12). Brueggemann brought lament (including protest) into the contemporary Christian discussion in “The Costly Loss of Lament,” JSOT 36 (1986) 57-71; and see Mark J. Boda’s counterapproach in “The Priceless Gain of Penitence: From Communal Lament to Penitential Prayer in the ‘Exilic’ Liturgy of Israel,” HBT 25 (2003) 51-75. Thus, Morrow’s book Protest against God (2006) is a welcome contribution.

8 Similar voices of protest characterize, for instance, Lamentations 2 and Psalms 80 and 89. Another distinction between complaint and protest is that in complaints the psalmists recognize their/the people’s sins and complain to God over the long distress (as in Psalm 79), whereas protests express the psalmists’ view that the distress is unwarranted. In fact, many communal laments lack a confession of sins, which in itself may be understood as a subtle protest (e.g., Psalms 74; 77; 123; 137). See my “Socio-Ideological Setting,” 54-55.

9 Morrow (Protest against God, 45-61; 76-105) discusses formal and thematic features of protest in individual laments as well as in communal laments and suggests “degrees of severity” within the rhetoric of complaint, from implicit criticism of God to direct protest against God.

10 Ingvar Fløysvik (When God Becomes My Enemy: The Theology of the Complaint Psalms [Saint Louis: Concordia, 1997]) 47-67) presents Psalm 44 among other individual and communal psalms of complaint (the other psalms discussed are Psalms 6; 44; 74; 88; 90) and points out several of the formal and thematic features to be adduced below. Two central components are added in the present study: the protest and its traits, and the intertextual connections that set the psalm in a larger theological context. With regard to the latter, I profoundly disagree with Fløysvik’s conclusion (ibid, 176).
“You let them devour us” (זְרִיתָנוּ); “You disperse us” (v. 10, and so on in vv. 10-23). This stylistic feature, which indeed illustrates the central place given to the relationship between God and the people, accentuates even more the perception of conflict between God and the people, who in most of these verbal phrases are the victims of affliction brought about by God’s actions.\(^{11}\)

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

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

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

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


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

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

\(^{15}\) For יְֹמָה repeated in reference to God’s saving deeds, see Kraus, *Psalms 1–59*, 446.
present misdeeds express desertion of the people: “Yet You have rejected and disgraced us; / You do not go with our armies” (v. 10). Moreover, God’s actions contribute to the enemies’ success: “You let them devour us like sheep; / You disperse us among the nations” (v. 12). This amounts to delivering the people into the enemies’ hands: “You sell Your people for no fortune, / You set no high price on them” (v. 13). Finally, God consigns the people to disgrace, shame, and mockery: “You make us the butt of our neighbors, / the scorn and derision of those around us. / You make us a byword among the nations, / a laughingstock among the peoples” (vv. 14-15).16

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

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<tr>
<th>vv. 2-9</th>
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<tr>
<td>לאמים, גוים</td>
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<td>עושב</td>
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<td>קמינו, צאר</td>
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God remains the Warrior, yet rather than save the people from their enemies, God becomes the major foe who empowers the people’s enemies.

This literary structure closes in an opposition between v. 9 and vv. 16-17. The voices of constant praise, “( באלהים הללנו כל היום | In God we glory constantly [NJPSV: at all times],” v. 9), change into permanent self-contempt, כל היום כלמתי | always | aware of my disgrace” [v. 16]), and the only voice heard is “the sound of taunting revilers” (v. 17).17

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

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

17 Martin Kessler (“Psalm 44,” in Unless Some One Guide Me . . . : Festschrift for Karel A. Deurloo [ed. Janet W. Dyk et al.; Maastricht: Shaker, 2001] 193-204, here 198) points out the contradiction between the elements of perpetual praise in v. 9 and perpetual disgrace in vv. 16-17. I suggest that this contrast between v. 9 and vv. 16-17 calls for a yet deeper appreciation of מגדף, which at face value appear to apply to the people of God (cf. also Isa 51:7; Zeph 2:8), but in the present context may also denote blasphemy against God (see 2 Kgs 19:22; Isa 37:23; also Zeph 2:10).
against the people and to the consequences of these deeds for the people’s distressing situation (B: vv. 20, 23). This God–people opposition is given formal expression also in the verbal phrases. In contrast with vv. 10-17, God and people here switch grammatical places. With the exception of v. 20 (דכיתנו, “You cast us,” והכס עלינו, “and covered us over”), the people are the agents of the verbal phrases (or suffixes) in vv. 18-23 and thus appear in the first person plural; God becomes the object of action (וֹשָׁכָנוּ בְּבֵרְיָתֶךָ, “yet we have not forgotten You, / or been false to Your covenant” [v. 18]; כִּי עַלָּךְ הָרָגָנוּ, “It is for Your sake that we are slain” [v. 23, etc.]; compare vv. 10-17, etc., and v. 20). This grammatical feature reinforces the thematic opposition suggested in these verses between the people’s loyalty, on the one hand, and God’s fatal actions against them, on the other, which thus brings forcefully to the fore the question of divine justice.

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

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

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19 For this and other “keyword plays,” see Kessler, “Psalm 44,” 202-4. Compare Fløysvik (When God Becomes My Enemy, 64-65), who argues that this flow presents a steady trust and faithfulness on the part of the people in order to emphasize that “Only God’s actions have changed.”
20 Bernard F. Batto (“The Sleeping God: An Ancient Near Eastern Motif of Divine Sovereignty,” Bib 68 [1987] 153-77) points out the use of divine “sleep as a symbol of divine authority” in mythic creation episodes (pp. 159-64). Yet, with the exception of Psalm 74, which ties together creation and exodus traditions, most of the psalmodic contexts of individual (Psalms 7; 35) and communal laments (Psalms 44; 59 [see v. 6]) do not develop this image of God as Creator, but rather present God as Lord of History, in the character of Warrior, Sovereign, and King (cf. also Ps 78:65; and compare Batto, 169-72). This difference, however, is not observed in Andrzej Mrozek and Silvano Votto’s criticism of Batto (“The Motif of the Sleeping Divinity,” Bib 80 [1999] 415-19).
dus traditions, which have become the paradigmatic examples for God’s benevolent response to the people’s agony (Exod 3:6-9; Deut 26:7). The psalmist completes the prayer with a further call for help. From the midst of the people’s distress, which brings them as low as the dust of the ground (“We lie prostrate in the dust; our body clings to the ground” [v. 26]), the psalmist calls on God to arise—to regain sovereignty, thus to help and redeem the people (“Arise and help us, redeem us, as befits Your faithfulness” [v. 27]). God is still considered to be, and can still prove to be, Savior of the people. The goal of protest (similar to the goal of the complaint in general) is to bring a change—to cause God to awaken and act in favor of devoted, suffering, and innocent believers.

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

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

This structure highlights the mental turmoil in which the protestor-psalmist is trapped. Throughout the psalm, the poet declares faith in God, devotion to God, and a continuing bond with the community of believers (vv. 5, 23). Yet, in the proclamation of innocence and obedience (vv. 18-23), the psalmist concentrates on three problematic issues: agonizing over God’s warlike judgmental
actions against the people, emphasizing the people’s loyalty to God and to the covenant, and measuring the present political distress through the concept of retribution. Throughout, the psalmist’s anxiety does not obscure the orderly criticism of the way in which these three elements seem to function in the present situation of distress.

II. Two Covert Polemics

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

A. Responsibility for Breaching the Covenant Relationship

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

v. 18: All this has come upon us, yet we have not forgotten You, or been false to Your covenant.

vv. 21-22: If we forgot the name of our God and spread forth our hands to a foreign god, God would surely search it out, for He knows the secrets of the heart.
The verb **שׁכֵּחַ** ("forget") commonly occurs in the Bible in two opposing phrases that reverse their subject and object, **והם שׁכְּחָה את יהוה אלהיו**, "the people forgot Yhwh its God," versus **יהוה שׁכֵּחֶה את עם**, "Yhwh forgot his people." The contexts in which these phrases occur demonstrate their central theological weight in justifying God’s actions or, on the contrary, in protesting against them/against God. Repeating **שׁכֵּחַ** first in the negative (in v. 18), and then in an oath (v. 21), the psalmist refutes the repeated accusation set out commonly by Deuteronomy, by the Deuteronomistic historiographers, and by the prophets, especially Jeremiah.

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

Jeremiah continues this line of thought in his prophecies of judgment on the people, using Deuteronomic phraseology and themes to lay the blame for the present distress on the disobedient people (Jer 3:21; 13:25; 23:27 [twice]). In two series of rhetorical questions, the prophet expresses the inexplicable behavior of Israel. First, Jer 2:32 asks:

(אין מספר)

**מַעְנֵי** שׁכֵּחָה, / אֶלֶּה שׁכֵּחֶה את עם יִשְׂרָאֵל / תְּמוֹם **שָׁמָּן** / *Yet My people have forgotten Me— / days without number*). Subsequently, in Jer 18:13-17, the prophet designates the people’s behavior as unheard of and horrible:

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

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

30 Horst D. Preuss, "**שׁכֵּחַ**," *TDOT*, 14. 671-77.
Assuredly, thus said the LORD:
Inquire among the nations:
Who has heard anything like this?
Maiden Israel has done
A most horrible thing.
Does one forsake Lebanon snow
from the mountainous rocks?
Does one abandon cool water
flowing from afar?
Yet My people have forgotten Me:
They sacrifice to a delusion:
They are made to stumble in their ways—
The ancient paths—
And to walk instead on byways,
On a road not built up.
So their land will become a desolation,
An object of hissing for all time... .
Like the east wind, I will scatter them
Before the enemy.
I will look upon their back, not their face,
In their day of disaster.

Three points of similarity connect Ps 44:18-23 with Jer 18:13-17. First, the use of the verb שכחת denotes, for the prophet, the people’s violation of the covenant: כי תשכחו ש createContext ושם כפרתי (Jer 18:15; see also 23:27). As we have seen, the psalmist fiercely negates this accusation: ולא שכחת, “yet we have not forgotten You” (Ps 44:18).
Second, the image of transgression as straying off the road, implying the worship of other gods (Jer 18:15; so also Jer 3:19-22, esp. v. 21), is contravened in Ps 44:19:“Our hearts have not gone astray / nor have our feet swerved from...
Your path” (to be discussed below). Finally, both texts share the portrayal of God’s active role in the destructive punishment to come. Using the first person, Jeremiah’s prophecy threatens that God’s active judgment will cause military defeat (v. 17) and total destruction (v. 16). Psalm 44 presents this same conception as the core of its protest in vv. 10-17.

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

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

B. Divine Justice

Similarly, in both subsections of vv. 18-23, a second polemic brings to the fore the issue of divine justice. Through allusions to the language of Psalm 37,
the psalmist examines the ideology of retribution as advocated in its most conventional way. Psalm 37:30-31 thus describes the “righteous one”:

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

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

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

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


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

38 In military contexts, (נסוג אחור) means “turn back, withdraw, flee” (as in 2 Sam 1:22; Jer
The linguistic connection between the two psalms draws attention to the fact that the author of Psalm 44 evokes other verses from the earlier psalm as well, as covert hints that the psalmist’s own lament is in dialogue with this psalm.39

In the explanatory clauses of Ps 44:22b, the author makes a second allusion to Psalm 37: “God would surely search it out, / for He knows the secrets of the heart” (תעלמות לב). This statement echoes Ps 37:3-4: “Trust in the LORD and do good, / abide in the land and remain loyal. Seek the favor of the LORD, / and He will grant you the desires of your heart.” Yet in this context the allusion raises a grievous outcry: God certainly knows the secrets of the heart (Ps 44:22), but seems to have ignored this knowledge in visiting disaster upon the people, whom God must know to be innocent of wrongdoing.

A third thematic connection between the two psalms rests on the association between land and righteousness. Brueggemann points out the emphasis in Psalm 37 on the land as the reward of the righteous (vv. 3, 9, 11, 18, 22, 34), and on the divine presence and help guaranteed to the pious.40 The two are exemplified in Ps 37:27-29:

Shun evil and do good,
and you shall abide forever.
For the LORD loves what is right,
He does not abandon His faithful ones.
They are preserved forever,
while the children of the wicked will be cut off.
The righteous shall inherit the land,
and abide forever in it.

38:22). In the religious sphere, standing in parallelismus membrorum with פָּשַׁת, רָדָה, בֵּית, etc., this phrase denotes disloyalty to God and rebellion (e.g., Isa 59:13; Zeph 1:6; Mic 2:6; and Ps 78:57). As in Isa 50:5, the pious one would commonly deny the possibility of any disloyalty: אֲנִי לֹא מַרִית (וְאַחֲרוֹנִי לֹא נִנְּסָגוּ). A similar assertion is made by the poet of Psalm 80, another communal lament that is presumed to reflect the crisis of the destruction: לֹא תָמִּיאוּ אֵין כם מַקְרֵי וְשַׁמְּךָ מַעֲבֹרָם (We will not turn away from You; / preserve our life that we may invoke Your name” [v. 19]).

39 For the concept of an “intertextual pattern” gained through the interaction of these two texts, see Tanner, Psalms through the Lens of Intertextuality, 73. For the influence of Psalm 37 on Second Temple literature (I Enoch and the Qumran Pesher on Psalm 37 [4Q171]), see Ruth Clements, “Let the Wicked Vanish Like Smoke: Psalm 37 and the Conception of ‘Us’ vs. ‘Them’ in Early Jewish and Christian Interpretation” (paper presented at the annual meeting of the Society of Biblical Literature, San Antonio, Texas, November 2004).

40 Brueggemann (“Psalm 37,” 234) argues that the psalm widens its perspective to the communal-social-ethical context and reflects “the voice of a self-assured property-owning class which believes ‘the system works.’”
Although there is no literal similarity (thus no direct allusions; compare זה, לו, פלש [37:27, 28, 29] to נאם [44:24]; עב [37:28] contra צמח [44:24]; and the lack of reference to the verbsਸכן, ישש, דקפ, שים), Psalm 44 seems to stand in a thematic opposition to the conventions of reward and retribution in Psalm 37. Psalm 44 accentuates the tension between the people’s piety and the distressing reality of dislocation they face. Contrary to the assertion “He does not abandon His faithful ones” (Ps 37:28), God has indeed deserted the faithful people, “Yet You have rejected and disgraced us” (44:10). Thus the psalmist requests, “do not reject us forever” (אלה תזנח לנצח [44:24]).41 Their suffering as they are scattered among the peoples (44:12-17) can hardly illustrate the promise (or the convention) that the faithful “shall abide forever” (שם כך científ in the land (37:27b, 28b; see further 44:23). The direct accusation in 44:20, “Though You cast us, crushed, where jackals reside / and covered us over with deepest darkness,” indicates the loss of the inherited land and loss of life—the fate opposite to that of the righteous one emphasized in 37:27-29.42

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

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

42 The NJPSV translation “sea monster” follows מן תנים of Ezek 29:3; 32:2. In this context, however, מון תנים may better suit a place “were jackals reside”; see Briggs and Briggs, Psalms, 381-82; Weiser, Psalms, 355; Kraus, Psalms 1–59, 448.

43 This then may be the reason for the lack of the terms connected to righteous and wicked, which are so prominent in Psalm 37. Compare Psalm 7, which presents petitions to God to act as a judge in favor of the innocent psalmist, called צדיק (v. 10), over against the psalmist’s enemy, called אויב, צאצא, רע, להב (“my pursuer, my foe, enemy” [vv. 2-6]). The terms are transformed to the plural in the national context: אויבים, צאצאים, רעים, להבים (“my foes, peoples, peoples” [7:7-9]). Finally, in opposition to the צדיק, the foes are designated as רעים (“wicked” versus “the righteous” [7:10; as well as Psalm 35]). Gerstenberger (Psalms, 1. 65) defines the genre of Psalm 7 as “Protestations of Innocence.” Therefore, Kraus’s reference (Psalms 1–59, 448) to the implied theme of צדיק in this psalm suggests this direction. But Kraus does not mention the intentional avoidance of terminology.
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ately to refrain from directly using the terminology typical of the wisdom psalms (شاء, צדיק, etc.).

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

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

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

III. Conclusion

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

The opposition between righteous and wicked is transformed in the communal laments as part of the conception of God as judge. See Ps 74:18-21, and also Psalms 9–10, which use alternately the termsשע andישא (“nations” and “wicked” [9:16-18, 20-21]) to designate the opponents, whereas the people are indicated by such expressions asשע (“downtrodden,” “orphan,” “lowly,” “oppressed” [9:10; 10:2, 9, 18]), andריע (“the hapless” [10:10]), andריעפ (“those who know Your name . . . those who turn to You” [9:11]; this last in opposition toשכחי ("all the nations who ignore God" [9:18]). The latter distinction draws a national-religious difference between the two groups. On the contrary, Psalm 44 does not employ this terminology and is directed to only the national sphere, with God as warrior.
The psalm’s treatment of “orthodox” traditional concepts deserves a further comment. Doubt and protest have often been tied by modern scholars to the process of rethinking, reshaping, even rewriting old traditions.\textsuperscript{45} Protest, however, gains its powers in Psalm 44 precisely from the psalmist’s trust in the constancy of three interconnected roles of God: Warrior, Lord of the people, and Judge. Protest, though harsh, does not contradict a basic belief in God. The author of Psalm 44 continues to expect that God will act in the future just as in the past. The psalmist treats the present as a temporary, though long and painful, period during which God’s face is hidden.\textsuperscript{46}

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

In all piety, the psalmist clings to the just people over the justification of God.

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

\textsuperscript{46} Psalm 44 has gained a central position in discussions on martyrdom in the tannaitic period. For its place (esp. vv. 18-23) in medieval Jewish philosophy, see Joseph Hacker, “‘If We Have Forgotten the Name of Our God’ (Psalm 44:32): Interpretation in Light of the Realities in Medieval Spain” (in Hebrew), Zion 57 (1992) 247-74.

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

\textsuperscript{48} A further connection to the concept of retribution is found in the verb \“\textsuperscript{חקר} explore, search out\” in Ps 44:22; see also Jer 17:10; Pss 7:10; 139:1, 23.

\textsuperscript{49} So Gerstenberger, Psalms, 1. 185. In contrast to Gross, who emphasized the resemblance to Job in the theological resolution of the crisis (“Psalmen 44 und 77,” 218-21), I would accentuate the \textit{unresolved} cry of protest in Psalm 44.