

**THE STRUCTURE OF DEUTERONOMY AND THE FUNCTION OF CH 27:
A DISCOURSE ANALYTIC INQUIRY INTO THE REDACTIONAL AND
AUTHORIAL WORK OF DEUTERONOMY'S NARRATOR**

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ABSTRACT

This study explores the extent to which it is possible to describe the structure of Deuteronomy in a manner that accounts for the features of the book's narrative frame, the interpolations in the Mosaic speeches, and especially the function of ch 27. Previous approaches to the structure of Deuteronomy from the perspectives of covenant, composition, and the identification of parallels are evaluated by the author to be limited, both methodologically and in their ability to account for the position and function of ch 27. A methodology is described for the discourse analysis of Deuteronomy's narrative framework from the theoretical orientation of functional linguistics, which integrates Miller's research into the discourse function of quotative frames in Biblical Hebrew. Applying this methodology to Deuteronomy's narrative frame, the author formulates hypotheses about the narrator's work as an author and redactor of source material. Sustained attention is then paid to ch 27, which the author suggests functions as an interpolated gloss on the mutual oath between YHWH and Israel described in 26:16-19. The chapter is then exegeted in this light.

The scope of the study's detailed analysis is limited to Deuteronomy's narrative frame and ch 27. The author develops conclusions touching on diachronic issues of composition and redaction on the basis of synchronic analysis of the final form of the Masoretic Text. The hypotheses contribute fresh suggestions to the discussion of Deuteronomy's narrative structure and to the discussion of the latter stages of the book's redaction. The analysis models an approach to redaction criticism informed by recent developments in linguistic typology and empirical research into a communicative strategy employed in Biblical Hebrew of particular relevance to this text.

I declare that the work in this thesis was carried out in accordance with the regulations of the University of Gloucestershire and is original except where indicated by specific reference in the text. No part of the thesis has been submitted as part of any other academic award. The thesis has not been presented to any other education institution in the United Kingdom or overseas.

Any views expressed in the thesis are those of the author and in no way represent those of the University.

Signed Date

For Kate, Josiah, and Seth

יברכך יהוה וישמרך
יאר יהוה פניו אליך ויחנך
ישא יהוה פניו אליך וישם לך שלום

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INTRODUCTION

If ever there were a passage which appears to have been roughly manhandled by a redactor, Deut 27 would be it. The chapter intrudes into an otherwise straightforwardly organised speech, re-introducing the speaker in the third person. Parts of the passage, such as the sexual prohibitions of vv. 20-23, seem more at home in P and incongruous with the rest of Deuteronomy. And its list of curses appear redundant in light of the much more comprehensive covenant sanctions in ch 28.

The contextual problems of ch 27 are a particularly acute example of some of the wider difficulties with Deuteronomy's structure as a whole. In the history of Deuteronomic studies, these have been bound up with discussion of the book's composition. The traditional ascription of Deuteronomy's authorship to Moses was questioned by Ibn Ezra even in pre-critical times on the basis of the narrator's point of view, the references to a seemingly later 'present time' for the narrator interpolated into Moses' speeches, and the fact that the book describes Moses' death.¹ Spinoza argued that Ibn Ezra's observations could be pressed much further,² but the discussion of Deuteronomy's composition did not take a decisive turn until De Wette's identification of this with the Josianic reform.

De Wette significantly influenced Wellhausen's classic articulation of the Documentary Hypothesis, within which Deuteronomy's structure was viewed as reflecting three major

¹ Abraham ben Meïr Ibn Ezra, *The Commentary of Abraham Ibn Ezra on the Pentateuch: Deuteronomy* (trans. Jay F. Schachter; Hoboken: KTAV Publishing House, 2003), 1-2.

² Benedict de Spinoza, *Tractatus Theologico-Politicus, Tractatus Politicus* (trans. R. H. M. Elwes; London: Routledge, 1862), 121-25.

stages of the book's composition: (a) the creation of *Urdeuteronomy* in the North; (b) its expansion in the latter years of the Southern monarchy; and (c) its final redaction in the postexilic period.³ Since Wellhausen, discussions of Deuteronomy's structure have been dominated by this paradigm, either as attempts to revise or to supplant it. As a result, the investigation of the book's structure has progressed in step with the developing discussion over its compositional history and provenance.

Aim

Similar to previous investigations, the present study is concerned with both Deuteronomy's synchronic structure and diachronic composition, but takes as its starting point an analysis of the book's narrative frame (i.e. the story within which Moses' long speeches are embedded). This distinguishes the present investigation from various other descriptions of Deuteronomy's structure that cut across the narrational series of speeches that constitute the book's narrative shape. Problematic features of Deuteronomy's narrative frame include instances of seemingly redundant repetition (e.g. 1:3-4 & 4:46-49) and asynchronous presentation of events on the storyline (e.g. 31:9-32:47). Such features are often explained on diachronic grounds, and/or considered to be structuring devices. However, the same structural devices often lead different interpreters to draw conflicting conclusions with no objective basis to choose between them.

In light of the above, the aim of this investigation is to explore the extent to which it is possible to describe the structure of Deuteronomy in a manner that accounts for the features of the book's narrative frame, the interpolations in the Mosaic speeches, and especially the function of ch 27. A synchronic analysis of Deuteronomy's narrative frame is performed by employing discourse reading techniques, with a view to drawing conclusions both synchron-

³ See chapter one for a more detailed outline of Wellhausen's view.

ically about the structure of Deuteronomy and diachronically about the redactional work undertaken by an editorial hand very near the end of the book's process of composition.

This editorial hand is treated as a redactor and author who had complete freedom to shape the details of the narrative frame as he saw fit. (My reasons for using the masculine pronoun to denote this particular redactor shall become apparent in the course of the investigation.) If a late redactor of Deuteronomy did not have the freedom to shape Deuteronomy's narrative, then there is no reason why this narrative frame should cohere as a discourse. It would be remarkable if the details of Deuteronomy's narrative frame cohered as a complex discourse if it had reached its final form through a process of unreflected accretion. Rather, if such cohesion can be observed, this points to the work of an organising mind late in the process of composition. Given that the editorial hand under examination is responsible primarily for Deuteronomy's narrative frame, he shall be referred to as "the narrator."

Focus on Ch 27

Chapter 27 is given special treatment in this investigation because the contextual and redactional problems surrounding it are particularly acute. It thus serves as a useful indicator of the relative success of the hypotheses produced by the analysis undertaken.

By re-introducing Moses in the third person ch 27 sits uncomfortably between chs 26 & 28 where he speaks in the first person. If the chapter did not intrude, the declaration of the blessings and curses in ch 28 would otherwise be expected to flow immediately from ch 26. The relationship between ch 27 and ch 28 is also not immediately obvious. If ch 28 were a new speech, then it is the only speech in Deuteronomy that has no narrative introduction, however if ch 28 were a continuation of the last speech in ch 27, then this speech would seem to be quite disordered:

27:11-13	Command to bless and curse
27:14-26	List of curses
28:1-14	List of blessings

28:15-68 List of curses

Chapter 27 also introduces lots of temporal shifts into the otherwise unified temporal focus of chs 5-26 & 28:

5-26	"today"
27:1-8	"when you have crossed the Jordan"
27:9-10	"today"
27:11-26	"when you have crossed the Jordan"
28	"today"

As well as this apparent disjointedness, parts of ch 27 appear too similar to surrounding material, and thus redundant. Verses 9-10 appear to merely repeat 26:16-19; while vv. 11-26 appear to say the same thing as ch 28.

Several factors also make ch 27 stand out from the rest of Deuteronomy. The geographical focus of ch 27 is centred on Gerizim and Ebal (i.e. in Shechem) rather than Moab (the rest of Deuteronomy). Thematic and theological distinctions between ch 27 and the rest of the Deuteronomy are noted by von Rad:⁴

Now, 27.1-8, 11-26 differ also in content from all the rest of Deuteronomy, in which general rules for life valid for all time were promulgated. These passages are concerned with cultic instructions, one in each passage; when they have been carried out there is no more to be done. Moreover, what is the relationship of the altar on Gerizim to the place "in one of the tribes where Yahweh will let his name dwell",...

Polzin observes another unique feature of the speeches in ch 27:⁵

Within this body of Mosaic utterances, in one instance, 27:1-8, Moses and the elders of Israel speak as one in direct discourse, and in another instance in the same chapter, 27:9-10, Moses and the Levitical priests are quoted in direct discourse. In all other cases in the reporting of Moses' words, Moses speaks alone.

⁴ Gerhard von Rad, *Deuteronomy: A Commentary* (Philadelphia: Westminster John Knox Press, 1966), 164-65.

⁵ Robert Polzin, *Moses and the Deuteronomist: A Literary Study of the Deuteronomistic History: Part One Deuteronomy, Joshua, Judges* (New York: The Seabury Press, 1980), 25.

Outline and Approach

It was stated above that the aim of the present study is to explore the extent to which it is possible to describe the structure of Deuteronomy in a manner that accounts for the features of the book's narrative frame, the interpolations in the Mosaic speeches, and especially the function of ch 27. From this, five questions can be distilled for specific treatment over the course of the analysis:

1. Who is the narrator, or what can be known about him?
2. What sources did he make use of to produce Deuteronomy?
3. Who was he writing for, and for what purpose?
4. How does he structure his story?
5. and How does ch 27 fit into this and why does it feel so out of place?

A justification for the present study is made in chapter one, which surveys the major views on Deuteronomy's structure. Limitations with previous approaches are identified both in their method and their explanation for the function of ch 27.

Chapter two describes the methodology of the present study. While the present investigation is interested to uncover the diachronic process of a particular redactor's work, that of the narrator, this entails a synchronic reading of Deuteronomy. Foundational concepts from functional grammar and recent research into the discourse function of quotative frames in Biblical Hebrew are used to describe the method of discourse analysis employed. It will be seen that the theoretical basis of the investigation is mostly indebted to the work of Simon Dik and Cynthia Miller.

Chapter three applies these analytical tools to Deuteronomy's narrative frame. From the above list, this chapter shall be primarily concerned with questions one to four. On the basis of this analysis a fresh attempt shall be made at describing the identity of the narrator, the sources he used, the purpose for which he appears to have written, and the way he struc-

tures Deuteronomy.

In chapter four, these hypotheses about Deuteronomy's structure and the narrator's use of sources shall be brought to bear on the various contextual problems of ch 27. This chapter is primarily concerned with the fifth question posed above. A suggestion for the function of ch 27 in context shall be proposed, and its contents exegeted in that light.

1. THE STRUCTURE OF DEUTERONOMY AND CH 27 IN PREVIOUS RESEARCH

The structure of Deuteronomy has received considerable attention in the past one hundred and fifty years. This chapter surveys three of the most prominent approaches, covenant, composition, and the identification of parallels, as well as specific treatments of ch 27. Justification for the approach of the present study shall be made by identifying limitations with the methodology of previous approaches, as well as with their explanation for the function of ch 27 in context. This will pave the way for the description of the methodology adopted by the present study in chapter two.

1.1 Covenant

The description of Deuteronomy's structure as a "covenant" could have a range of meanings. The following discussion shall treat the topic under two headings, the consideration of Deuteronomy as "treaty" and as "law code." The survey shall consider both how ch 27 is treated within such structural schemas, and evaluate the methodological strategies used for the comparative analysis of Deuteronomy with ANE documents.

1.1.1 Deuteronomy as Treaty

In 1938, von Rad identified a covenantal macro-structure to the book of Deuteronomy by comparison with other biblical material:⁶

- | | |
|-------------|--|
| 1. 1-11 | Historical description of the events at Sinai and paraenesis |
| 2. 12-26:15 | Explanation of the law |
| 3. 26:16-29 | Covenant commitment |

⁶ Gerhard von Rad, *Das formgeschichtliche Problem des Hexateuch* (Beiträge zur Wissenschaft vom Alten und Neuen Testament 4; Folge Heft 26; Stuttgart: W. Kohlhammer Verlag, 1938), 24-25. Descriptions of structures have been modified from various writers in order to make their comparison easier for the reader.

4. 27ff. Blessings and curses

This structure draws attention to the pericope immediately preceding ch 27, but associates the chapter with what follows. Von Rad identified previously unappreciated structural features of the book, nevertheless his outline cuts across the book's putative shape as a narrational sequence of speeches.

Bickerman was the first to draw the parallel between biblical covenants and Hittite treaties in 1950, noting common features in the ceremonies establishing such covenants.⁷ However, biblical scholars' interest in the potential parallel was kindled by Mendenhall, who in 1954 argued over the course of two articles that biblical covenants shared the same structure as that of Hittite treaties, whose form had recently been identified by Korošec.⁸ From the latter's research, Mendenhall described six elements usually present within Hittite treaties:⁹

1. Preamble
2. Historical prologue
3. Stipulations
4. Provision for deposit in the temple and periodic public reading
5. List of gods as witnesses
6. Cursings and blessings formula

He also reconstructed the following enacted features that accompany such treaties:

7. An oath
8. A formal ceremony alongside the oath
9. A procedure for dealing with a rebellious vassal

Four influential developments of Mendenhall's work were undertaken by Baltzer (1960), Kline (1960), McCarthy (1963), and Kitchen (1965).¹⁰ Baltzer studied under von Rad and ad-

⁷ Elias J. Bickerman, "Couper une alliance," *Archives d'histoire du droit oriental* 5 (1950): 133-56; Elias J. Bickerman, *Studies in Jewish and Christian History* (Arbeiten zur geschichte des antiken Judentums und des Urchristentums 1; Leiden: Brill, 1976), 10-13; E. J. Bickerman, *Studies in Jewish and Christian History: A New Edition in English including The God of the Maccabees* (Leiden: Brill, 2007).

⁸ Viktor Korošec, *Hethitische Staatsverträge* (Leipziger rechtswissenschaftliche Studien 60; Leipzig: Th. Weicher, 1931); George E Mendenhall, "Covenant Forms in Israelite Tradition," *The Biblical Archaeologist* 17 (1954): 50-76; George E Mendenhall, "Ancient Oriental and Biblical Law," *The Biblical Archaeologist* 17 (1954): 26-46.

⁹ Mendenhall, "Covenant Forms in Israelite Tradition", 58-60.

¹⁰ Klaus Baltzer, *Das Bundesformular* (Neukirchen: Neukirchener Verlag, 1960), later translated into English, Klaus Baltzer, *The Covenant Formulary: in Old Testament, Jewish, and Early Christian Writings* (trans. David E. Green; Oxford: Blackwell, 1971); Meredith G. Kline, "Dynastic Covenant," *Westminster Theological Journal* 23 (1960): 1-15, released shortly afterwards as chapter two in Meredith G. Kline, *Treaty of*

opted his observation that covenant structures could be observed both in Deuteronomy as a whole and in its constituent parts. His analysis concentrated on the latter, particularly the two passages 1-4:40 and 28:69-30:20.¹¹ According to Baltzer, it is Deuteronomy's covenant structure that means the final text "represents a unified whole."¹²

In two independent studies, Kline and Kitchen used the treaty structure to argue for the unity of Deuteronomy and its provenance in the second millennium.

Kitchen:¹³

- | | | |
|----|---------------|--|
| 1. | 1:1-5 | Preamble |
| 2. | 1:6-3:29 | Historical Prologue |
| | 4:1-40, 44-49 | with attached exhortation |
| 3. | 5-11 | a) Basic stipulations |
| | 12-26 | b) Detailed stipulations |
| 4. | 31:9, 24-29 | a) Deposition |
| | 31:10-13 | b) Reading |
| 5. | 31:14-32:47 | Song of Moses as witness for the people |
| | 31:26 | The book itself as witness for the Levites |
| 6. | 28:1-14 | Blessings |
| | 28:15-64 | Curses |
| | 29-30 | with summarizing exhortation attached to these |
| 7. | (27) | (Oath &) |
| 8. | | Solemn ceremony |
| 9. | 32 | (Formal procedure: <i>riḅ</i> ; grows from this chapter) |

Kline:¹⁴

- | | | |
|----|-----------|---------------------------------------|
| 1. | 1:1-5 | Preamble: Covenant Mediator |
| 2. | 1:6-4:49 | Historical Prologue: Covenant History |
| 3. | 5:1-26:19 | Stipulations: Covenant Life |

the Great King: The Covenant Structure of Deuteronomy (Grand Rapids: Eerdmans, 1963), 27-44.; Dennis J. McCarthy, *Treaty and Covenant: A Study in Form in the Ancient Oriental Documents and in the Old Testament* (Analecta Biblica 21; Rome: Pontifical Biblical Institute, 1963), considerably expanded in a second edition, Dennis J. McCarthy, *Treaty and Covenant: A Study in Form in the Ancient Oriental Documents and in the Old Testament* (Analecta Biblica; 2 ed. Rome: Pontifical Biblical Institute, 1978); and Kenneth A. Kitchen, *Alter Orient und altes Testament: Problem und ihre Lösungen Aufklärung und Erläuterung* (Wuppertal: R. Brockhaus Verlag, 1965) appearing in English a year later, Kenneth A. Kitchen, *Ancient Orient and Old Testament* (London: Tyndale Press, 1966).

¹¹ Baltzer, *Das Bundesformular*, 40-47.

¹² Baltzer, *The Covenant Formulary: in Old Testament, Jewish, and Early Christian Writings*, 31.

¹³ Kitchen, *Ancient Orient and Old Testament*, 90-102; Kenneth A. Kitchen, "Ancient Orient, "deuteronomism," and the Old Testament," in *Ancient Orient, "deuteronomism," and the Old Testament* (ed. J. Barton Payne; New Perspectives on the Old Testament; London: Word Books, 1970), 4.

¹⁴ Kline, *Treaty of the Great King: The Covenant Structure of Deuteronomy*, 48-49.

4. 12:1-26:19 Ancillary Commandments
5. 27:1-30:20 Sanctions: Covenant Ratification
6. 31:1-34:12 Dynastic Disposition: Covenant Continuity

Similar to von Rad, Kline associates ch 27 with the blessings and curses of ch 28. Kitchen, however, separates the chapter as a description of two enacted ceremonies.

McCarthy adopted Baltzer's structural analyses of 1-4 and 29-30, and further analysed the central discourse from this perspective (5-28).¹⁵ In comparison with Hittite treaties, he identified Deuteronomy's tendency toward "rhetorical expansion of the elements" and placing "the emphasis on persuasion rather than the more objective elements of the covenant tradition."¹⁶ For McCarthy, ch 27 "takes us farther afield" still from the treaty documents, "which do not discuss things of this nature." He nevertheless acknowledged that the content of the chapter is "by no means foreign to the idea of covenant."¹⁷ After an analysis of the contents of ch 27, McCarthy mooted (but ultimately rejected) the possibility that the maledictions in vv. 14-26 should be read as legal material rather than covenant curses (which is how they appear to be treated in Josh 8:30-35).¹⁸

This latter suggestion anticipates a key contribution of Wenham's thesis (1969), that the biblical covenant form is a hybrid of both ANE treaty and law-code structures:¹⁹

'Law-code'	OT Covenants	Treaty
1) Prologue	1) Historical prologue	1) Preamble
2) Laws	2) Stipulations a) basic b) detailed	2) Historical prologue 3) Stipulations a) basic b) detailed
3) Summary/ document clause	3) Document clause	4) Document clause
4) Blessing	4) Blessing	5) God list
5) Curse	5) Curse	6) Curse Blessing

¹⁵ McCarthy, *Treaty and Covenant*, 109-30 and 131-40.

¹⁶ McCarthy, *Treaty and Covenant*, 131.

¹⁷ McCarthy, *Treaty and Covenant*, 125.

¹⁸ McCarthy, *Treaty and Covenant*, 128.

¹⁹ G. J. Wenham, "The Structure and Date of Deuteronomy," (Ph.D. diss. University of London, 1969), 177-78; this theory is explored further by Moshe Weinfeld, *Deuteronomy and the Deuteronomistic School* (Oxford: Clarendon Press, 1972), 149-57, though Weinfeld appears to be unaware of Wenham's work.

6) Recapitulation

Upon this analysis, Deuteronomy is structured:²⁰

- | | | |
|----|-------------------|---|
| 1. | 1:6-3:29 | Historical prologue |
| 2. | 4:1-40; 5:1-11:32 | Basic stipulation (sic) |
| 3. | 12:1-26:19 | Detailed stipulations |
| 4. | 27:1-26 | Recording and renewing covenant in Canaan (document clause) |
| 5. | 28:1-14 | Blessings |
| 6. | 28:15-68 | Curses |
| 7. | 29:1-31:6 | Recapitulation of the covenant culminating in a demand to prosecute holy war. |

Here, Wenham introduces another new proposal for the function of ch 27. His thesis also raises questions over what can be legitimately asserted on the basis of parallels between Deuteronomy and other ANE material.

The historical claims made by Kline and Kitchen on the basis of Deuteronomy's structure rely upon three presuppositions: (a) that there was a distinctive treaty structure datable to the late second millennium, evident in the Hittite treaties from this period, (b) that this treaty structure was no longer in use by the 7th century, and (c) that the form of Deuteronomy can be identified with that of the second millennium documents, but not with those of the seventh century.

In contrast, Weinfeld argued that the covenant features of Deuteronomy accord more closely with the seventh century vassal treaties of Esarhaddon.²¹ (These might be more appropriately described as loyalty oaths than treaties.²²) For Weinfeld, Deuteronomy makes use of an ancient biblical covenant tradition that reflects the Hittite model, but does so using seventh century forms.

The vassal treaties of Esarhaddon had been published in 1958 by Wiseman, who concluded that "the form of treaties was already 'standardised' by the Hittite Empire and this text

²⁰ G. J. Wenham, "The Structure and Date of Deuteronomy", 176.

²¹ Moshe Weinfeld, *Deuteronomy I-II* (Anchor Bible 5; London: Doubleday, 1991), 6-9.

²² Moshe Weinfeld, "The Loyalty Oath in the Ancient Near East," *Ugarit-Forschungen* 8 (1976): 379-414.

shows that it remained basically unchanged through Neo-Assyrian times."²³ If Wiseman is correct, then Deuteronomy cannot be dated on the basis of treaty form.

Wenham reached a similar conclusion by comparing Deuteronomy to other biblical covenants. Features of Deuteronomy's structure which might be used to date the text as contemporaneous with the Hittite treaties can nevertheless be observed in Neh 9-10. While, he concludes, such features probably originated in the second millennium, "the stability of the covenant form in Israel throughout the pre-exilic period makes it impossible to assign an early date to Dt... simply on the grounds that it is similar to the Hittite treaty form."²⁴ This shrewd observation by Wenham has received less attention than it deserves, in part because his thesis was never published.

Kitchen has recently attempted to revive the debate with his three-volume publication *Treaty, Law and Covenant*.²⁵ The work is a near-exhaustive survey of treaties, laws and covenants from across the ANE up until the middle of the first millennium, with an historical survey of the development of the treaty format. His view of the structural role of Deut 27 receives some minor development. Most of the chapter is classified, similar to previously, as a "solemn ceremony," though he now identifies "sub-headings" within this at vv. 9, 11, and 14. Verses 2-8 are labelled as "witnesses."²⁶ However, this is somewhat confusing, as Kitchen does not explain who the "witnesses" (plural) are supposed to be. (The people? The stones? The words themselves? Other ANE texts have lists of deities as witnesses—but there is only one YHWH.) This is another new possibility for the function of ch 27 within its context, but

²³ Donald J. Wiseman, "The Vassal-Treaties of Esarhaddon," *Iraq* 20 (1958): 1-99, 28.

²⁴ G. J. Wenham, "The Structure and Date of Deuteronomy", 180-81.

²⁵ Kenneth A. Kitchen and Paul J. N. Lawrence, *Treaty, Law and Covenant in the Ancient Near East, Part 2: Text, Notes and Chromograms* (3 vols. 2; Wiesbaden: Harrassowitz Verlag, 2012); Kenneth A. Kitchen and Paul J. N. Lawrence, *Treaty, Law and Covenant in the Ancient Near East, Part 3: Overall Historical Survey* (3 vols. 3; Wiesbaden: Harrassowitz Verlag, 2012); Kenneth A. Kitchen and Paul J. N. Lawrence, *Treaty, Law and Covenant in the Ancient Near East, Part 1: The Texts* (3 vols. 1; Wiesbaden: Harrassowitz Verlag, 2012).

²⁶ Kitchen and Lawrence, *Treaty, Law and Covenant in the Ancient Near East, Part 1: The Texts*, 864-69.

one that is not entirely clear.

Kitchen's study is hampered by a lack of engagement with secondary literature that has gone before. For one example, his analysis does not account for Wenham's observation of the similar structural features in Deuteronomy and Neh 9-10. He asserts that Deuteronomy, along with other covenant texts in the pentateuch, shares "virtually all the same features found in all three sets of our external texts, 'early', 'middle' or 'late'."²⁷ These features being a title, historical prologue, stipulations, witnesses, deposition & reading, blessings, curses, and occasionally an oath.²⁸ In contrast, by the 9th century, political and sociological changes had coincided with...²⁹

...a wholly fresh fourfold format: title (1), divine witnesses (5), stipulations (3) and terminal curses (6c) for infringement—the whole crowd of historical prologues, deposition/reading of the text, blessings on obedience, separate ceremony and epilogues (items nos. 2, 4a/b, 6b, 8, 9) disappeared almost completely overnight, as it were. *And never came back.*

However, at least two of these features are observable in the covenant of Neh 9-10. Nehemiah 9:6-37 is an historical prologue,³⁰ and Neh 9:38 is the writing and deposition of the text.

Therefore, it is still true to say with Wenham that Deuteronomy cannot be dated by the pres-

²⁷ Kitchen and Lawrence, *Treaty, Law and Covenant in the Ancient Near East, Part 3: Overall Historical Survey*, 253.. Consider such assertions as "These links and constrasts are **fact-based** (in the physical texts themselves), *and exist wholly independently of any modern opinions or viewpoints* about either the biblical covenants or the Near-Eastern laws and treaties. Factless theory has had no role here." Kitchen and Lawrence, *Treaty, Law and Covenant in the Ancient Near East, Part 3: Overall Historical Survey*, 259, emphasis his., and "On behalf of scientific accuracy, firstly, it has perforce (and embarrassingly) to be made clear to 'non-initiates' in these matters that the vast acreage of 300 years'-worth of imposing and elaborate theories so baldly summarized in the preceding three paragraphs enjoy no tangible or visible means of support. Not in any library, archive, or ancient text-find (like, e.g., the Dead Sea Scrolls) has any copy or MS ever been found, of any separated form of documents J, E, or P, (or D, other than canonical Deuteronomy). They are all, without exception (and remarkable to have to relate), "dream-children", born exclusively out of the versatile minds and imaginations of the gifted 'critics' in whose learned volumes they are so ably elaborated." Kitchen and Lawrence, *Treaty, Law and Covenant in the Ancient Near East, Part 3: Overall Historical Survey*, 260.

²⁸ Kitchen and Lawrence, *Treaty, Law and Covenant in the Ancient Near East, Part 2: Text, Notes and Chromograms*, 261-62; Kitchen and Lawrence, *Treaty, Law and Covenant in the Ancient Near East, Part 3: Overall Historical Survey*, 251-61.

²⁹ Kitchen and Lawrence, *Treaty, Law and Covenant in the Ancient Near East, Part 3: Overall Historical Survey*, 262., emphasis mine. This shift is visually accentuated in the by the use of colour in the chromograms in Kitchen and Lawrence, *Treaty, Law and Covenant in the Ancient Near East, Part 2: Text, Notes and Chromograms*, 262-65.

³⁰ G. J. Wenham, "The Structure and Date of Deuteronomy", 177.

ence of covenantal structural features, because these same features can also be found within Neh 9-10.

Bickerman, who was noted above as the first to observe parallels between biblical covenant making and other ANE material, expressed similar skepticism over the value of the comparative analysis of biblical and ANE covenants for the purposes of dating texts in a later republication of his groundbreaking essay. For Bickerman, the similarities "which have been pointed out between the berith and the international treaties in the East refer to general ideas or indicate isolated analogies."³¹

In summary the above survey reveals that there is no agreed consensus among those who attempt to structure Deuteronomy as a treaty document. Hypothetical treaty structures have often been advanced for the purposes of supporting a theoretical date for the book, however, methodological limitations previously identified with such approaches are yet to receive an adequate response. Supposed descriptions of the treaty structure of Deuteronomy disagree because not all the features of the text correlate with extant comparative material. Chapter 27 is one of these features. It has been classified as part of the sanctions, as a document clause, as a description of enacted ceremonies, and as containing a list of witnesses. A cursory glance at the chapter would reveal that each of these suggested functions emphasises one aspect of its contents over against other features which are necessarily downplayed. (E.g. the label "document clause" emphasises vv. 1-8 to the exclusion of vv. 11-26; conversely the label "sanctions" emphasises the latter to the exclusion of the former.)

The methodology employed in comparative analysis has received greater attention when the legal material of the Pentateuch has been examined as a collection of law rather than a treaty or covenant.

³¹ Bickerman, *Studies in Jewish and Christian History: A New Edition in English including The God of the Maccabees*, 27.

1.1.2 Deuteronomy as Law-Code

The caution expressed by Wenham and Bickerman over the value of comparative analysis is extended to other features by those who have analysed biblical legal material as an ANE "law code." When comparative methodology is given more sustained scrutiny, problems immediately emerge with the assertion of Deuteronomy's structure, or the function of ch 27, on the basis of such comparative analysis.

The problem repeatedly encountered in such studies is that comparative analysis of biblical and ANE law often lacks consistency or an apparent awareness of the complexity of the presuppositions unconsciously adopted. At least part of the reason for this is that the purpose of ANE law codes themselves has been a matter of considerable debate, LeFebvre observes:³²

Changing understandings of the cuneiform law collections have not gone unnoticed in biblical scholarship. The problem of inconsistencies between the biblical "codes" and the norms practiced in the biblical narratives is well known, indeed, contradictions between one biblical "code" and another are much discussed. In light of these cuneiform finds, it has become necessary to inquire into the nature of the biblical law collections. Was law-writing employed by ancient Israel for regulatory purposes, or were Hebrew laws written down for purposes that were not regulatory?

Any attempt at a comparative analysis of cuneiform and biblical law must engage this question, but this cannot be done in the abstract. Each ANE law code requires separate treatment, as each is individually conditioned by its own context. There have been various attempts to define such a methodological approach.

In 1970, Paul analysed the prologues and epilogues of ANE legal collections.³³ From these he reconstructed the epistemological framework of the ANE law codes. In the ANE mindset, the *kinatu* were eternally valid truths that existed outside of the gods themselves,

³² Michael LeFebvre, *Collections, Codes, and Torah: The Re-characterization of Israel's Written Law* (Library of Hebrew Bible/Old Testament Studies; London: Continuum, 2006), 1-2.

³³ Shalom M. Paul, *Studies in the Book of the Covenant in the Light of Cuneiform and Biblical Law* (Supplements to Vetus Testamentum 18; Leiden: Brill, 1970).

"the ultimate source of law is metadivine."³⁴ Hammurabi, for example, received from the god Shamash not the laws themselves, but the ability to perceive *kinatu*. His laws are thus an "embodiment" of these divine truths. (The present author has described this same concept elsewhere from a cognitive linguistic standpoint as an "instantiation" of "justice."³⁵) Paul goes further to observe that "In a society where *kittum* [the source of *kinatu*] is metadivine, there *can be no* divine revelation of law."³⁶ For this reason, the primary distinction Paul finds between biblical and ANE law codes is that in biblical law God himself is the law-giver, rather than the king.³⁷ This is evidently the case in Deuteronomy, but it does not account for the role that Moses plays as mediator of the divine commandments. Moses may not be "law maker" as the Mesopotamian kings were. Nevertheless, Deuteronomy places the articulation of divinely given law exclusively upon his lips. Paul therefore describes the structure of Deuteronomy as an ANE law code in a manner that, similar to von Rad, cuts across the surface level organisation of the book as a narrational sequence of speeches:³⁸

1. 1-11 Hortatory prologue
2. 12-26:15 Legal corpus
3. 26:16-31:30 Epilogue section

Here, the structural position of ch 27 is different to other treatments considered above, being placed within the epilogue section of the book which also includes the end of ch 26.

³⁴ Paul, *Studies in the Book of the Covenant in the Light of Cuneiform and Biblical Law*, 8.

³⁵ Peter D. Myers, "Cognitive Linguistics and the Tripartite Division of the Law," *Westminster Theological Journal* 74 (2012): 387-416.

³⁶ Paul, *Studies in the Book of the Covenant in the Light of Cuneiform and Biblical Law*, 7, emphasis mine.

³⁷ From this observation, Paul identifies ten "characteristic traits" of biblical law, which are applicable to the material of Deuteronomy, in outline these are: 1. All crimes are considered sins; certain offenses become unpardonable by humans. 2. Secular, moral and religious realms are merged into one. 3. As sole legislator, Israel is held responsible solely to him and not to any human institution. 4. Rather than the king, the entire nation is the recipient of law, and hence every individual is responsible for the legal obedience of the whole. 5. Law is public and not secret: declared openly once a year and not restricted purely to a scribal legal class. 6. Law is a body of teaching directed to the entire community. 7. Man being in the divine image, the sacredness of the human being becomes a primary concern. 8. Individual culpability predominates. 9. Class distinction is rejected in the meeting out of justice. 10. While *lex talionis* does not apply to the slave, all laws pertaining to slaves are to protect their human rights. Paul, *Studies in the Book of the Covenant in the Light of Cuneiform and Biblical Law*, 37-40.

³⁸ Paul, *Studies in the Book of the Covenant in the Light of Cuneiform and Biblical Law*, 27.

In a series of lectures given in 1981, Finkelstein compared the ox goring laws in the Laws of Eshnunna, the Code of Hammurabi, and the Book of the Covenant.³⁹ After exegeting the purpose of the laws within the overall of structure of each individual code, he then compares the contextual differences of the laws in order to explain the reason for their differences in wording. Using these observations, Finkelstein reconstructs the different worldviews of the composers of the legal codes and contextualises his conclusions with an historical survey of the ethical culpability of animals in different cultures. While Finkelstein was concerned with material from Exodus, not Deuteronomy, his thesis encourages caution when using the comparative method for establishing the structure of a text.

Finkelstein argues that the differences between biblical and other ANE corpora, even in the case of almost identical stipulations, lies in the way these stipulations are *contextualised within the document's structure*. The covenantal structures of Deuteronomy considered above implicitly assume that the book's compiler adopted an off-the-shelf structure (either from a shared tradition, or literary source), and filled this structure with distinctly Israelite (or Jewish) content. However, if Finkelstein's analysis is correct, then in some cases ANE writers may have adopted off-the-shelf content, and organised this in a distinctly Israelite way. If this were so, then a problematic passage like ch 27 might simply *not have* a comparative equivalent in other legal corpora. As such, its structural function within the book may be indiscernable through comparative analysis.

Malul picked up various of these threads in a 1990 monograph surveying comparative methodologies.⁴⁰ He categorises comparative methods into two classes. Historical comparison compares material "between societies which belong to the same cultural context or the same

³⁹ J. J. Finkelstein, *The Ox That Gored* (Transactions of the American Philosophical Society; Philadelphia: The American Philosophical Society, 1981).

⁴⁰ Meir Malul, *The Comparative Method in Ancient Near Eastern and Biblical Legal Studies* (Alter Orient und Altes Testament 227; Neukirchen-Vluyn: Neukirchener Verlag, 1990).

'historic stream'.⁴¹ Typological comparison compares material where "it is abundantly clear that no historical connection of any kind could exist between them." In these circumstances, the comparison is undertaken "on the basis of the assumption of a universally underlying spiritual unity of man."⁴² Malul identifies at least four types of connection that may exist between similar material:

1. A direct connection (source B borrows from source A)
2. A mediated connection (source B borrows from source C, which had borrowed from source A)
3. A common source (sources A and B both borrow from source C)
4. A common tradition (sources A and B both reflect material bound together in a more complex fashion due to a shared traditional heritage)

Problematic with regards to Deuteronomy is the impossibility of identifying what kind of connection exists between it and other ANE law codes or treaty documents. This is especially so for ch 27. Does its insertion follow the convention set by other documents within this genre (as Wenham and Kline surmise), or is it a deviation from such convention (so McCarthy)?

In 2008, Jackson applied Malul's methodology to a comprehensive survey of the content of ANE law collections before the first millennium.⁴³ Of particular interest for Jackson was whether there was evidence of widespread borrowing between the collections. The distribution of legal forms between them led him to be skeptical of the identification of source material on grounds of form (*contra* e.g. Alt).⁴⁴ Notably for this investigation, Jackson

⁴¹ Malul, *The Comparative Method in Ancient Near Eastern and Biblical Legal Studies*, 13.

⁴² Malul, *The Comparative Method in Ancient Near Eastern and Biblical Legal Studies*, 14.

⁴³ Samuel A. Jackson, *A comparison of ancient Near Eastern law collections prior to the first millennium BC* (Gorgias Dissertations; Near Eastern Studies; New Jersey: Gorgias Press, 2008).

⁴⁴ See Alt's influential essay "The Origins of Israelite Law" in Albrecht Alt, *Essays on Old Testament History and Religion* (trans. R. A. Wilson; Oxford: Blackwell, 1966), 79-132; Jackson, *A comparison of ancient Near Eastern law collections prior to the first millennium BC*, 244-45.

also found it difficult to identify common structural features *within* law collections:⁴⁵

A greater number of parallels were found amongst the so-called "formal law collections" than across all. It was difficult to assign this to an explanation based on genre. It was also difficult to pin-point systematic commonalities in the usage of form or structure within these "formal" collections or to divine systematic differences to other collections such as edicts and decrees. The main difference between edicts/decrees on the one hand and the "formal collections" on the other, seemed to be subject matter, and even here there was much overlap...

If Jackson is right, then from the extant comparative material there is no standard format for the arrangement of stipulations like those found in chs 12-26. The arrangement of legal material is not rigidly set by any convention. This is a further reason for caution before describing the structural function of ch 27 on the basis of comparison with other ANE material.

1.1.3 Synthesis

Suggested covenant structures for Deuteronomy are either constructed by comparison with other biblical covenants, with ANE treaties, or with ANE law-codes. Comparison with treaties has often been undertaken for the purposes of dating the book, and it is not unreasonable to suppose that presuppositions about dating may therefore influence some structural analyses. Commentators who date Deuteronomy in the seventh century tend to cite Baltzer and Weinfeld, and discern a structure with similarities to the Assyrian treaties. Commentators favouring second millennium provenance tend to appeal to Mendenhall and Kline, and discern a structure with similarities to the Hittite treaties. Kitchen has recently attempted to revive this debate about the development of the ANE treaty format and its relationship to Deuteronomy's structure.

Chapter 27 receives a variety of explanations within the different covenant structures surveyed. If, as has been argued, the comparative method of structuring Deuteronomy as a treaty or law code is problematic, then this is unsurprising. As Wenham suggested, and Weinfeld further explored, the structure of Deuteronomy is likely influenced by both treaty and

⁴⁵ Jackson, *A comparison of ancient Near Eastern law collections prior to the first millennium BC*, 245.

law code formats.⁴⁶ It is *sui generis*, and as such may contain structural features that cannot be accounted for by parallel with either treaty or law. Chapter 27 is one of these features. In both content and form, it has no clear parallel in any of the ANE documents held up in comparison to Deuteronomy. If a rigid treaty or law code format is to be argued for Deuteronomy, then the function of ch 27 in its present structural context would likely require explanation on diachronic grounds.⁴⁷

1.2 Composition

Deuteronomy contains several internal references to its own composition (e.g. 31:9, 22, 24),⁴⁸ an understanding reflected by the use of three internal voices:⁴⁹

God, Moses, and an anonymous narrator who is identical with the author(s)/editor(s) responsible for putting the book in its final form... In fact, although Deuteronomy makes no systematic effort to differentiate between, it seems to be aware of the three layers of its own documentary nature.

The study of Deuteronomy's composition is sometimes treated as synonymous with the study of its final form structure.⁵⁰ While the book's final form structure is unavoidably a *result* of its history of composition, readers have often gone further to assert that it is also a *reflection* of the book's history of composition. That is, while to an extent the compositional strata run right through the book, they are substantially clumped together so that blocks of material can be—broadly speaking—assigned to specific periods, and the structure of the final form of the book can be described on this basis.

The following discussion shall survey the different ways that ch 27 is understood to

⁴⁶ G. J. Wenham, "The Structure and Date of Deuteronomy", 177-78; Weinfeld, *Deuteronomy and the Deuteronomistic School*, 149-57.

⁴⁷ Cf. McCarthy, *Treaty and Covenant*, 186 and 194-99.

⁴⁸ Mark E. Biddle, *Deuteronomy* (Smyth and Helwys Bible Commentary; Macon, Georgia: Smyth & Helwys, 2003), 20.

⁴⁹ Biddle, *Deuteronomy*, 6-7.

⁵⁰ Andrew D. H. Mayes, *Deuteronomy* (New Century Bible Commentary; London: Oliphants, 1979), 29; Biddle, *Deuteronomy*, 5.

function within Deuteronomy in light of various accounts of the book's redaction. In doing so, the methodology of treating Deuteronomy's final form structure as not merely a result of its history of composition but also a reflection of it shall be held up to critique.

1.2.1 The Documentary Hypothesis

Still the dominant view on Pentateuchal composition among biblical scholars, the Document Hypothesis (DH) is somewhat less clear with regard to the composition of Deuteronomy than it is Genesis-Numbers. From the nineteenth century, the issue of the internal composition of the D source has been a more complex discussion than that of JE or P.

The seemingly redundant repetition of introductory material in 1:1-5 and 4:44-49, among other factors, led Wellhausen to identify three stages of Deuteronomic redaction:⁵¹

- 1 *An Urdeuteronomium* was written, chs 12-26. The author of this document had relied upon the source JE.
- 2 *Urdeuteronomium* was rediscovered under the rule of king Josiah and was expanded separately into two editions:
 - Chapters 1-4, 12-26, and 27
 - Chapters 5-11, 12-26, and 28-30
- 3 These editions were later united in order to incorporate them into the Hexateuch (a supposedly single editorial work of Genesis-Joshua). At some point during this process, chs 31-34 were also added.

While there has been significant revision of the details of these stages of composition, the three basic reference points have largely persisted:

1. Initial composition dependent on Northern Israelite sources (or with a Northern Israelite provenance).
2. Discovery and expansion under king Josiah.

⁵¹ J. Wellhausen, *Die Composition des Hexateuchs und der historischen Bücher des alten Testaments* (Berlin: Georg Reimer, 1889), 195-96.

3. Further expansion during, or more likely after, exile.

Driver discerned a larger *Urdeuteronomy* document than Wellhausen, comprised of chs 5-26 & 28. He would even include most of chs 1-3, and much of 4, yet was cautious about asserting this latter opinion too strongly given it did not reflect the consensus of his time.⁵² In contrast to Wellhausen, therefore, Driver viewed ch 27 as an interpolation *within Urdeuteronomy*, and not as a conclusive addition to it.

As the discussion developed, the picture of the process of Deuteronomy's composition, particularly at the period of the late monarchy, became increasingly complex. The editorial work undertaken in the late monarchic period in particular was understood more as the output of a scribal school or movement.⁵³ Several features of ch 27 (such as the location in Shechem, etc.) appear to tie the material to an earlier Northern religious outlook, and this has been thought by some to reflect the tastes of the scribal school at work in this period.

Summarising the discussion in 1991, Weinfeld claimed that while "no final solution" had been reached on the composition of Deuteronomy as a whole...⁵⁴

There is a general agreement in regards to Deut 4:44-28:68. It is believed that these chapters constituted the original book, which was later supplemented by an additional introduction (1:6-4:40) and by varied material at the end of the book...

Yet this assessment was somewhat optimistic. The constitution of the original book, or its "core" has subsequently been identified as having various referents, some including ch 27 others not, e.g.: 5:1-28:68 (Biddle⁵⁵); 12:1-26:19 (Baden⁵⁶); 1:1-28:68 (Lundbom⁵⁷). Therefore, descriptions of Deuteronomy's composition from within the perspective of the DH treat

⁵² Samuel Rolles Driver, *A Critical and Exegetical Commentary on Deuteronomy* (The International Critical Commentary; 3 ed. Edinburgh: T&T Clark, 1902), lxx-lxxvii.

⁵³ This thesis is explored in Weinfeld, *Deuteronomy and the Deuteronomistic School*.

⁵⁴ Weinfeld, *Deuteronomy 1-11*, 10.

⁵⁵ Biddle, *Deuteronomy*, 5.

⁵⁶ Joel S. Baden, *J, E, and the Redaction of the Pentateuch* (Forschungen zum Alten Testament 68; Tübingen: Mohr Siebeck, 2009), 296.

⁵⁷ Jack R. Lundbom, *Deuteronomy: A Commentary* (Grand Rapids: Eerdmans, 2013), 73-92.

ch 27 in different ways. Beyond the DH, there are more complex views on the book's development process.

1.2.2 Inevitable Complexity

From within the perspective of the DH arose an internal challenge in the form of the tradition-historical approach. Noth connected Deuteronomy, not with the hexateuch or pentateuch, but with the *Deuteronomistic history* (Deuteronomy-2 Kings). On this basis he saw ch 34 as written by the hand of this historian to effect the link between Deuteronomy and this historical corpus.⁵⁸ Chapters 1-3(4) therefore function to introduce the history as a whole, not merely Deuteronomy.⁵⁹ An important aspect of Noth's contribution was to draw attention to the oral development of the texts prior to their inscripturation.

Noth's observations opened the floodgates for increasingly complex theories of oral and redaction history (or rather allowed such theories to be placed on a surer footing within the overall conversation). The stylistic criteria upon which the DH distinguished its sources were more and more understood to be less clear cut than had been originally perceived. As such, even in Baden's recent attempt to resurrect the DH it was necessary to exclude style as a criterion.⁶⁰ Baden asserts that the "Documentary Hypothesis is a purely literary solution to a purely literary problem,"⁶¹ but does not justify why a pre-literary oral history to the pentateuch should not be considered relevant. Another significant presupposition Baden must adopt, but cannot prove, is that Noth was wrong to assert that the writing down of these traditions was "for reasons that are no longer known to us and to an extent that can no longer be determined with certainty."⁶² Furthermore, the dating of the composition, or stages of com-

⁵⁸ Martin Noth, *A History of Pentateuchal Traditions* (trans. Bernhard W. Anderson; Englewood Cliffs: Prentice Hall, 1972), 16.

⁵⁹ Martin Noth, *The Deuteronomistic History* (trans. Jane Doull; 2 ed. Sheffield: JSOT Press, 1991), 29.

⁶⁰ Baden, *J, E, and the Redaction of the Pentateuch*, 6-7.

⁶¹ Baden, *J, E, and the Redaction of the Pentateuch*, 2.

⁶² Noth, *A History of Pentateuchal Traditions*, 1.

position, of texts according to their ideational content is not without its own problems.⁶³

Whybray had previously drawn attention to the work of scholars such as Rendtorff and Mayes, who saw the composition of the pentateuch as the result of slow accretion over time. Whybray himself saw a unified historiographical hand at work and concluded that the "criteria by which the original contributions of the Pentateuchal historian might be distinguished from his sources are difficult, if not impossible, to formulate..."⁶⁴ This is reflected in discussion over recent decades on the composition of the pentateuch's legal codes.

In 1988 Westbrook published a collection of short studies on various aspects of biblical law, held together by a consideration of their relationship to the wider legal tradition of the ANE.⁶⁵ He argued that when considered from this context, "...biblical law is neither a mass of internal contradictions nor a monolith, but reflects a single, coherent common law, upon which different opinions were expressed."⁶⁶ For Westbrook, biblical law functions similarly to other ANE law except in relation to human political authority where the biblical text "contains the voice of dissent as much, if not more, than that of the establishment."⁶⁷ Westbrook was subsequently invited in 1991 to address a special session of the Biblical Law Group of the SBL, where he presented a more developed case for this view that the apparent tensions within biblical legal corpora are best understood as a synchronic composition reflecting features of their genre, rather than requiring a diachronic interpretation.

Westbrook's address, and critical interactions with him, were published three years later.⁶⁸ A

⁶³ Benjamin D. Sommer, "Dating Pentateuchal Texts and the Perils of Pseudo-Historicism," in *Dating Pentateuchal Texts and the Perils of Pseudo-Historicism* (eds. Thomas B. Dozeman et al.; Forschungen zum Alten Testament The Pentateuch: International Perspectives on Current Research; Tübingen: Mohr Siebeck, 2011).

⁶⁴ R. N. Whybray, *The Making of the Pentateuch: A Methodological Study* (Sheffield: Sheffield Academic Press, 1987), 241.

⁶⁵ Raymond Westbrook, *Studies in Biblical and Cuneiform Law* (Cahiers de la Revue Biblique 26; Paris: Gabalda, 1988).

⁶⁶ Westbrook, *Studies in Biblical and Cuneiform Law*, 135.

⁶⁷ Westbrook, *Studies in Biblical and Cuneiform Law*, 134.

⁶⁸ ed. *Theory and Method in Biblical and Cuneiform Law: Revision, Interpolation and Development* (Journal for the Study of the Old Testament Supplement Series 181. ed. Bernard M. Levinson. Sheffield:

key argument advanced against Westbrook was the apparent exegetical reformulation of the Book of the Covenant (Exod 21-24) in Deut 12-26, which suggests diachronic development of the legal tradition within the canon itself. The majority view taken in the volume was that the legal corpus was arrived at by a process of accretion. Whybray discussed such a process for the composition of the whole book under the label of the "Supplementary Hypothesis," which had been a major contender for dominance of the discussion before Wellhausen's articulation of the DH.

1.2.3 Composition and Structure

These more complex theories for the process of Deuteronomy's composition leave little room for the assertion that the final-form structure of the book *reflects* its compositional history, rather than simply being the *result* of it. Such a view can only hold from within the perspective of the DH. It must be assumed that there were clear and discrete periods of editorial and authorial work for those periods to correlate with discrete blocks in the book's final-form structure, and it must be assumed that the material was never significantly re-arranged during its history of development.

Three such views that meet this criteria are Wellhausen, Driver, and Lundbom. The earliest stage (*Urdeuteronomy*) is broadly identifiable with the second speech. Subsequent additions to this are identified as either prefixes or suffixes to this material. Lundbom even labels the book's major sections according to what he sees as their diachronic relationship:⁶⁹

- 1-28 The First Edition
- 29-30 First Supplement
- 31-34 Second Supplement

For a view such as this to stand, several assumptions must be made. One such assumption is that editors were conservative with their sources and tried to avoid re-arranging previous material. For example, if the prediction of exile and restoration in chs 29-30 is presumed to have

Sheffield Academic, 1994).

⁶⁹ Lundbom, *Deuteronomy*, 73-92.

been written in the late monarchic period in light of the observed geopolitical climate, there is no reason why this material could not have found a home within the second discourse. Appropriate locations might include ch 28, between chs 26 and 28, or even ch 11. However, instead of doing this, it must be assumed the redactor chose to *append* the material to the previous source. A similar logic holds for the final supplementary material added during or after the exile.

This is a different way of using source material than is assumed by the DH for the rest of the Pentateuch. There, sources are presumed to be chopped and diced, mixed and matched, moved around and interwoven. As such, these sources are understood to have become fossilised as layered strata throughout the books, and not to be reflected in the final-form structures of those books. Yet for some reason the process of redaction is assumed to work differently for Deuteronomy.

Insofar as modern science has external data witnessing to the editorial processes involved in the production of Jewish literature, it is this latter approach that appears to be taken by Jewish editors, who appear comfortable re-arranging their sources and moving them around—*restructuring* them—for the purposes of producing a new composition. The MT and LXX of Jeremiah differ greatly in size, structure, and order, almost certainly reflecting different stages, or divergent traditions, of the Hebrew text. The sources used to produce the final form of Jeremiah evidently underwent a process of restructuring. The MT of Jeremiah is therefore a *result* of this editorial process, but its structure does not *reflect* discrete stages of the process, or discrete literary texts that have been joined together.

1.2.4 Synthesis

Deuteronomy's self-aware references to writing and its own composition invite the reader to reflect upon this process and its relationship to the final form of the book. (A helpful examination of this theme from a narrational perspective has been undertaken by Sonnet.⁷⁰) How-

⁷⁰ Jean-Pierre Sonnet, *The Book Within the Book: Writing in Deuteronomy* (Biblical Interpretation

ever, as with the consideration of Deuteronomy as covenant, no consistent account for the relationship of ch 27 to the book's structure emerges from exploring Deuteronomy's compositional history. Many consider the chapter a later interpolation, which itself is compiled from at least four sources.⁷¹ However, what the chapter was interpolated into or onto, and the explanations for this interpolation, vary greatly (see below).

The above discussion also suggests that it may not be a safe assumption that Deuteronomy's history of composition is *reflected* in the book's final form structure. At least within chs 12-26 there is evidence of repeated editorial work and accretion over time, with no discernibly discrete periods of editorial activity. This assumption is not adopted by the present investigation, which progresses from the view that the final form of the book primarily reflects the hand of the narrator, probably a late redactor, who has joined the material into a coherent whole and interspersed the Mosaic speeches with various interpolations.

Finally, and by way of extension to the discussion above, it is worth considering the interaction between the methodology adopted in the present study and classical redaction criticism. With the emergence of an appreciation of discourse features by Hebraists, there is a need to reformulate traditional theories of text stratigraphy. Various textual features traditionally used by redaction critics to uncover underlying sources can turn out to be features of Hebrew story telling. Buth, for example, demonstrates that the repetition of entire clauses in Lev 16:6-11 can be explained synchronically on discourse grounds as a desire to re-orient the reader's timeframe. A diachronic explanation is unnecessary in this instance.⁷²

All of the above gives rise to the need to carefully examine the structure of Deutero-

Series; Leiden: Brill, 1997).

⁷¹ Lundbom, *Deuteronomy*, 737-38.

⁷² Randall Buth, "Methodological Collision Between Source Criticism and Discourse Analysis: The Problem of "unmarked Temporal Overlay" and the Pluperfect/nonsequential *Wayyiqtol*," in *Methodological Collision Between Source Criticism and Discourse Analysis: The Problem of "unmarked Temporal Overlay" and the Pluperfect/nonsequential Wayyiqtol* (ed. Robert D. Bergen; Biblical Hebrew and Discourse Linguistics; Winona Lake, Indiana: SIL, 1994), 142-43.

onomy and ch 27 synchronically first, and only in light of this to formulate diachronic theories to account for what one finds. Every scientific enquiry must try to account for the available data as best it can, and the only data before the biblical scholar for uncovering Deuteronomy's compositional history is the form the text reached by the end point of its process of composition.

1.3 Parallels and Repetition

Traditional methods for inductively discerning Deuteronomy's structure treat repetition and parallelism as the basic means by which the book's structure is expressed. A special case of this principle can be seen in a popular view of Deuteronomy's structure articulated by Sonnet: "Deuteronomy... presents itself as a string of four Mosaic speeches, each introduced by syntactically analogous superscriptions."⁷³

1:1	אֵלֶּה הַדְּבָרִים	These are the words...
4:44-45	זֶה הַחֹק	This is the law...
28:69[29:1]	אֵלֶּה דְּבָרֵי הַבְּרִית	These are the words of the covenant...
33:1	זֶה בְּרִכְתּוֹ	This is the blessing...

While the identification of these four superscriptions has garnered much support,⁷⁴ it is not without its problems, the chief being that some consider the third to be an anaphoric subscription, rather than a cataphoric superscription.⁷⁵

Various other parallels, inclusions, and (possibly) concentric structures are often cited as structural indicators. The most significant are summarised by Nelson:⁷⁶

1-3 and 31	"frame the discourse of Moses in order to locate it within Israel's ongoing history"
4:25-28 and	"warn of destruction and exile"

⁷³ Sonnet, *The Book Within the Book*, 17-18.

⁷⁴ Norbert Lohfink, "Der Bundesschluß im Land Moab: Redaktionsgeschichtliches zu Dt 28, 69-32, 47," *Biblische Zeitschrift* 6 (1962): 32-56; see also Patrick D. Miller, *Deuteronomy* (Interpretation; Louisville: Westminster John Knox Press, 1990), 199; Richard D. Nelson, *Deuteronomy: A Commentary* (The Old Testament Library; Louisville: Westminster John Knox Press, 2004), 338-39.

⁷⁵ Walter Brueggemann, *Deuteronomy* (Abingdon Old Testament Commentaries; Nashville: Abingdon Press, 2001), 258; J. Gordon McConville, *Deuteronomy* (Apollos Old Testament Commentary; Apollos, 2002), 401-02.

⁷⁶ Nelson, *Deuteronomy*, 3.

29:21-28[22-29]	
4:29-31 and 30:1-10	"forecast an optimistic outcome for exile"
11:26-28 and 30:15-20	"conceive of the law as presenting a choice set before Israel"
11:29-30 and 27	"frame the law code with a ritual of blessings and curses to be performed at Shechem."
11:32-12:1 and 26:16-19	share similar language

Unlike various covenant and compositional structures discussed above, observation of such parallels does not as obviously cut across the book's putative organisation into a series of speeches. Conversely, the headings are considered to "divide the book into three major speeches of unequal length and differing character."⁷⁷ Reading Deuteronomy as such "a series of speeches" has a long pedigree.⁷⁸ There is also some precedent for this in other ANE literature, as the "testament" format of placing moral teachings in the mouth of a significant figure can be found in Egyptian wisdom. This is probably a stronger candidate for defining the genre of Deuteronomy than that of a treaty or covenant document.⁷⁹

However, such structures are still limited in their ability to describe the content of Deuteronomy. Many struggle to incorporate the last chapters, often having to treat 31-34 or 33-34 separately.⁸⁰ Furthermore, ch 27 is problematic as it introduces a break in what would otherwise be considered a single speech from ch 5 to 28. This problem receives very different solutions. Weinfeld places it with what precedes:⁸¹

5:1-11:32	Paraenetic discourse
12:1-26:15	Code of the discourse
26:16-27:26	Recount the founding of Israel before entrance to the land
ch 28	Blessings and curses

⁷⁷ Biddle, *Deuteronomy*, 5.

⁷⁸ Driver, *A Critical and Exegetical Commentary on Deuteronomy*, i; Robert G. Bratcher and Howard A. Hatton, *A Handbook on Deuteronomy* (UBS Handbook Series; New York: United Bible Societies, 2000), 1.

⁷⁹ Weinfeld, *Deuteronomy 1-11*, 4; cf. Michael V. Fox, "Frame-Narrative and Composition in the Book of Qohelet," *Hebrew Union College Annual* 48 (1977): 83-106.

⁸⁰ Bratcher and Hatton, *A Handbook on Deuteronomy*, 5.

⁸¹ Moshe Weinfeld, "The Origin of the Apodictic Law: An Overlooked Source," *Vetus Testamentum* 23 (1973): 63-75, 63-64.

Driver treats it separately:⁸²

5-26, 28	Moses' second speech ("The Law")
28	Blessings and curses
27	Interpolated instructions

Lundbom places it with what follows:⁸³

5-11	The Covenant at Horeb
12-26	The Deuteronomic Code
27-28	Blessings and Curses

The identification of parallels and repetition is not sufficient to decide between options such as these, and even discerning what material parallels any given pericope is not straightforward. For example, McConville observes that in the case of ch 27, 11:29-30 is not the only parallel discernible for the pericope, 5:23-27 is also feasible.⁸⁴ A parallel with ch 11 might be seen to support Lundbom's structure, whereas a parallel with ch 5 might sit more comfortably with Driver's. Given that the most widely held parallels are the four 'headings,' a that if these four clauses do function in such a way they provide the most significant contribution to shaping the book, then this particular supposed structural indicator is worth closer examination.

1.3.1 The Supposed Four 'Headings'

The four headings are identified on the basis of syntagmatic repetition, as they are all verbless clauses. As is hinted by the dual reference for the third heading, interpreters have historically differed over whether 28:69[29:1] is cataphoric or anaphoric. The English chapter division, which places the verse at 29:1, suggests a cataphoric function as the introduction to the speech of chs 29-31. The Hebrew chapter division, which places the verse at 28:69, suggests an anaphoric function. This is supported by the orthographic tradition in all major manuscripts where the verse is preceded by סתומה and followed by the stronger disjunctive פתוחה.⁸⁵

⁸² Driver, *A Critical and Exegetical Commentary on Deuteronomy*, i-ii. cf. also Daniel I. Block, *Deuteronomy* (The NIV Application Commentary; Grand Rapids: Zondervan, 2012), 42, 47.

⁸³ Lundbom, *Deuteronomy*, 75-89.

⁸⁴ McConville, *Deuteronomy*, 387.

⁸⁵ Lundbom, *Deuteronomy*, 798-99 implies that the Masoretic paragraphing is at points ambiguous. In particular, he finds *petuhah* before and after the verse in Aleppo. However, Aleppo tends to express the same

The deixis of 28:69[29:1] has important implications for the fourfold heading view. If the verse is cataphoric then the commonly adopted fourfold structure above will likely pertain for many. Yet, if it is anaphoric, the fourfold structure cannot stand.

An anaphoric reading of 28:69[29:1] is often justified on the basis that it parallels either 1:1-5⁸⁶ or 4:44-5:2.⁸⁷ However, for others such a parallel suggests the verse is one of a series of superscriptions.⁸⁸ Nelson pushes this argument even further: if 28:69[29:1] is a conclusive parallel to 4:44-49, then because the latter is cataphoric, the former must function in this way also.⁸⁹ But this is illogical, as it is in the very definition of an inclusion that it parallels an earlier text which possesses opposite deixis. Significantly, the same data leads different commentators to opposite conclusions. The mere assertion that parallels exist between 1:1-5; 4:44-5:2; and 28:69[29:1] is not to enough to establish the deixis of 28:69[29:1] in either direction.

Aside from the external evidence of the Masoretic paragraphing, there are several features of 28:69[29:1] which suggest it is deictically anaphoric. Driver appeals to the content of the preceding and following discourses:⁹⁰

paragraph marks as the Leningrad codices, but with less concern to conserve space. There is an open line before the verse, while the line after is blank. Aleppo often has a blank line where Leningrad has an open break and an open break where Leningrad has a closed break. Therefore, BHQ Deuteronomy (p. 13*) is right to note that the breaks in Aleppo and Leningrad mark the same division: weaker disjunction above, stronger disjunction below.

⁸⁶ Peter C. Craigie, *The Book of Deuteronomy* (New International Commentary on the Old Testament; Grand Rapids: Eerdmans, 1976), 353; Eugene H. Merrill, *Deuteronomy* (The New American Commentary; Nashville: Broadman & Holman, 1994), 373.

⁸⁷ Brueggemann, *Deuteronomy*, 258; McConville, *Deuteronomy*, 401-02.

⁸⁸ Biddle, *Deuteronomy*, 435.

⁸⁹ Nelson, *Deuteronomy*, 339.

⁹⁰ Driver, *A Critical and Exegetical Commentary on Deuteronomy*, 319.

The expression "*words of the covenant*" implies a specification of the terms or conditions to be observed by the contracting parties (cf. Exod 34:28; 2 Kngs 22:2-3; Jer 11:3, 6; 34:18); and it is said 29:8(9) that these "words" are to be observed; but no statement respecting what they comprise is to be found in c. 29-30; it is difficult therefore to understand how 28:69(29:1) can be intended as a superscription to c. 29-30. On the other hand, c. 5-26, 28 is occupied entirely with an exposition of the terms of the covenant: so that 28:69(29:1) would be an appropriate and natural subscription to it.

To extend Driver's observation, two other aspects of the content of 28:69[29:1] can be seen to exist in what precedes but not what follows.

The first is the initiative for making the covenant. In 28:69[29:1] the initiative for making the covenant comes from YHWH, who commands Moses to make the covenant with the people: "These are the words of the covenant that the LORD commanded Moses to make with the people of Israel in the land of Moab..." This initiative of YHWH is explicitly referenced in the material preceding 28:69[29:1], e.g. "Now this is the commandment—the statutes and the rules—that the LORD your God commanded me to teach you..." (6:1). But it is absent from chs 29-30, an address exhorting Israel to obedience undertaken by Moses himself (29:1[2]) with no reference to YHWH's initial prompting.

The second point of affinity with what precedes but not what follows is the relationship referred to in 28:69[29:1] between the present covenant and the covenant made at Horeb. Horeb receives no mention in chs 29-30. This is despite 29:11[12] being a natural place that such an association might arise. Yet as McConville observes, the relationship between Horeb and Moab in 28:69[29:1] is a throwback to 5:2-3.⁹¹

Ibn Ezra goes a step further, not only are chs 29-30 not a covenant, they are a ratification of the covenant and hence subsequent to it.⁹² He discerns a structural affinity between Deuteronomy and the Exodus narrative, where the content of the Sinai covenant is relayed (Exod 21-23) then ratified (Exod 24). The list of blessings and curses in ch 28 are a compel-

⁹¹ McConville, *Deuteronomy*, 401-02.

⁹² Ezra, *The Commentary of Abraham Ibn Ezra on the Pentateuch*, 138.

ling reason to read the material prior to 28:69[29:1] as a conclusion to a covenant, and the following material as some sort of "supplement."⁹³

In summary, 28:69[29:1] refers to "words" of a "covenant" and the content of what precedes the verse better fits this description than what follows. It speaks of YHWH taking the initiative by commanding Moses to make this covenant with the people, which receives explicit mention in the material that precedes, but not in what follows. The verse draws a distinction and association between the covenant at Horeb, and the covenant being made "today." This distinction echoes preceding material, but is absent from what follows. Every clause of 28:69[29:1], therefore, is suggestive that this verse has an anaphoric rather than cataphoric referent. Finally, this is complemented by reading chs 29-30 as a ratification of the covenant—an appropriate response to what 28:69[29:1] predicates about the speech that precedes.

If 28:69[29:1] is anaphoric, then the view cannot stand that sees Deuteronomy structured in four sections introduced by verbless clauses which act as headings. Consonant with this analysis, the other headings, similarly, do not all seem appropriate for the material they supposedly introduce. If 1:1 stands at the head of 1:1-4:43, then it seems odd these four chapters alone should be given such a broad description as the "words of Moses." The second heading would label the section containing blessings and curses (4:44-28:68) as "the Law," while the section containing the Song (28:69[29:1]) is described as "the Covenant." It also seems odd that within the narrative the two documents treated with particular importance are the Law and the Song, while the latter is not introduced with a heading but the blessing of Moses is. Finally, the last heading, "the blessing of Moses" only describes half of the material it introduces, as ch 34 is concerned with Moses' death.

Aside from these four supposed headings, there are other methodological issues can be raised with structuring Deuteronomy by the observation of parallels and repetitions.

⁹³ Lundbom, *Deuteronomy*, 89-92.

1.3.2 The Problem with Parallels and Repetition

As noted above, if the existence of parallels and repetition are used to structure Deuteronomy's narrative, then when read anaphorically 28:69[29:1] could be a concluding frame to either 1:1-5; 4:44-49 or both. Note the parallels between 28:69[29:1] and 1:1-5:⁹⁴

1:1	אֵלֶּה הַדְּבָרִים These are the words	28:69[29:1]	אֵלֶּה דְבָרֵי הַבְּרִית These are the words of the covenant
1:2	כָּל אֲשֶׁר צִוָּה יְהוָה אֹתוֹ אֵלֵיהֶם as all which YHWH commanded him for them		אֲשֶׁר־צִוָּה יְהוָה אֶת־מֹשֶׁה which YHWH commanded Moses
1:1	אֲשֶׁר דִּבֶּר מֹשֶׁה אֶל־כָּל־יִשְׂרָאֵל which Moses spoke to all Israel		לַכְרִית אֶת־בְּנֵי יִשְׂרָאֵל to make with the people of Israel
1:5	בַּעֲבַר הַיַּרְדֵּן בְּאֶרֶץ מוֹאָב across the Jordan in the land of Moab		בְּאֶרֶץ מוֹאָב in the land of Moab

A similar list can be drawn up between 28:69-29:1[29:1-2] and 4:44-5:1:

4:44	וְזֹאת הַתּוֹרָה And this is the Torah	28:69[29:1]	אֵלֶּה דְבָרֵי הַבְּרִית These are the words of the covenant
4:45	אֵלֶּה הַעֲדוּת וְהַחֲקִים וְהַמִּשְׁפָּטִים These are the testimonies and the statutes and the judgements		מֹשֶׁה לַכְרִית אֶת־בְּנֵי יִשְׂרָאֵל Moses to make with the people of Israel
	אֲשֶׁר־שָׂם מֹשֶׁה לִפְנֵי בְנֵי יִשְׂרָאֵל which Moses set before the people of Israel		וַיִּקְרָא מֹשֶׁה אֶל־כָּל־יִשְׂרָאֵל וַיֹּאמֶר אֲלֵיהֶם And Moses called to all Israel and said to them
5:1	וַיִּקְרָא מֹשֶׁה אֶל־כָּל־יִשְׂרָאֵל וַיֹּאמֶר אֲלֵיהֶם And Moses called to all Israel and said to them	29:1[2]	וַיִּקְרָא מֹשֶׁה אֶל־כָּל־יִשְׂרָאֵל וַיֹּאמֶר אֲלֵיהֶם And Moses called to all Israel and said to them

A third list can be made for 1:1-5 and 28:69[29:1]:

1:1	אֵלֶּה הַדְּבָרִים These are the words	4:44	וְזֹאת הַתּוֹרָה And this is the Torah
		4:45	אֵלֶּה הַעֲדוּת וְהַחֲקִים וְהַמִּשְׁפָּטִים These are the testimonies and the statutes and the judgements
	אֲשֶׁר דִּבֶּר מֹשֶׁה אֶל־כָּל־יִשְׂרָאֵל which Moses spoke to all Israel		אֲשֶׁר־שָׂם מֹשֶׁה לִפְנֵי בְנֵי יִשְׂרָאֵל which Moses set before the people of Israel
1:4	אַחֲרַי הִכֹּתוּ אֶת סִיחֹן מֶלֶךְ הָאֱמֹרִי after he had defeated Sihon, king of the Amorites whom Moses and the people of Israel defeated	4:46	בְּאֶרֶץ סִיחֹן מֶלֶךְ הָאֱמֹרִי in the land of Sihon, king of the Amorites אֲשֶׁר הִבָּה מֹשֶׁה וּבְנֵי יִשְׂרָאֵל who lived in Heshbon
	אֲשֶׁר יוֹשֵׁב בְּחֶשְׁבֹּן who lived in Heshbon	4:47	וְאֶת־אֶרֶץ עֹג מֶלֶךְ־הַבָּשָׁן and the land of Og, king of Bashan
	וְאֶת עֹג מֶלֶךְ־הַבָּשָׁן and Og, king of Bashan		
1:1	בַּעֲבַר הַיַּרְדֵּן בְּמִדְבַּר בְּעֶרְבָה across the Jordan in the wilderness, in the Arabah	4:49	וְכָל־הָעֲרָבָה עֲבַר הַיַּרְדֵּן מִזְרְחָהּ and all the Arabah, East beyond the Jordan

The fact that similarities and parallels can be observed between all three of these pericopes

⁹⁴ Craigie, *The Book of Deuteronomy*, 353; Merrill, *Deuteronomy*, 373.

makes it difficult to assert that any one observed parallel justifies a particular structural relationship. Furthermore, the existence of parallel ideas and vocabulary can be explained on other grounds. For example, they may simply reflect the narrator's interest in geography and history. There are at least five, possibly six, exegetical insertions in the narrator's voice within Moses' first speech: 2:10-12, 20-23; 3:9, 11, 13b-14, and (possibly) 17b. The concern of these insertions is to clarify for the reader when and where the events being described took place. The etiological insertion in 10:6-9 displays a similar interest. From this perspective, the narrative framing materials of 1:1-5; 4:41-49; and 28:69[29:1] have many points of contact because geography and history are important themes for the narrator. If so, then the mere observation of parallels is not sufficient to establish the structure of Deuteronomy's narrative frame.

The structuring of texts on the grounds of parallels or repetition can also be subjective and sometimes grates with a grammatical perspective. Beyond appealing to parallels or repetitions as the grounds for asserting *inclusio*,⁹⁵ such parallels are sometimes claimed to form complex, nested, or even overlapping structures. Christensen has a penchant for identifying concentric structures.⁹⁶ Consider his treatment of Deut 1:1-8:⁹⁷

A	These are the words Moses spoke to all Israel	1:1-3a
B	Moses spoke what God commanded him to say	1:3b-4
X	Moses began to expound this Torah	1:5
B'	Moses quotes YHWH's words of command	1:6-7
A'	Moses commands the people to possess the promised land	1:8

This example might be used to illustrate three sticking points with this sort of analysis. First, Christensen's summaries do not describe the content of his references. Most of the content in 1:1-3a is concerned with *where* Moses spoke. Christensen's summary of 1:3b-4 makes no ref-

⁹⁵ Nelson, *Deuteronomy*, 3.

⁹⁶ Duane L. Christensen, *Deuteronomy: 1-21:9* (2 vols. Word Biblical Commentary 6A; Nashville: Thomas Nelson, 2002); Duane L. Christensen, *Deuteronomy: 21:10 - 34:12* (2 vols. Word Biblical Commentary 6B; Nashville: Thomas Nelson, 2002).

⁹⁷ Christensen, *Deuteronomy*, 9.

erence to Sihon and Og. In both cases, some details are highlighted, and others ignore in order to impose parallels on the text. Yet on what basis? Which details should be foregrounded and which backgrounded? Christensen has backgrounded geographical details in his concentric structure, however these are evidently of great interest to the Deuteronomist. Could not v. 5 be paralleled with vv. 1-2 for example?

A	The precise place where Moses' spoke	1:1-2
...		
A'	In this place, called Moab, Moses said...	1:5

More broadly, the identification of text structures on the basis of parallels often requires foregrounding some information and backgrounding something else. If a structure is not to be arbitrarily forced upon a text, one might reasonably expect other evidence might be presented to support which information is foregrounded. This can be overlooked, and the legitimacy of the parallel assumed.

Secondly, some of Christensen's parallels do not display a convincing connection. "These are the words Moses spoke to all Israel" (A) might be paired with any of Christensen's other headings, each of which is about Moses speaking. It thus has no special affinity with "Moses commands the people to possess the promised land" (A'). Subjective claims that "connections" exist are easy to reinforce, but harder to hold to an objective critical standard.

Thirdly, Christensen's structure cuts across the syntagmatic organisation of the text, as the centre of his concentric structure is an introduction to direct speech. On the surface at least, 1:6 begins a pericope that runs until ch 4. If a structure is asserted on the basis of poetics that cuts against the grain of the syntax, some justification should be provided for why these two structural levels do not cohere.

The observation of these three sticking points is not to deny that sometimes the narrator does deliberately associate different parts of the text together. For example, in Deut 31:14-23, the writing of the Song is bracketed by the commissioning of Joshua:

A	YHWH Tells Moses to Call Joshua to the Tent of Meeting (31:14-15)
B	YHWH Tells Moses to Write the Song and Teach it (31:16-22)
A'	YHWH Commands Joshua to Lead in Moses' Place (31:23)

However, in this case the inclusion does not run against the grain of other factors in the text. A sets up A' here by assembling all the characters at the tent of meeting, but the scene is left incomplete. The reader is in tension, expecting the commissioning to occur. A' resolves this tension.

1.3.3 Synthesis

Parallels within a topically coherent text are almost inevitable. As such, structural features identified on this basis, such as inclusio, repetition, and concentric parallels, will be easy to find. The identification of parallel features alone is not a strong enough justification for establishing the structure of a text. This is especially so when such structures work against the grain of other features in the text such as syntax. They are most persuasive when they cohere with other communicative strategies employed within the discourse.

Chapter 27 might be legitimately paralleled with more than one pericope, and even then the implications of such a parallel are unclear. Parallel features sometimes thought to organise the discourse, such as the four supposed 'headings,' have been critiqued on the basis of their semantic content. Yet, even if this description of Deuteronomy's structure were accepted, it does not provide an explanation for the function of ch 27 which seemingly stands at odds with the flow of the second speech of Moses (chs 5-28).

1.4 Readings of Ch 27

So far, this chapter has surveyed approaches to the structure of Deuteronomy from various perspectives, while noting in passing the way that they read ch 27. Here, attention is turned more specifically to how this passage is treated.

Readers of ch 27 differ as to whether they: (a) discern a theological connection with what precedes or with what follows; and (b) view the primary theme of ch 27 as being about Israel's identity or about the covenant. Nevertheless, proposed solutions to the problem of ch 27 are often not mutually contradictory. The second point of difference, for example, is really a matter of emphasis.

Driver provides a starting point with the suggestion that "a Deuteronomic nucleus has been expanded by the addition of later elements, and placed here, in an unsuitable context, by a later hand."⁹⁸ Yet readers naturally seek to discern more intention behind the redactor's work. In this vein, an explanation for why the redactor tried to include this material at all can be generated from the geographical significance of Mt. Ebal (mentioned twice, vv. 4, 13). Geography is a significant factor for a number of readings.

Mts. Ebal and Gerizim sit north and south respectively of the city of Shechem, which was an actively religious site even as far back as the patriarchal period (e.g. Gen 12:6). Lundbom is a recent advocate of the view that ch 27 reflects an attempt by a Deuteronomist to convert a Shechemite tradition into the Deuteronomic perspective:

In reporting a ceremony occurring at Mount Gerizim and Mount Ebal, the chapter introduces an old tradition associated with Shechem, with which there is otherwise no association in the book and which goes ill with Deuteronomy's consistent silence about Yahweh's chosen place of worship.⁹⁹

Such a thesis is plausible, but conjecture. There is no objective evidence one way or the other for such a motivation. Nevertheless, even if appropriation of a previous Shechem tradition was the redactor's aim, this still leaves the question of why chs 26 & 28 have been interrupted to do so?

Nelson, among others, sees the chapter as "redactionally associated with previous material."¹⁰⁰ Brueggemann goes further to suggest the constituent elements of ch 27 "give liturgical implementation to the mutual declaration of 26:16-19 that constitutes the covenant."¹⁰¹ This suggestion implies that the editor had a more definite purpose in mind for placing this material in this particular location.

⁹⁸ Driver, *A Critical and Exegetical Commentary on Deuteronomy*, 294-95.

⁹⁹ Lundbom, *Deuteronomy*, 737.

¹⁰⁰ Nelson, *Deuteronomy*, 315.

¹⁰¹ Brueggemann, *Deuteronomy*, 251; cf. also Miller, *Deuteronomy*, 190-91; Biddle, *Deuteronomy*, 393-94.

Tigay discerns a theological purpose to the inclusion of the material here as a fusion of historical and geographical perspectives,¹⁰²

Chapter 27, by weaving the instructions about the covenant ceremonies at Mount Ebal into Moses' speech about the Moab covenant, shows that the ceremonies at Ebal are a reaffirmation of the Moab covenant, and hence of the Sinai-Horeb covenant.¹⁰³

To this may be annexed the suggestion by Lohfink that ch 27 was added by a late redactor in order to deliberately recontextualise ch 28 within Shechem, "Es könnte nämlich sein, daß die „letzte Hand" die formelle Proklamation von Dtn 28 durchaus nach Sichem verlegen wollte."¹⁰⁴

The geography of ch 27 prompts some to discern a relationship between here and ch 11, e.g. Block,

While any explanation for the present arrangement is speculative, perhaps 11:26-32 provides the best clue for the insertion of this chapter between 26:16-19 and 28:1. There Moses had called for a blessing and curse ritual on Mounts Gerizim and Ebal respectively. Indeed, the large block of material preserved in 26:16-28:68 exhibits a reverse resumptive expository relationship to 11:26-32.¹⁰⁵

A final explanation for the passage's placement on the grounds of geography is Hill's suggestion that ch 27 is the Hebrew equivalent of a Babylonian *kudurru*, a royal land grant. Significant for our investigation is his claim that this provides "the best explanation for the presence of the curse Decalogue in 27:15-26 while retaining continuity with the covenant-renewal theme of the immediate context."¹⁰⁶ Other attempts to ascribe theological purpose for the passage do not find the chapter's geography as significant.

¹⁰² This terminology adapted from McConville, *Deuteronomy*, 407.

¹⁰³ Jeffrey H. Tigay, *Deuteronomy* (The JPS Torah Commentary; Jerusalem: Jewish Publication Society, 1994), 488.

¹⁰⁴ Norbert Lohfink, "Moab Oder Sichem—wo Wurde Dtn 28 Nach Der Fabel Des Deuteronomiums Proklamiert?," in *Moab Oder Sichem—wo Wurde Dtn 28 Nach Der Fabel Des Deuteronomiums Proklamiert?* (eds. F. García Martínez et al.; Studies in Deuteronomy in Honour of C. J. Labuschagne on the Occasion of His 65th Birthday; Leiden: Brill, 1994), 150-51.

¹⁰⁵ Craigie, *The Book of Deuteronomy*, 212; J. Gary Millar, *Now Choose Life: Theology and Ethics in Deuteronomy* (New Studies in Biblical Theology; Leicester: Apollos, 2000), 89; McConville, *Deuteronomy*, 5; Block, *Deuteronomy*, 623.

¹⁰⁶ Andrew E. Hill, "The Ebal Ceremony as Hebrew Land Grant?" *Journal of the Evangelical Theological Society* 31 (1988): 399-406, 406.

For Merrill, ch 27 "is an integral part of the sanctions section. Moreover, it is inconceivable that a blessings list (28:1-14) should be followed by a curses list (28:15-68) before a sanctions ceremony has even been prescribed (27:1-13)."¹⁰⁷ Millar sees ch 27 so associated with what follows that he makes the division between chs 26 & 27 one of only two macro-level breaks in the entire book.¹⁰⁸ Barker takes this association a step further, arguing that Luther's reading of 27:26 as placing every individual under curse was essentially right, and that the chapter is designed to cast the proclamations of blessings and curses in ch 28 in a pessimistic light. As such, curse is the inevitable outcome of the covenant.¹⁰⁹

It was observed above that covenant readings of Deuteronomy suggest different functions for ch 27 within the treaty structure. McCarthy simply leaves the chapter out, concluding that it "must be considered an addition to the basic Discourse."¹¹⁰ For Kline, chs 27-30 are the "covenant ratification" section,¹¹¹ whereas for Wenham, the chapter functions as the treaty's "document clause."¹¹²

The views of Brueggemann, Tigay, and Lohfink most explicitly attempt to exegete ch 27 in such a way as to make sense of its structural position. Tigay and Lohfink both understand the chapter to function as a recontextualisation of the surrounding material in Shechem. However, the recontextualisation Tigay suggests could still be achieved by placing the chapter after ch 28, and Lohfink's suggestion that the third speech is added to place ch 28 as part of Moses' words in Shechem accounts for 27:11-26, but not vv. 1-8. Brueggemann's thesis, that ch 27 gives liturgical implementation to the oath of 26:16-19 more obviously requires ch 27 to be placed directly after ch 26. It is in this sense the most developed.

¹⁰⁷ Merrill, *Deuteronomy*, 341.

¹⁰⁸ Millar, *Now Choose Life*, 46.

¹⁰⁹ Paul A. Barker, "The Theology of Deuteronomy 27," *Tyndale Bulletin* 49 (1998): 277-303.

¹¹⁰ McCarthy, *Treaty and Covenant*, 185.

¹¹¹ Kline, *Treaty of the Great King: The Covenant Structure of Deuteronomy*, 121-22.

¹¹² G. J. Wenham, "The Structure and Date of Deuteronomy", 206.

1.5 Conclusion

This chapter has surveyed three of the most prominent approaches to the structure of Deuteronomy, covenant, composition, and the identification of parallels, as well as specific treatments of ch 27. All approaches have contributed to modern science's understanding of Deuteronomy, but none are without limitations.

Methodological limitations were identified with the practice of structuring Deuteronomy by comparison with other ANE documents. Such comparisons are often made for the purpose of establishing Deuteronomy's chronology, however there are many unknowns that must be assumed in order to undertake such comparison, and the results often sit at odds with some of Deuteronomy's other structural features (such as its arrangement into Mosaic speeches). Furthermore, integrating ch 27 into proposed covenant, treaty or law-code formats is not unproblematic.

Compositional approaches to structuring Deuteronomy rely on the assumption that its final form reflects the book's history of composition and is not merely a result of it. This assumption was questioned on the basis that any later editor may choose to re-organise or re-work previous material rather than append onto it. If so, this would lead to a stratification of the book's redactional layers, rather than a tidy sequential division of earlier and later material. Diachronic analyses of Deuteronomy might explain ch 27 as being somehow associated with the material that precedes or follows ch 27, but a deeper explanation for why this material was inserted here is often lacking. The most developed thesis is Brueggeman's suggestion that the chapter gives "liturgical implementation to the mutual declaration of 26:16-19 that constitutes the covenant."¹¹³ Yet further development of Bruggeman's suggestion is still possible by considering why such a "liturgical implementation" would be needed.

Deuteronomy exhibits many parallels, and examples of the stylistic use of repetition are abundant. However, this survey expressed caution over the identification of complex textu-

¹¹³ Brueggemann, *Deuteronomy*, 251.

al structures on the basis of repetition, which sometimes appear to cut across other structural features within the text. Furthermore, repetition and parallels do not admit of consistent interpretation, leading sometimes to the same features receiving conflicting interpretations from different readers. A number of different parallels have been suggested for ch 27, and then the implications of such parallels are not entirely clear.

The approaches surveyed are thus all methodologically limited, and leave scope for further development. Nevertheless, they each contribute useful perspectives and observations to the present inquiry. This investigation shall be undertaken synchronically, as moving to quickly to diachronic explanations runs the risk of placing conclusions ahead of the data. The study shall utilise discourse analysis, a methodology which incorporates observation of parallels and repetition, but articulates controls for drawing inferences from such observations. Issues of genre and ANE parallel are not shunned, but they are downplayed, and such comparisons are only made cautiously, conscious of the ever-present risk that material from outside the text can be inadvertantly imposed upon Deuteronomy rather than used to illuminate it. The methodology described in the following chapter will then be applied to Deuteronomy's narrative frame of Deuteronomy in chapter three.

2. METHOD

Human beings are exceptionally good at communicating. As a species we are specialised at conveying ideas effectively to others, and at being able to discern the ideas that others are attempting to convey to us. During the 1950s, the study of linguistics and texts has become increasingly informed by empirical studies into the nature of human beings and the strategies and techniques we use to share our thoughts with others.

The previous chapter made a case for the present investigation on the basis that previous approaches to the structure of Deuteronomy have been limited, both methodologically and in their treatment of ch 27. The chapter describes the methodological perspective of the present study. Because the analysis will require precise discussion of clauses and clause constituents, the chapter begins by defining the notational convention that shall be employed, some preliminary discussion of the types of clauses to be found in Deuteronomy's narrative frame, and what are assumed to be the default features of these (such as unmarked word order). After this, the linguistic underpinnings of the study shall be introduced through the exposition of some key concepts from functional grammar as described by Dik. The chapter ends with a description of Miller's discourse functions of quotative frames in Hebrew narrative.

2.1 Notational Convention and Preliminary Assumptions Employed in Clausal Analysis

Most of the analysis shall occur at the level of the clause. Here is briefly described the notational convention which shall be adopted, and some foundational assumptions about Hebrew syntax.

The clause consists of a subject and a predicate. All clauses are classified as one of two types. A main clause can grammatically stand alone, in contrast to a subordinate clause which cannot.

Clauses are displayed graphically indented according to type. They are denoted by biblical reference (according to Hebrew numbering) with an appended Roman numeral.¹¹⁴ Some noun phrases, though not all, are also counted, such as where the narrator occasionally embeds several clauses within a series of noun phrases. 4:47-49 is sufficiently complex to serve as an example. Here a main clause (v. 47i) is modified by four noun phrases (vv. 48i, iii, 49i-ii), within which are three embedded clauses (vv. 47ii, 48ii, iv):

	main clause	
	subordinate clause	
	noun phrase	
וַיִּרְשׁוּ אֶת-אֶרֶץ צוֹ וְאֶת-אֶרֶץ עוֹג מֶלֶךְ-הַבְּשָׁן שְׁנֵי מַלְכֵי הָאֲמֹרִי		47i
אֲשֶׁר בָּעֵבֶר הִירְדּוֹ מִזֶּרֶחַ שָׁמֶשׁ:		ii
מֵעֵרֶךְ		48i
אֲשֶׁר עַל-שְׂפַת-גִּזְרֵי אֲרָנוֹן		ii
וְעַד-תַּר שִׁיאֵן		iii
הִיא תְּרֵמֹן: (embedded)		iv
וְכָל-הַעֲרֻבָה עָבַר הִירְדּוֹ מִזֶּרֶחַ		49i
וְעַד יָם הַעֲרָבָה תַּחַת אֲשֶׁר הִפְסְגָה: פ		ii

Complex noun phrase constructions with embedded clauses such as this can be found near the beginning of significant sections in Deuteronomy (e.g. 1:1-2, 7iii; 29:1iii-2; 34:1iii-3), or other places for the purpose of summarising a swathe of narrative information in a compact fashion (e.g. 1:33).

In discourse analysis of classical Hebrew narrative, the wayyiqtol clause is of particular importance. Longacre, in his influential *Joseph*, considers the wayyiqtol to express "on-the-line" story material. Other clause types are used to deviate from this main line of the narrative.¹¹⁵ Heimerdinger has criticised Longacre for employing a simplistic view of fore-

¹¹⁴ Notationally, references to verse fragments are traditionally referred to by appending a letter to the verse number (e.g. 27:7a). However, clause boundaries are not always co-extensive with the way verses tend to be broken down in this way. Clauses are indexed within each verse by appending a small case roman numeral (e.g. 27:7i-ii is equivalent to 27:7a).

¹¹⁵ Robert E. Longacre, *Joseph: A Story of Divine Providence: A Text Theoretical and Textlinguistic Analysis of Genesis 37 and 39-48* (Winona Lake: Eisenbrauns, 1989), 65-66.

grounding and backgrounding, where foregrounding is tied to a single feature of the grammar.¹¹⁶ (In at least one case in Deuteronomy's narrative frame the wayyiqtol occurs off the "main line."¹¹⁷) Levinson has offered a helpful corrective in light of this critique that "Longacre should refer to vayyiqtol clauses not as the storyline band, but as the default or unmarked way of presenting storyline events."¹¹⁸

The concept of 'default/unmarked' is defined for this study in the following section. The terms 'foreground' and 'background' are used for convenience and without technical definition, according the description of Robar: "The foreground is that which stands out as prominent and makes the first impression, and the background is the context that makes it possible for the foreground to stand out."¹¹⁹

The dataset for the analysis is Deuteronomy's narrative frame, which contains 108 clauses. 69 are main clauses,¹²⁰ 46 of which are governed by the wayyiqtol.¹²¹ Two of these are וְהָיָה,¹²² whose function as a discourse marker is discussed during the analysis.¹²³ Other main clauses in Deuteronomy's narrative frame are either verbless (7x),¹²⁴ or predicated by qatal

¹¹⁶ Jean-Marc Heimerdinger, *Topic, Focus and Foreground in Ancient Hebrew Narratives* (Journal for the Study of the Old Testament Supplement Series; Sheffield: Sheffield Academic, 1999), 76-80.

¹¹⁷ 4:47i.

¹¹⁸ Stephen H. Levinsohn, *Review of Topic, Focus and Foreground in Ancient Hebrew Narratives, Jean-Marc Heimerdinger, Journal of Translation and Textlinguistics* 14 (2002): 126-47, 128.

¹¹⁹ Elizabeth Robar, "Grounding: Biblical Hebrew," in *Grounding: Biblical Hebrew* (ed. Geoffrey Khan; Encyclopedia of Hebrew Language and Linguistics, Vol 2; Leiden: Brill, 2013), 151a-b.

¹²⁰ 1:1i, 3i, ii, 5i, ii; 4:41i, 42iii, iv, 44i, 45i, 47i; 5:1i, ii; 27:1i, 9i, 11i; 28:69i; 29:1i, ii; 31:1i, ii, 2i, 7i, ii, 9i, ii, 10i, 14i, vii, viii, 15i, ii, 16i, 22i, ii, 23i, ii, 24i, 25i, 30i; 32:44i, ii, 45i, 46i, 48i; 33:1i, 2i, 7i, ii, 8i, 12i, 13i, 18i, 20i, 22i, 23i, 24i; 34:1i, iii, 4i, 5i, 6i, 8i, ii, 9i, iii, iv, 10i. (4:48iv is also grammatically a main clause, but is embedded within a subordinate clause).

¹²¹ 1:3i; 4:47i; 5:1i, ii; 27:1i, 9i, 11i; 29:1i, ii; 31:1i, ii, 2i, 7i, ii, 9i, ii, 10i, 14i, vii, viii, 15i, ii, 16i, 22i, ii, 23i, ii, 24i, 25i, 30i; 32:44i, ii, 45i, 46i, 48i; 33:2i, 7ii; 34:1i, iii, 4i, 5i, 6i, 8i, ii, 9iii, iv.

¹²² 1:3i; 31:24i.

¹²³ Cf. Christo H. J. van der Merwe et al., *A Biblical Hebrew Reference Grammar* (Biblical Languages: Hebrew 3; Sheffield: Sheffield Academic, 1999), §44.5.

¹²⁴ 1:1i; 4:44i, 45i; 28:69i; 33:1i, 7i; 34:7i.

(16x),¹²⁵ weqatal (2x),¹²⁶ or yiqtol (1x).¹²⁷ As non-default, these clauses are marked. (See the following section for a definition of markedness.) They are considered in more detail as they are encountered in the analysis.

39 clauses in Deuteronomy's narrative frame are subordinate.¹²⁸ Clauses are subordinated by a connective particle (אשר¹²⁹, כִּי¹³⁰, וְכִי¹³¹) or by the use of a non-indicative tense-form (infinitive,¹³² participle¹³³). The default word order of main clauses is taken to be VSO, and that of subordinate clauses SVO.¹³⁴

In certain environments, the infinitive more displays its nominal than its verbal character, and in such cases might be technically classed a noun phrase than a subordinate clause, e.g. 34:7ii בְּמָוֹתָו instead of being classed a subordinate clause, "when he died," might be classed a noun phrase, "at his death." For convenience, all infinitives are treated here as complementisers; predicates that take the clause they modify as their subject.

Even in a clause otherwise unmarked as subordinate, if the participle is used as the predicate it tends to reflect the word order of subordinate clauses.¹³⁵ Therefore, the three oth-

¹²⁵ 1:3ii, 5i, ii; 33:8i, 12i, 13i, 18i, 20i, 22i, 23i, 24i; 34:6ii, 7iii, iv, 9i, 10i.

¹²⁶ 4:42iv, v.

¹²⁷ 4:41i. The status of this clause is further complicated by the fact that it is governed by וְ, which can act as a subordinating conjunction, or merely as an adverb, cf. Merwe et al., *A Biblical Hebrew Reference Grammar*, §40.4, 41.2/1.

¹²⁸ 1:1ii, 3iii, 4i, ii, iii, 5iii; 4:42i, ii, 44ii, 45ii, iii, 46ii, iii, iv, 47ii, 48ii; 27:1ii, 9ii, 11ii; 28:69ii, iii, iv; 31:9iii, 10ii, 24ii, iii, 25ii, iii; 32:45ii, 48ii; 33:1ii; 34:1ii, 7ii, 9ii, v, 10ii, 11ii, iii, 12ii.

¹²⁹ Whether used as a conjunction, or a relativiser. 1:1i, 4i, ii, iii; 4:42ii (with no antecedent), 44ii, 45ii, 46ii, iii, 47ii, 48ii; 28:69ii, iv; 33:1ii; 34:1ii, 10ii, 11ii, 12ii. (אשר functions in 1:3iii to embed the clause within a prepositional phrase).

¹³⁰ 34:9v.

¹³¹ 34:9ii.

¹³² 1:5iii; 4:42i, 45iii, 46iv; 27:1ii, 9ii, 11ii; 28:69iii; 31:10ii, 24ii, iii, 25iii; 32:45ii, 48ii; 34:7ii, 11iii.

¹³³ 4:42iii; 31:9iii, 25ii.

¹³⁴ Randall Buth, "Functional Grammar, Hebrew and Aramaic: An Integrated, Textlinguistic Approach to Syntax," in *Functional Grammar, Hebrew and Aramaic: An Integrated, Textlinguistic Approach to Syntax* (ed. Walter Ray Bodine; Semeia Studies Discourse Analysis of Biblical Literature: What it is and What it Offers; Atlanta, Georgia: Scholars Press, 1995), 88.

¹³⁵ Jan Joosten, *The Verbal System of Biblical Hebrew: A New Synthesis Elaborated on the Basis of*

erwise unmarked participial clauses in the narrative frame have been marked as subordinate. In each case they are a participle of attendant circumstance.¹³⁶

Of the 69 main clauses in Deuteronomy's narrative frame, 25 are quotative frames: 23 for direct speech¹³⁷ and 2 for indirect speech.¹³⁸ Section 2.3 discusses the pragmatic significance of quotative frames.

2.2 Functional Grammar: Linguistic Foundations

Functional grammar is a linguistic perspective that can be thought of as contrasting with generative/formal approaches to linguistics.¹³⁹ Functional grammar is not unique in this regard, other linguistic movements are also critical of the previously dominant formal approach, such as cognitive linguistics (some important contributions of which are Lakoff, Croft and Cruse, and Geeraerts and Cuyckens¹⁴⁰) and Basic Linguistic Theory, a linguistic model assumed by many linguists conducting fieldwork, recently defined in detail by Dixon.¹⁴¹

A formal or generative linguistic approach can be said to treat language processing as a separate module of the human mind. Grammar is a description of rules which predict how a given set of words will be organised, irrespective of their meaning. The study of language is

Classical Prose (Jerusalem Biblical Studies; Jerusalem: Simor, 2012), 230-41.

¹³⁶ Cf. Joosten, *The Verbal System of Biblical Hebrew*, 245.

¹³⁷ 5:1i, ii; 27:1i, 9i, 11i; 29:1i, ii; 31:1ii, 2i, 7i, ii, 10i, 14i, 16i, 23i, ii, 25i; 32:45i, 46i, 48i; 33:2i, 7ii; 34:4i.

¹³⁸ 31:30i; 32:44ii.

¹³⁹ For a comparison between one of these fields and generative grammar see George Lakoff, "Cognitive Versus Generative Linguistics: How Commitments Influence Results," *Language & Communication* 11 (1991): 53-61.

¹⁴⁰ George Lakoff, *Women, Fire, and Dangerous Things* (Chicago: University of Chicago Press, 1990); Lakoff, "Cognitive Versus Generative Linguistics: How Commitments Influence Results"; William Croft and D. A. Cruse, *Cognitive Linguistics* (Cambridge: Cambridge University Press, 2004); ed. *Cognitive Linguistics: Basic Readings* (ed. Dirk Geeraerts. Berlin: Mouton de Gruyter, 2006); eds. *The Oxford Handbook of Cognitive Linguistics* (ed. Dirk Geeraerts and Hubert Cuyckens. Oxford: Oxford University Press, 2007); Dirk Geeraerts, *Theories of Lexical Semantics* (Oxford: Oxford University Press, 2010).

¹⁴¹ R. M. W. Dixon, *Basic Linguistic Theory 1: Methodology* (Oxford: OUP, 2009); R. M. W. Dixon, *Basic Linguistic Theory 2: Grammatical Topics* (Oxford: OUP, 2010); R. M. W. Dixon, *Basic Linguistic Theory 3: Further Grammatical Topics* (Oxford: OUP, 2012).

not the study of meaning, it is the study of formal relations between signs. For this reason generative grammar is sometimes treated as a branch of mathematics.

In contrast a functional linguistic approach considers language as embodied in human experience and usage based, working from the presumption that form is a function of meaning: what the communicator says and the way (s)he says it are motivated by the desire to communicate. For this reason functional grammar blurs the lines between traditional grammar and the fields of pragmatics, psychology, sociology, etc.

Three such descriptions of functional grammar are those described by Halliday, Dik, and Hengeveld and Mackenzie.¹⁴² The work of Dik in particular shall provide a philosophical underpinning for the present study. Some other important theoretical tools that shall be utilised are the concepts of information structure and saliency as articulated by Lambrecht,¹⁴³ and the application of linguistic research to discourse analysis by Brown and Yule.¹⁴⁴ Informed by these influences, the methodology of the present study is underpinned by three assumptions:

First, Deuteronomy is *an act of communication*. This is assumed to be the primary and most important motivation for the narrator's authorial and editorial work. It may be that the particular redactor under consideration (and others who worked on the book) also had other motivations in play, such as the desire to conservatively preserve sources or make his finished work suitable for distribution as part of a wider corpus (e.g. as part of the pentateuch, hexateuch, or deuteronomic history). Such motivations cannot be assumed, however, but must be arrived at as a consequence of considering the evidence. The only thing that can be

¹⁴² M. A. K. Halliday, *An Introduction to Functional Grammar* (2 ed. London: Arnold, 1994); Simon C. Dik, *The Theory of Functional Grammar 1: The Structure of the Clause* (Functional Grammar Series; trans. Kees Hengeveld; 2 ed. Berlin: Walter de Gruyter, 1997); Simon C. Dik, *The Theory of Functional Grammar 2: Complex and Derived Constructions* (Functional Grammar Series; trans. Kees Hengeveld; 2 ed. Berlin: Walter de Gruyter, 1997); Kees Hengeveld and J. Lachlan Mackenzie, *Functional Discourse Grammar: A Typologically-Based Theory of Language Structure* (Oxford: Oxford University Press, 2008).

¹⁴³ Knud Lambrecht, *Information Structure and Sentence Form: Topic, Focus, and the Mental Representations of Discourse Referents* (Cambridge Studies in Linguistics 71; Cambridge: Cambridge University Press, 1994).

¹⁴⁴ Gillian Brown and George Yule, *Discourse Analysis* (Cambridge Textbooks in Linguistics; London: Cambridge University Press, 1983).

safely assumed about the text (or any text) is that the author wanted to communicate something.

Secondly, the narrator deliberately tries to help his readers read Deuteronomy as he intended. In other words: he at least *attempts* to communicate *effectively*. For example, if the narrator intended for his work to be read as a covenant document, one would expect this to be signalled to the reader somewhere near the beginning.¹⁴⁵ To say the book "is structured" in a particular manner is to also assume the narrator intended his readers to discern this structure, otherwise what was the point of structuring it in this way? The author wrote *for his readers*.

Thirdly, every detail of Deuteronomy, from its overall shape to the minute details of clause structure and vocabulary, is shaped by that desire to communicate within the language and culture of the narrator's time. Anything the narrator wrote, or chose to keep in, or chose to change, is done so in order to convey his thoughts to the reader as clearly as he can using the language and conventions of classical Hebrew.

This last principle applies on two levels. First, there are universal norms in the way human beings structure information within communication, which are thus typologically true across languages. Second, classical Hebrew, like every other language, has norms and conventions that authors use to convey their ideas, and to signal to their readers how to properly understand and assemble those ideas. Several of these norms and conventions have already been identified by Hebraists. The norms and conventions of introducing direct speech in classical Hebrew shall be discussed in the following section, here some foundational meta-language linguistic concepts are introduced and defined.

2.2.1 Information

Lambrecht distinguishes two classes of information within a text, "old" and "new." These classes shall be made use of by adopting Runge's terminology of "established," and "non-es-

¹⁴⁵ This assumption is not made without theoretical basis, Dik, *The Theory of Functional Grammar*, 415-17.

tablished" information.¹⁴⁶ Established information is "the sum of 'knowledge'... evoked in a sentence which a speaker assumes to be already available in the hearer's mind at the time of utterance." Information may become established within a discourse, or presumed from shared context. Non-established information "is the information added to that knowledge by the utterance itself."¹⁴⁷ Non-established information is not inherently novel. It may simply be the placing of two or more pieces of established information in a new relationship to one another. The conveyance of non-established information in relation to established information is the "meaning" communicated in a text.¹⁴⁸

2.2.2 Activation State

A text of any sizeable length requires the use of more established information than can be consciously held in the mind at any one time. For this reason, Lambrecht utilises Chafe's concept of activation states to describe how conscious an individual is of a particular piece of information at any given moment. Active information "is currently lit up, a concept in a person's focus of consciousness at a particular moment." Accessible information "is in a person's peripheral consciousness, a concept of which a person has a background awareness, but one that is not being directly focused on." Inactive information "is currently in a person's long-term memory, neither focally nor peripherally active." The narrator of Deuteronomy employs various techniques to ensure that the right information is active for the reader at the right time. These shall be discussed as they arise.

2.2.3 Default/Unmarked and Marked

All languages have norms for encoding information in ways that readers and hearers expect to receive it. Encoding involves the use of certain lexemes, morphemes, syntagms, etc. for

¹⁴⁶ Steven E. Runge, *Discourse Grammar of the Greek New Testament: A Practical Introduction for Teaching and Exegesis* (Peabody, Massachusetts: Hendrickson Publishers, 2010), 188-89.

¹⁴⁷ Lambrecht, *Information Structure and Sentence Form*, 50.

¹⁴⁸ Lambrecht, *Information Structure and Sentence Form*, 43.

certain functions. There are norms and expectations at every level of the communicative act. When information is encoded as expected it is said to be "default" or "unmarked." When information is encoded in some way that breaks or subverts such expectations it is said to be "marked." Of particular relevance for this study shall be the default or marked use of tense-forms, and of information ordering at clause and discourse levels.

2.2.4 Topic and Focus

Defined pre-theoretically, topic is "what is being talked/written about."¹⁴⁹ A more robust definition can be borrowed and modified from Brown and Yule: "Topic is the area of overlap in established information which has been activated and is shared by the narrator and his reader at a particular point in Deuteronomy."¹⁵⁰

Topic exists at the level of the discourse, and at the level of the sentence and clause. The two are not always the same. A discourse can contain multiple topics, which may be arranged hierarchically and/or sequentially.¹⁵¹ For hierarchical arrangement the concept of sub-topic can be defined as "a Topic which may be legitimately inferred" from another previously established topic.¹⁵² More complex relationships are also possible. (An aside, for example, is a brief discussion of a separate topic, before returning to the main topic.)

While topics are commonly expressed propositionally, Brown and Yule have demonstrated that this is problematic.¹⁵³ Cognitive linguists are concerned with the way in which human beings store and retrieve information, which has been experimentally observed to be different to the classical model of truth-propositions. An important theory advanced is that of

¹⁴⁹ Brown and Yule, *Discourse Analysis*, 73.

¹⁵⁰ Adapted from Brown and Yule, *Discourse Analysis*, 83.

¹⁵¹ Dik, *The Theory of Functional Grammar*, 313-15.

¹⁵² Dik, *The Theory of Functional Grammar*, 323-24.

¹⁵³ Brown and Yule, *Discourse Analysis*, 114-16.

Idealised Cognitive Models.¹⁵⁴ ICMs are descriptions of category structure which recognise that any concept is made up of interrelated sets of information with graded saliency.¹⁵⁵ The construction and fleshing out of an ICM might be thought to be the goal of a communicator regarding their given topic.

Focus is a concept generally more restricted just to discussing the clause, and is defined pre-theoretically as "the idea a sentence conveys." In light of the definitions of information given above, it might be said that every clause expresses meaning by assuming some established information and asserting new information in relation to that presupposition. On this basis it is possible to adopt Lambrecht's more technical definition of focus as "the element of information whereby the presupposition and the assertion DIFFER from each other."¹⁵⁶ All clauses therefore have an element that is in (small-f) focus. However, sometimes this element is pragmatically marked or highlighted, in which case, following Dik's terminology, it is said to be assigned "a pragmatic function" of (capital-F) Focus.¹⁵⁷

2.2.5 Information Structure and Pragmatic Highlighting

In any language there are default patterns for the ordering of information. Theoretical assertions can be advanced both about such default patterning, and about the implications of subverting it.

2.2.5.1 Clause Structure

At the level of the clause Dik has identified several principles governing the default ordering of constituent elements. The following four are of particular relevance:

1. Iconic ordering: clauses and clause constituents tend to be ordered in a way that

¹⁵⁴ Lakoff, *Women, Fire, and Dangerous Things*.

¹⁵⁵ For a simplified overview see Alan Cienki, "Frames, Idealized Cognitive Models, and Domains," in *Frames, Idealized Cognitive Models, and Domains* (eds. Dirk Geerearts and Hubert Cuyckens; The Oxford Handbook of Cognitive Linguistics; Oxford: Oxford University Press, 2007).

¹⁵⁶ Lambrecht, *Information Structure and Sentence Form*, 207.

¹⁵⁷ Dik, *The Theory of Functional Grammar*, 326-27.

"iconically reflects the semantic content of the expression in which they occur."¹⁵⁸

2. Increasing complexity: the simplest constituent elements tend to be ordered earlier.¹⁵⁹
3. The subject precedes the object.¹⁶⁰
4. Relative constructions follow whatever they modify.¹⁶¹

(There are also language-specific rules relevant to Classical Hebrew.) When the rules of constituent ordering are subverted the clause is syntactically marked. Clauses have "special positions" that can be used for "pragmatic highlighting." In every language this at least includes the clause-initial position prior to normal constituent order.¹⁶²

Dik originally distinguished between established and non-established information placed in clause-initial position as 'P1' and 'P2', which played complementary pragmatic functions. This terminology has since been applied to Hebrew and Greek by biblical scholars.¹⁶³ However, in the second edition of his *Theory of Functional Grammar* (published posthumously in 1997) syntactic methods for pragmatic highlighting are distinguished from the pragmatic functions that such highlighted information performs.

When the topic is pragmatically highlighted, the pragmatic function may be to introduce a new topic, maintain a discourse topic, or resume a topic that has dropped out of view.¹⁶⁴ In other words, a topic is pragmatically highlighted in order to ensure its activation state is active.

Seven pragmatic functions for pragmatically highlighting the focus of a clause are

¹⁵⁸ Dik, *The Theory of Functional Grammar*, 399-400.

¹⁵⁹ Dik, *The Theory of Functional Grammar*, 404, 410-13.

¹⁶⁰ Dik, *The Theory of Functional Grammar*, 405-06.

¹⁶¹ Dik, *The Theory of Functional Grammar*, 415-16.

¹⁶² Dik, *The Theory of Functional Grammar*, 403.

¹⁶³ Buth, *Functional Grammar, Hebrew and Aramaic*; Runge, *Discourse Grammar of the Greek New Testament*, 181-205.

¹⁶⁴ Dik, *The Theory of Functional Grammar*, 315-26.

when the speaker is asking or answering a question, rejecting or replacing a proposition, or expanding, restricting, or selecting between two propositions.¹⁶⁵

2.2.5.2 Discourse Structure

Discourses conform to certain expectations imposed by their genre and context.¹⁶⁶ Any discourse also generates a conceptual world "against the background of which the successive clauses are to be interpreted."¹⁶⁷ Discourses have a "hierarchical, layered structure,"¹⁶⁸ which "as a whole may in several respects be compared to the structure of the clause."¹⁶⁹ They contain sub-units which may be nested (for example: scenes or flashbacks). Structure allows the information conveyed in discourses to be cognitively processed by the recipient in a manageable way, but to communicate effectively discourses must also have coherence. Six features of discourse coherence are:

1. Frames: conceptual frameworks which give rise to expected norms.¹⁷⁰ In cognitive linguistics, Idealised Cognitive Models can perform this function.¹⁷¹
2. Iconic sequencing: a principle similar to iconic ordering of clauses. "*Temporal iconicity* implies that, without indications to the contrary, when event E₁ is mentioned before event E₂, it may be assumed that E₁ took place before E₂ in time."¹⁷² Cognitive principles also suggest other default orderings, e.g.:¹⁷³

¹⁶⁵ Dik, *The Theory of Functional Grammar*, 330-35.

¹⁶⁶ Dik, *The Theory of Functional Grammar*, 416-17.

¹⁶⁷ Dik, *The Theory of Functional Grammar*, 417-18.

¹⁶⁸ Dik, *The Theory of Functional Grammar*, 423.

¹⁶⁹ Dik, *The Theory of Functional Grammar*, 424.

¹⁷⁰ Dik, *The Theory of Functional Grammar*, 433-35.

¹⁷¹ Cienki, *Frames, Idealized Cognitive Models, and Domains*.

¹⁷² Dik, *The Theory of Functional Grammar*, 435.

¹⁷³ Dik, *The Theory of Functional Grammar*, 436.

cause → effect
 event → result
 condition → consequent
 action → purpose

3. Topical continuity: coherent discourses employ strategies to maintain continuity of topic, and signal topic shifts clearly.¹⁷⁴
4. Focality: when focus is predefined (such as by a question) the expected information, and not something else, is treated as focal (such as the answer).¹⁷⁵
5. Tail-Head Linkage: the end of a clause or section is used at the beginning of the following clause or section.¹⁷⁶
6. Connectors are used for a variety of pragmatic functions in discourses.¹⁷⁷ Discourse markers are signs that have come to play a particular function for the sake of discourse coherence. Such functions do not always equate with their classical explanation on the basis of semantics or grammatical function.¹⁷⁸

Having defined these linguistic concepts that will be necessary for the present investigation, a discourse feature specific to the language and genre of Deuteronomy's narrative frame shall be discussed.

2.3 Functional Grammar: Applied to Hebrew Quotative Frames

Miller has undertaken an extensive study of quotative frames in Biblical Hebrew from a "discourse-pragmatic" perspective.¹⁷⁹ Her analysis sits theoretically well with what has been

¹⁷⁴ Dik, *The Theory of Functional Grammar*, 436-37.

¹⁷⁵ Dik, *The Theory of Functional Grammar*, 438. This can be a difficult concept, so it is worth citing Dik's example, where capitalisation indicates stress. Here A1 is the focality-coherent response:

Q: Who is Kohl going to meet in Gdansk?

A1: Kohl is going to meet WALESA in Gdansk.

A2: *Kohl is going to meet Walesa in GDANSK.

¹⁷⁶ Dik, *The Theory of Functional Grammar*, 438-40.

¹⁷⁷ Dik, *The Theory of Functional Grammar*, 440-41.

¹⁷⁸ See Merwe et al., *A Biblical Hebrew Reference Grammar*, §44.

¹⁷⁹ Cynthia Lynn Miller, *The Representation of Speech in Biblical Hebrew Narrative: A Linguistic*

defined here as "functional grammar." "Quotative frames" are Miller's term for those parts of a narrative that are used to introduce direct or indirect speech.¹⁸⁰ Direct speech quotative frames can be marked as dialogic (part of an interaction) or non-dialogic (not part of an interaction). She identifies three types of direct speech quotative frames in BH.

A "single verb frame" has only one verb (this will always be אמר). These are default—i.e. they do not indicate whether the quotation they introduce is dialogic or non-dialogic.¹⁸¹ In Deuteronomy's narrative frame, twelve quotative frames are single verb frames.¹⁸²

A "multiple-verb frame" has more than one verb and אמר (which is always present) is a finite tense form. These are marked as dialogic—i.e. part of an interaction.¹⁸³ In Deuteronomy's narrative frame, seven quotative frames are multiple-verb frames.¹⁸⁴

A "לאמר frame" is easily recognisable by the infinitive לאמר. These are marked as non-dialogic—i.e. as having features that are not typical of an interaction.¹⁸⁵ In Deuteronomy's narrative frame, seven quotative frames are לאמר frames.¹⁸⁶

In multiple-verb and לאמר frames, the verb that is not the final אמר is called the "matrix verb." The semantic potential of this verb either suggests a dialogic or non-dialogic context. This renders another level of markedness.¹⁸⁷ For example, verbs like צוה or ענה semantically suggest a dialogic setting. צוה "to command" anticipates a response by the hearer (either

Analysis (Atlanta, Georgia: Scholars Press, 2004).

¹⁸⁰ This is not to be confused with the term "narrative frame" we have used thus far merely to refer to those parts of the Deuteronomic narrative that unfold outside of direct speech.

¹⁸¹ Miller, *The Representation of Speech in Biblical Hebrew Narrative*, 309.

¹⁸² 31:14i, 16i; 33:7ii, 8i, 12i, 13i, 18i, 20i, 22i, 23i, 24i; 34:4i.

¹⁸³ Miller, *The Representation of Speech in Biblical Hebrew Narrative*, 145-47, 315.

¹⁸⁴ 5:1i-ii; 29:1i-ii; 31:1-2i, 7i-ii, 23i-ii; 32:45-46i; 33:1-2i.

¹⁸⁵ Miller, *The Representation of Speech in Biblical Hebrew Narrative*, 394.

¹⁸⁶ 1:5i-iii; 27:1i-ii, 9i-ii, 11i-ii; 31:10i-ii, 25i-iii.

¹⁸⁷ The following is a simplified application of Miller's conclusions regarding the discourse-pragmatic functions of quotative frames.

obedience or disobedience), whereas ענה "to answer" is itself a response to something previously said or done. In contrast, a verb like דבר "to speak" is simply a generic reference to speech, which one might expect to be used in a non-dialogic setting.¹⁸⁸

One would expect dialogic verbs such as צוה or ענה to be used in multiple-verb frames, which indicate a dialogic setting. Conversely, one would expect a non-dialogic verb such as דבר to be used in לאמר frames, which indicate a non-dialogic setting. However, this is not always the case. Often, verbs are used unexpectedly within frames that are marked the opposite way. In these cases the quotative frames are pragmatically *further marked*.¹⁸⁹

An important special case within Miller's analysis for the corpus under consideration here is her application of dialogic and non-dialogic markedness to monologues. Monologues are inherently non-dialogic, yet many of Deuteronomy's monologues are marked as dialogic. Miller explains:¹⁹⁰

When successive speeches by the same speaker occur within a single adjacency pair, the repetition of the quotative frame signals a narrative segmentation of the speaker's turn of talk into *moves*, rather than *separate turns*.

In other words, the use of multiple-verb frames to introduce a sequence of speeches by one person signal *moves* in the speaker's address. The multiple-verb frames introduce *progressions of the speakers' argument*.

2.4 Conclusion

This chapter has described the notational convention that will be employed for presenting data, linguistic concepts from functional grammar underpinning the analysis, and the discourse function of quotative frames in Biblical Hebrew. The theoretical underpinnings of the investigation are mostly indebted to the work of Simon Dik and Cynthia Miller.

¹⁸⁸ For a summary table of dialogic and non-dialogic matrix verbs in marked and unmarked configurations see Miller, *The Representation of Speech in Biblical Hebrew Narrative*, 396, cf. also 386..

¹⁸⁹ I have coined this term in an attempt to articulate in a simplified manner what Miller describes as a series of "hierarchically ordered two-way oppositions." Miller, *The Representation of Speech in Biblical Hebrew Narrative*, 393.

¹⁹⁰ Miller, *The Representation of Speech in Biblical Hebrew Narrative*, 269, emphasis mine.

Previous applications of functional grammar to Hebrew narrative have made use of the first edition of Dik's *The Theory of Functional Grammar*. Since then, Dik's work has been updated twice with the posthumous publication of the significantly revised second edition, as well as Hengeveld and Mackenzie's development of FG as Functional Discourse Grammar. The latter has not been utilised for the present investigation because of their own assessment that "...there is little to be gained from an application of FDG as a tool for the inductive examination of texts..." given the current status of their typology.¹⁹¹ By making use of Dik's second edition, therefore, this study can be said to be relying upon the most up to date form of the theory suitable for the task at hand.

Given that 25 of Deuteronomy's 69 main clauses (36%) are quotative frames, the book seems a most appropriate dataset upon which to apply Miller's examination of the discourse function of this feature of Hebrew narrative. The next chapter shall apply the above methodology to the narrative frame of Deuteronomy. The results of this investigation shall then be brought to be upon ch 27 specifically in chapter four.

¹⁹¹ Hengeveld and Mackenzie, *Functional Discourse Grammar*, loc. 732-33.

3. DISCOURSE ANALYSIS OF DEUTERONOMY'S NARRATIVE FRAME

The bulk of Deuteronomy's content is conveyed through a series of speeches which are embedded within a framing narrative. This constitutes a mere 50 verses or fragments of verses.¹⁹²

Within the first two Mosaic speeches, interjections within the narrator's voice account for about 15 verses or fragments of verses.¹⁹³

The previous chapter described a methodology for discourse analysis of Hebrew narrative. In this chapter that methodology shall be applied to Deuteronomy's narrative frame. The analysis is performed sequentially through the book. Even though the focus of the present investigation is the narrative frame, the content of major speeches contributes to this developing narrative and therefore cannot be ignored. Therefore, a summary of the content of the speeches is given, along with a description of the interpolations within them and the narrative frame used to introduce them.

The purpose of the following analysis is to, as far as possible, uncover what sources the narrator used to construct his material and to explore how he made use of these sources and structured his narrative around them. This will necessarily involve collecting what information can be gleaned from the text about the narrator himself and his audience. The results of these findings shall be synthesised at the end of the chapter with a view to how they also may help shed light on ch 27. The results of this investigation will be applied to ch 27 in the following chapter, and discussion of how the analysis of the narrative frame impacts on

¹⁹² 1:1-5; 4:41-5:1a; 27:1a, 9a, 11a; 28:69-29:1a; 31:1-2a, 7a, 9-10a, 14a, c-16a, 22-23a, 24-25, 30; 32:44-46a, 48; 33:1-2a, 7a, 8a, 12a, 13a, 18a, 20a, 22a, 23a, 24a; 34:1-4a, 5-12.

¹⁹³ 2:10-12, 20-23; 3:9, 11, 13b-14; 10:6-9.

the research questions posed in the introduced shall be saved for the conclusion.

3.1 The Introduction (1:1-5)

אֵלֶּה הַדְּבָרִים	1:1i
אֲשֶׁר דִּבֶּר מֹשֶׁה אֶל-כָּל-יִשְׂרָאֵל בְּעֵבֶר הַיַּרְדֵּן	ii
בְּמִדְבָּר בְּעֵרְבָה מִלִּל סוּף בְּיַד-פָּאָרֹן וּבֵינֵי-תְּפֵל וְלִגְוֹ וְהַצֵּרֶת וְגַי זָהָב:	iii
(אֵתֵּד עֲשֶׂה יוֹם מִחֻבֵּב דְּרָדֵד הַרְשִׁיעִיר עַד קָנַשׁ בְּרַגְעַ:)	2

When entering a discourse event, one would expect the communicator to signal early on the topic and genre of the discourse.¹⁹⁴ 1:1i performs both these functions. The verbless clause is often found at the beginning of a paragraph,¹⁹⁵ and in similar contexts in Leviticus Dawson has identified the syntagm to function as a topicaliser.¹⁹⁶ The statement in 1:1i and its relative modifier in 1:1ii is broad: "these are the words which Moses spoke" is only qualified by a geographical statement (1:1ii-2i). Note, therefore, that the book is not merely concerned with "the Law"—this is only a subset of "the words" referring to here. One would expect a broad topicalisation at the beginning of the discourse. Further specification or more narrow topicalisation will come as the argument develops.

It was observed in passing in chapter 1 that the genre of Deuteronomy might be classified as a "testament." Fox lists Deuteronomy and Tobit in such a comparison, along with a number of Egyptian works.¹⁹⁷ Nehemiah might also be added to his list. Note the opening lines of Deuteronomy, Tobit, and Nehemiah in Greek:

Deut 1:1	οὗτοι οἱ λόγοι οὓς ἐλάλησεν Μωυση̄ς...
Tobit 1:1	βίβλος λόγων Τωβιτ...
Neh 1:1	λόγοι Νεεμια υἱοῦ Αχαλια...

¹⁹⁴ Dik, *The Theory of Functional Grammar*, 416-17, 422-24.

¹⁹⁵ Wolfgang Schneider, *Grammatik de Biblischen Hebräisch* (München: Claudius Verlag, 1982), §44.2.1.2.

¹⁹⁶ David Allan Dawson, *Text-Linguistics and Biblical Hebrew* (Journal for the Study of the Old Testament Supplement Series 177; Sheffield: Sheffield Academic Press, 1994), 136. Verbless clauses can also relay "background information," Ellen van Wolde, "The Verbless Clause and Its Textual Function," in *The Verbless Clause and Its Textual Function* (ed. Cynthia L. Miller; Linguistic Studies in Ancient West Semitic The Verbless Clause in Biblical Hebrew: Linguistic Approaches; Winona Lake, Indiana: Eisenbrauns, 1999), 322, 333. However, Heimerdinger identifies evaluative comments delivered directly to the reader as an act of foregrounding by an author, Heimerdinger, *Topic, Focus and Foreground in Ancient Hebrew Narratives*, 245.

¹⁹⁷ Fox, "Frame-Narrative and Composition in the Book of Qohelet," 93.

It would be premature to impose some preconceived 'testament format' onto the text. Nevertheless, the opening statement does signal to the reader how it is to be read. The narrator, at least, does not primarily understand his work to be a covenant, treaty, or law-code document.

1:2 is possibly a later gloss upon the narrator's own work. It treats Horeb as a known quantity for the reader by describing the geographical setting of the narrative in relation to the mountain. It functions to introduce two important locations in anticipation of their reference in the first speech (1:6, 19).

וַיְהִי בְּאַרְבַּעִים שָׁנָה בְּעִשְׁתֵּי־עָשָׂר חֹדֶשׁ בְּאַחַד לַחֹדֶשׁ	1:3i
דִּבֶּר מֹשֶׁה אֶל־בְּנֵי יִשְׂרָאֵל	ii
כָּל אֲשֶׁר צִוָּה יְהוָה אֹתוֹ אֲלֵהֶם:	
אֲחֵרֵי הַכְּתוּבָה אֵת סִיחֹן מֶלֶךְ הָאֱמֹרִי	
אֲשֶׁר יוֹשֵׁב בְּחֶשְׁבּוֹן וְאֵת עֹג מֶלֶךְ הַבְּשָׁן	
אֲשֶׁר־יוֹשֵׁב בְּעִשְׂתָּרֶת בְּאֲדָרְעִי:	
בְּעֵבֶר הַיַּרְדֵּן בְּאֶרֶץ מוֹאָב הַזֹּאֵל מִלְּשָׁה	1:5i
בְּאֶרֶץ אֶת־הַתּוֹרָה הַזֹּאת	ii
לֵאמֹר:	iii
...	

1:3i is a temporal clause introduced with וַיְהִי. This syntagm is used in classical Hebrew narrative as a discourse marker which "signals that a new scene or episode is subsequent to a previously mentioned scene, and that this scene is part of the mainstream of a larger episode or narrative."¹⁹⁸ It is sometimes described as marking "the beginning of paragraphs."¹⁹⁹ However this terminology will have to be modified in some manner, as other structural features suggest there are different levels of 'paragraph' division within the book. The syntagm further clarifies the book's genre by signalling to the reader that the following text is to be read as narrative. It does not initiate a wayyiqtol chain, but rather a series of qatal verbs. 1:3i and 1:5i-ii essentially state the same information, but the latter with more specificity: "Moses spoke to..." and "...Moses began to explain..." This is a single narrative event. The less specific description of the event in 1:3ii allows the narrator to convey background information in a

¹⁹⁸ Merwe et al., *A Biblical Hebrew Reference Grammar*, §44.5/1(i)a.

¹⁹⁹ Roy L. Heller, *Narrative Structure and Discourse Constellations: An Analysis of Clause Function in Biblical Hebrew Prose* (Harvard Semitic Studies 55; Winona Lake, Indiana: Eisenbrauns, 2004), 433; cf. Schneider, *Grammatik de Biblischen Hebräisch*, §53.2.

series of subordinate clauses about the source of Moses' words (1:3iii) and the defeat of Sihon and Og (1:4). The relevance of this information is not yet clear to the reader.

The locative noun phrase in 1:5i ("Across the Jordan, in the land of Moab...") is asserted in the clause but not presupposed, and hence in focus. Placed in clause-initial position, it is pragmatically highlighted, and therefore assigned a pragmatic Focus function (in this case the "selecting" type).²⁰⁰ This focal information was already established in v. 1, drawing the readers attention back to "the words which Moses spoke," ensuring that this topic is active. McConville is therefore right to describe v. 5 as "resumptive."²⁰¹

1:5ii is a complement to 1:5i. It is not unusual for לֹא־ to be complemented by a finite verb.²⁰² The focus of the clause is its object: Moses will explain "this Law." Given that "this Law" might be legitimately inferred from "Moses' words," the former is being activated as a sub-topic. However, the reader has at this stage been given no indication of the referent of "this Law."

In summary, the introduction signals Deuteronomy's genre as a testament, conveyed through narrative, whose topic is Moses' words. The introduction creates narrative tension by indicating the existence of three as yet unexplained things: YHWH as the source of these words (1:3iii), the defeat of Sihon and Og (1:4), and "this Law" (1:5ii). The reader is encouraged to read on to discover what these things are and why they are important.

3.2 The First Speech (1:6-4:40) and its Quotative Frame (1:5)

Beginning with Israel at the foot of mount Horeb, YHWH commands them to leave (1:6-8). The origin of YHWH's commands to Moses is not explicitly referenced, but the reader will associate this with Horeb (implied to be a known location in 1:2). Yet nothing at all is said

²⁰⁰ Of all the places where Moses could have spoken, he spoke "beyond the Jordan in the land of Moab." Cf. also Lambrecht, *Information Structure and Sentence Form*, 257-64; Both, ; Dik, *The Theory of Functional Grammar*, 427; Runge, *Discourse Grammar of the Greek New Testament*, 191-95.

²⁰¹ McConville, *Deuteronomy*, 62.

²⁰² HALOT 381b.

about Israel's time at the mountain. This maintains narrative tension about YHWH as the source of Moses' words.

After the appointment of leaders (1:9-18), Israel then refuse to enter the land (1:19-33) and are punished (1:34-46). Once that generation have died in the wilderness (2:1-15), Israel set out for Moab (2:16-25). The narrative tension created by the reference to Sihon and Og in 1:4 is resolved in 2:26-3:11 with a detailed account of their defeat. Their territory is then distributed to Reuben, Gad, and Manasseh (3:12-17), who nevertheless still have responsibility to help the other tribes conquer the land West of the Jordan under the leadership of Joshua (3:18-22) because Moses was forbidden from entering Canaan (3:23-29). In light of the history of YHWH's dealing with them, Moses ends the speech by exhorting the people to תורה obedience (4:1-40). In this last exhortation, reference is again made to "this Law" that Moses is giving to them "today" (4:8; cf. 1:5), also now described as "statutes and rules" (4:8, 14). There is a brief description of Horeb and reference to the "ten words" (4:13), or "covenant" (4:13, 23), and a separate "covenant with your fathers" (4:31). Moses also mentions being commanded by YHWH at Horeb to teach statutes and rules (4:14), reminding the reader of 1:3. This further piques the reader's interest in the content of what has been revealed.

On five occasions the narrator expands or comments on something within Moses' speech (2:10-12, 20-23; 3:9, 11, 13b-14). The concern of these interpolations is either to clarify and update the locations mentioned within the speech, or to offer an etiological gloss or note of personal testimony. The interpolation of glosses indicates that the narrator was working with a prior source that required some adjustment for his audience, rather than composing the first speech himself.

The text of the quotative frame introducing this speech is a לאמר frame, and hence marked as non-dialogic:

בְּעֵבֶר הַיַּרְדֵּן בְּאֶרֶץ מוֹאָב הוֹאִיל מֹשֶׁה 1:5i
 בִּיָּאֵר אֶת־הַתּוֹרָה הַנְּאֻת לְאָמֹר: ii

Moses is embarking on a series of sermonic monologues, not opening a discussion with the people. That this speech shall be the first of a sequence of speeches is indicated by the first of the two matrix verbs הוֹאִיל... בִּאֵר "he began... to explain." The verb באר meaning "to explain" or "make plain"²⁰³ is used in 27:8. It communicates to the reader the value of Moses' words, thus winning a hearing for the book. By reading the words of Moses, the reader will have the תורה made plain to them.²⁰⁴

3.3 The Narrative Bridge between the First and Second Speeches (4:41-5:1ii)

While the narrative portion between the speeches has been labelled a "narrative bridge," there is no actual sequential narrative event intervening between them. After initiating the giving of the first speech (1:3ii, 5i-ii), the next event on the narrative timeline is the giving of the second speech (5:1i-ii).

אז יבדיל משה שלש ערים בעבר הירדן מזרחה נמש:	4:41
לגם שמה רוצח	42i
אשר ירצח את־רעהו בבל־דעת	ii
וקוא לא־שגא לו מתמול שלשום	iii
ונס אל־אחת מן־הערים האל	iv
והי:	v
את־בצר במדבר בארץ המישור לראובני	43i
ואת־ראמת בגלעד לגדי	ii
ואת־גולן בבשן למנשי:	iii

The mention of Moses in the third person in 4:41 signals to the reader that Moses' direct speech has ended. אז followed by yiqtol "referring to the foregoing context of narrated past events... indicates this context as approximately the time when, the time or circumstances in the course of which, or the occasion upon which the action designated by the imperfect verb-form went forward."²⁰⁵ It therefore does not introduce a "new section of the narrative," but

²⁰³ HALOT 106a.

²⁰⁴ One of Fox's parallels with Qohelet and Deuteronomy is The Prophecy of Neferti, which opens with a narrative justifying for the reader the value of Neferti's words, Adolf Erman, *The Literature of the Ancient Egyptians: Poems, Narratives, and Manuals of Instruction, from the Third and Second Millennia B.C.* (trans. Aylward M. Blackman; London: Methuen, 1927), 111-12.

²⁰⁵ Isaac Rabinowitz, "Az Followed by Imperfect Verb-Form in Preterite Contexts: A Redactional Device in Biblical Hebrew," *Vetus Testamentum* 34.1 (1984): 53-62, 54.

supplements what precedes.²⁰⁶ אַ is more commonly used with qatal in this way, but there is currently no known semantic or discourse distinction between the two syntagms.²⁰⁷

The supplement shares features of style and content with the interpolations within Moses' speech. In Moses' speech qatal verbs are used in non-wayyiqtol, past-referencing, non-modal, non-iterative clauses.²⁰⁸ This is the case in the interpolations, but they also make use of the yiqtol in such contexts (2:12ii even initiates a wayyiqtol chain).²⁰⁹ The description of the purpose and location of the cities (4:43) demonstrate similar concerns to the interpolations that physically locate the events of the narrative for the reader (e.g. 2:20-23), and identify the relevance of Moses' words for the narrator's audience (e.g. the use of "to this day" in 3:11, 14).

	וְזֹאת הַתְּנִיחָה	4:44i
	אֲשֶׁר-שָׁם מִשָּׁה לְפָנַי בְּנֵי יִשְׂרָאֵל:	ii
	אֵלֶּה הָעָדוֹת וְהַחֲקִים וְהַמְשָׁפְטִים	45i
	אֲשֶׁר דִּבֶּר מֹשֶׁה אֶל-בְּנֵי יִשְׂרָאֵל	ii
	בְּצֵאתָם מִמִּצְרַיִם:	iii
	בְּעֵבֶר הַיַּרְדֵּן בְּנִיאַ מוֹל בֵּית פְּעוֹר בְּאֶרֶץ סִיחֹן מֶלֶךְ הָאֱמֹרִי	46i
	אֲשֶׁר יוֹשֵׁב בְּהַשְּׁבֹן	ii
	אֲשֶׁר הִכָּה מֹשֶׁה וּבְנֵי יִשְׂרָאֵל	iii
	בְּצֵאתָם מִמִּצְרַיִם:	iv
	וַיִּירָשׁוּ אֶת-אֶרֶצוֹ וְאֶת-אֶרֶץ עוֹג מֶלֶךְ-הַבְּשָׁן שְׁנֵי מַלְכֵי הָאֱמֹרִי	47i
	אֲשֶׁר בְּעֵבֶר הַיַּרְדֵּן מִזְרַח שְׁמֹשׁ:	ii
	מֵעֲרֵיר	48i
	אֲשֶׁר עַל-שְׂפַת-גְּחַל אֲרֶנָּן	ii
	וְעַד-תֵּר שִׂיאֵן	iii
	הוּא הַרְמוֹן:	iv
	וְכָל-הָעֲרֻכָּה עֵבֶר הַיַּרְדֵּן מִזְרָחָה	49i
	וְעַד יַם הָעֲרָבָה תַּחַת אֲשֶׁר תִּשְׁלַח הַפְּסָגָה: פ	ii
	וַיִּקְרָא מֹשֶׁה אֶל-כָּל-יִשְׂרָאֵל	5:1i
	וַיֹּאמֶר אֲלֵהֶם	ii

As in 1:1i, the verbless clauses of 4:44i, 45i are topicalisers introducing a new section of the discourse. However, this is not a top-level disjunction. וַיְהִי in 1:3 served as a "paragraph

²⁰⁶ Pace Joosten, *The Verbal System of Biblical Hebrew*, 109.

²⁰⁷ Joosten, *The Verbal System of Biblical Hebrew*, 108-12.

²⁰⁸ E.g. 1:6i, 26i, 37i, 45iii-iv; 2:15i, 30i, iv, 34iii, 36iii; 3:4ii, 12-13i, 15-16i, 26ii; 4:3v, 5ii, 14i, 20i, 21i, 23i, 26i, 32v-vi, 33i, 35i, 36i, iii-iv.

²⁰⁹ E.g. 2:12ii, 20.

marker," and 4:44 does not break the narrative flow begun there. The first event in the narrative was Moses' first speech introduced by qatal matrix verbs in 1:5i-ii, the second speech is the next event in this narrative introduced by a wayyiqtol matrix verb in 5:1i. The rarity of ויהי within Deuteronomy,²¹⁰ in contrast to its frequent use elsewhere,²¹¹ invests this discourse marker with greater significance.²¹² The two ויהי clauses categorise the narrative into two chronological periods. 1:3-31:23 are a sequence of speeches Moses gave on this particular day. 31:24-34:12 are what Moses does once he has finished writing down the Law. In addition to this, the first and second speeches of Moses are pragmatically chained together by the use of quotative frames (see below). Therefore, *within* this narrative flow, and not breaking it, the verbless clauses of 4:44i, 45i topicalise the second speech.

Several referents from the introduction, which had likely become inactive by the end of Moses' speech, are now reactivated, and their description has developed: in this way, the narrator uses the speeches of Moses to serve his own purpose. He highlights matters of importance to the wider narrative, and demonstrates how the previous speech has contributed to its development.

"This Law," to which reference was made in the introduction (1:5ii) and Moses' first speech (4:8), is reactivated in 4:44i. This subtopic is now advanced to become the primary topic under consideration, as the second speech will be a presentation of "this Law." In light of the first speech, it is now also denoted "the statutes and judgements" (4:45ii; cf. 4:1, 5, 6, 8, 14, 40). The subordinate clauses introducing temporal and locative information in 4:45-46 serve to pull the reader aside into a flashback; there is no event on the narrative main line to

²¹⁰ There are a mere 8 occurrences throughout the entire book, and only 2 within the narrative frame, 1:3 and 31:24.

²¹¹ E.g. 19x in the much shorter Nehemiah (including the first person form). Cf. Merwe et al., *A Biblical Hebrew Reference Grammar*, §44.5.

²¹² "In general, the less frequent, the more rare a linguistic item is, the higher its markedness value." Dik, *The Theory of Functional Grammar*, 41.

intervene between the first and second speeches.²¹³ The defeat of Sihon and Og is also reactivated (4:46-49), and the description of their lands is now more precise than in 1:3-5. This development reflects the exposition of this conquest in chs 2-3.

In light of the first speech, these developments signal how Israel's relationship to the Law and the land has developed. As the conquest of the land has started becoming an existential reality for them, "the Law" has begun to take on the reality of "statutes and judgements." These terms probably connote the idea of Law as national legislature (insofar as the ANE had such things). The description of the setting apart of cities of refuge (4:41-43) contributes to this by demonstrating that the Reubenites, Gadites, and Manassites were required to settle this land in obedience to the stipulations of the Law. With the possession of land East of the Jordan, the Law was *already* operative in this way for the Israelites.

3.4 The Second Speech (5:1iii-28:68) and its Quotative Frame (5:1i-ii)

It seems more legitimate to compare the structure of the second speech, rather than the whole book, to other ANE material, given that the narrator has explicitly described the second speech as a "Law" and as "statutes and judgements." McCarthy identifies the three key structural blocks of the speech.²¹⁴

5:1iii-11:32 is an "introduction... with a marked historical element"

12:1-26:19 "is an extensive set of laws"

In ch 28, "we have a long series of blessings and curses"

This assumes that ch 27 is an interpolation of some sort, a position accepted by virtually all exegetes.²¹⁵

Despite the simplicity of the covenant structure of 5:1iii-26:29 & 28:1-68, once one digs a little deeper the observation of Wenham that Deuteronomy is a fusion of treaty and law can still be seen to stand, even for this restricted portion of the text. McCarthy is right that the

²¹³ Cf. Heimerdinger, *Topic, Focus and Foreground in Ancient Hebrew Narratives*, 76-85.

²¹⁴ For all following quotations: McCarthy, *Treaty and Covenant*, 159.

²¹⁵ The most significant exception being Lohfink, *Moab oder Sichem*.

text itself necessarily must be understood as a treaty—there is no parallel in the law codes to the mutual oath taking in 26:16-19. (Parties binding themselves to one another is the very essence of treaty.) Yet, the speech is evidently also a law code. The order of ch 28, blessings then curses, is distinctive of law codes; treaties consistently list blessings second or not at all. Furthermore, the content of the stipulations in chs 12-26 are instructions for governing the inner workings of a society.

Within the speech, reference is made to the Law as though it were a written entity. This is implied in 17:18 and made explicit in 28:58, 61.²¹⁶ Because the narrator has placed the Law on Moses' lips as direct speech, this generates narrative tension as the reader anticipates the description of its inscription.

There are two interpolations within the second speech in the narrator's voice (10:6-9; ch 27). 10:6-9 explains the succession of the high priest on Aaron's death, and gives an etiological gloss for the special role of the Levitical tribe. The act of interpolation again suggests that the speech itself was not composed by the narrator, but was being adapted for a new audience. 10:1-5 is the only reference to the ark within any of Moses' speeches, and nowhere else in Deuteronomy is the office of high priest or special role of the Levites introduced. However, the narrator has a function for these characters to play later in the narrative frame.

The quotative frame for the second speech is a multiple verb frame, hence marked as dialogic. As a monologue immediately following from a previous address, this chains the second speech to the first:²¹⁷

וַיִּקְרָא מֹשֶׁה אֶל-כָּל-יִשְׂרָאֵל	5:1i
וַיֹּאמֶר אֲלֵהֶם	ii

If the verbless clauses at 4:44i, 45i did introduce a new narrative paragraph, then it is not clear why this second speech is introduced with a construction marked as dialogic. There is

²¹⁶ Sonnet, *The Book Within the Book*, 97-103.

²¹⁷ See 2.2.3 above and Miller, *The Representation of Speech in Biblical Hebrew Narrative*, 269.

no narrative event to which Moses could be speaking in response, and the content of the speech does not require a response from his audience. Instead, the speech gives the next move in Moses' address after the first introduced in 1:5 where "Moses *began* to explain..." (emphasis mine).

3.5 The Narrative Bridge between the Second and Third Speeches (28:69-29:1[29:1-2])

A verbless clause signals to the reader that Moses' direct speech is over. Regt notes that verbless clauses "are to be found when a paragraph comes to an end or when an evaluation is made,"²¹⁸

	28:69i	אלה דברי הברית
ii		אשר צוה יהוה את משה
iii		לקחת את בני ישראל בארץ מואב מלבד הברית
iv		אשר פרת אתם בהרב: פ

The second speech had been topicalised by verbless clauses in 4:44i and 45i as "the Law" and "the witnesses, statutes and judgements." The verbless clause in 28:69i now *detopicalises* this within the narrative. Entering and leaving discourse sub-units, in this case a sub-topic, is necessary for hierarchically layered discourses.²¹⁹

As with the narrative bridge between the first and second speeches, the narrator again demonstrates how the preceding speech has developed the themes of "Law" and geography. "The Law" (1:5ii) which had become "the witnesses, the statutes, and the judgements" (4:45i) is now "the covenant" (28:69i). This is that which YHWH had commanded Moses to speak to the people (cf. 1:3iii; 4:14i). Given the length of the speech, references to other themes such as Sihon and Og will have naturally become inactive, so there is no need to detopicalise them; these geographical references are simply replaced with Horeb and Moab. This highlights a key contribution of the second speech to the narrative of Deuteronomy. Whereas the

²¹⁸ Lénart J. de Regt, "Macrosyntactic Functions of Nominal Clauses Referring to Participants," in *Macrosyntactic Functions of Nominal Clauses Referring to Participants* (ed. Cynthia L. Miller; Linguistic Studies in Ancient West Semitic The Verbless Clause in Biblical Hebrew: Linguistic Approaches; Winona Lake, Indiana: Eisenbrauns, 1999), 287.

²¹⁹ See 2.2.1.5.2.

Horeb covenant and the covenant made with the patriarchs were mentioned in the first speech (e.g. 4:13, 23 and 4:31 respectively), that YHWH is now making a covenant with this generation as distinct from those earlier generations is a concept first introduced in the second speech:

The LORD our God made a covenant with us in Horeb. Not with our fathers did the LORD make this covenant, but with us, who are all of us here alive today.²²⁰

The narrator's detopicalisation of "the Law," returns the discourse topic to the broader of theme of "Moses' words." The narrator has also indicated how the preceding speech contributed to Deuteronomy's narrative. All this was achieved without introducing any new narrative event. The next event on the narrative mainline is the third speech of Moses.

3.6 The Third, Fourth, and Fifth Speeches (29:1iii[2iii]-30:20; 31:2ii-6, 7iii-8) and their Quotative Frames (29:1i-ii[2i-ii]; 31:1i-2i, 7i-ii)

After the comment of 28:69[29:1] concluding the second speech, the third, fourth and fifth speeches have no intervening material other than their quotative frames. They are all introduced with multiple verb frames indicating their function as moves within Moses' address. In each case, the re-introduction of Moses in the third person signals to the reader that the previous speech has ended. The situation is only slightly complicated by the necessary change in address of the last speech, which is directed toward Joshua. The narrator makes slight adjustments to the formula of the quotative frames to account for this. The quotative frame for speech three:

וַיִּקְרָא מֹשֶׁה אֶל-כָּל-יִשְׂרָאֵל 29:1i
וַיֹּאמֶר אֲלֵהֶם ii

This is identical to the quotative frame introducing the second speech, marked as dialogic, and hence the next move in the sequence. The speech is a final exhortation to obey the covenant. It contains a reference to the defeat of Sihon and Og (29:7) and further references to the Law as a written entity, something still not yet described by the narrator (29:19, 20, 26;

²²⁰ Deut 5:2-3, ESV.

30:20).

The quotative frame for speech four is more complex. There is no intervening narrative event, and it is marked as dialogic. It therefore continues the sequence of speeches. However, there is an additional preceding clause:

וַיִּלֶךְ מֹשֶׁה	31:1i
וַיְדַבֵּר אֶת־הַדְּבָרִים הָאֵלֶּה אֶל־כָּל־יִשְׂרָאֵל:	ii
וַיֹּאמֶר אֲלֵהֶם	2i

The verb הלך can express "the duration and intensification of an event."²²¹ It thus signals to the reader that Moses' series of speeches are approaching their denouement. If the mention of "these words" in 31:1ii evokes echoes of 1:1, this would have a similar effect on the reader. Sihon and Og are mentioned again in 31:4, having become a historical trope within the sequence of speeches proving YHWH's faithfulness to deliver Israel.

The final speech in the series is also marked as dialogic, and hence another move in the same sequence, but it has a different addressee:

וַיִּקְרָא מֹשֶׁה לְיְהוֹשֻׁעַ	31:7i
וַיֹּאמֶר אֵלָיו לְעֵינֵי כָל־יִשְׂרָאֵל	ii

Joshua is the direct recipient of this final speech, however the people are still the intended audience as Moses speaks to Joshua "before the eyes of all Israel" (31:7ii). Several parallel expressions between this speech and the one preceding also tie them together.²²²

Unlike speeches one and two, the narrator does not gloss these speeches, nor add intervening background material. This could be because nothing in the material requires explanation or because the narrator composed them himself.

3.7 Moses Writes (31:9-23)

Since 1:3 there have only been five events on the narrative main line:

- 1:5 Moses began to explain this Law saying...
- 5:1 And Moses called to all Israel and said to them...

²²¹ HALOT 246b.

²²² E.g. "Be strong and courageous..."; YHWH "will not leave you or forsake you..."

- 29:1 And Moses called to all Israel and said to them...
 31:1-2 And Moses continued and spoke these words to all Israel and said to them...
 31:7 And Moses called Joshua and said to him before the eyes of all Israel...

This series of connected speeches, bound together by the use of quotative frames, comes to an end with the events in 31:9:

- 31:9 And Moses wrote this Law
 And he gave it to the priests, the sons of Levi...
 31:10 And Moses commanded them, saying...

There is no discourse marker or syntagm pragmatically highlighting 31:9. Nevertheless, the alert reader is aware of a narrative shift in *timeframe*. Sonnet identifies this as a case of what Buth calls an "unmarked temporal overlay."²²³ Buth argues that temporal shifts in what is an otherwise unmarked sequence of wayyiqtol clauses can be signalled by lexical and semantic repetition.²²⁴ However, his label "*unmarked* temporal overlay" is a misnomer, as such a feature is therefore marked by the use of repetition. In the case of 31:9, the reader has been well set up for such an event, as the Law has been treated or described as written at numerous points within Moses' speeches (e.g. 17:18; 28:58, 61; 29:19, 20, 26; 30:10). As such, there is what might be labelled a "semantically marked" discourse shift at 31:9 on the grounds that: (a) the principle of iconic sequencing has been noticeably disrupted,²²⁵ suggesting a shift within the discourse; and (b) this shift is accompanied by lexical repetition of "this Law"—a feature in keeping with similar (otherwise) unmarked temporal shifts elsewhere.

The giving of the written copy to the priests and their commissioning as oral custodians of the document (31:9-13) was anticipated by the interpolation in the second speech at 10:6-9. This etiological gloss gives the reader context for the connection between the ark and the role of the Levitical tribe that the narrator describes immediately following the sequence of speeches. However, this and the commissioning of Joshua are not a topical shift from the

²²³ Sonnet, *The Book Within the Book*, 135.

²²⁴ Buth, , 142-44.

²²⁵ See 2.2.1.5.2 and Dik, *The Theory of Functional Grammar*, 435-36.

discourse's theme "the words which Moses spoke." Instead, they are designed to *authenticate the Mosaic tradition that the narrator is passing on.*

Moses writes down the Law (31:9) and the Song (31:22), but he also commissions the priests to periodically read it so that the people may לְמַדּוּ לְיִרְאַהּ "learn to fear" (31:13). לְמַדּוּ (Qal) meaning "to actively acquire cognitive awareness that results in a particular action or attitude."²²⁶ YHWH commands Moses to write the Song, and לְמַדְּתָהּ "teach it" (31:19) to the people. לְמַדּוּ (Piel) meaning "to put another in a state whereby s/he can acquire and master cognitive knowledge so that it can be enacted."²²⁷ The purpose of the Song is to act as a "witness" against the people (31:19, 21), for the reason that "it will live unforgotten in the mouths of their offspring" (31:21). In recording a written and oral tradition for both these documents, as well as an authoritative teaching caste, the narrator communicates to his readers that he has authentic and reliable sources for the words of Moses that he is passing on and interpreting.

The writing of the Song is placed within an inclusion of the commissioning of Joshua, which makes Israel's progress contingent upon the establishment of these written and oral traditions. The inclusion is explicitly signalled by the narrative:

- A—31:14-15 YHWH tells Moses to bring Joshua for commissioning
 B—31:16-22 YHWH tells Moses to write and teach the Song, which he does
 A'—31:23 YHWH commissions Joshua

YHWH tells Moses to bring Joshua in A, וְאֶצְוֶנּוּ "that I may command him." The characters assemble at the tent of meeting, but the commanding does not occur. This creates a narrative tension as the reader moves through B waiting for A to be resolved. The quotative frames in A and B for YHWH's speech are simple frames, and hence unmarked. However, the quotative frame in A' is a multiple verb frame, marked as dialogic:

וַיֹּאמֶר יְהוָה אֶת־יְהוֹשֻׁעַ בֶּן־נֹון 23i
 וַיֹּאמֶר ii

²²⁶ Wendy L. Widder, »To Teach« in *Ancient Israel: A Cognitive Linguistic Study of a Biblical Hebrew Lexical Set* (Beiheft zur Zeitschrift für die alttestamentliche Wissenschaft 456; Berlin: De Gruyter, 2014), 82.

²²⁷ Widder, »To Teach« in *Ancient Israel: A Cognitive Linguistic Study of a Biblical Hebrew Lexical Set*, 109.

וַיִּצְוֶה "And [YHWH] commanded..." resolves the tension created in A. The dialogic frame also makes Joshua's commissioning a *response* to Moses' writing and teaching the Song in 31:22, further enforcing the connection between A, A', and B.

In summary, the discourse features of 31:9-23 suggest that there is a discourse shift when the sequence of speeches come to an end. Moses passes on written and oral traditions to the people, and to the Levitical priests carrying the ark, whose role the narrator had anticipated by introducing them to the reader in 10:6-9. These written and oral traditions are considered reliable (31:21), and Moses' replacement cannot be commissioned until they are complete.

This description of a reliable written and oral tradition, with an authentic institution safeguarding it, is most likely designed to give the reader confidence in the narrator's authentic connection to the words of Moses. The role of the Levitical priests suggests it is very likely that the narrator is himself of this caste.

3.8 After Moses Had Finished Writing (31:24-34:12)

The discourse marker וַיְהִי with a temporal noun phrase in 31:24i-ii introduces a new narrative section that runs to the end of the book (34:12) subsequent to the narrative section begun in 1:3. The discourse sections are connected by tail-head linkage as the events of 31:9-23 are repeated in 31:24-32:47. Whereas in the first section the Book of the Law is given verbatim (5:1iii-28:68) and the Song acts as a witness (31:19, 21), in the second section the Song is given verbatim (32:1-43) and the Book of the Law acts as a witness (31:26).

In the first section the focus was on the oral record of Moses' words. Moses gave a series of speeches, and the Law was delivered to the reader through the medium of Moses' speech (5:1i-ii). Even when the Law is written down, Moses' command to the Levites is to ensure they maintain an oral reading tradition (31:9-13), and the Song acts as a witness because it is orally recited in the people's mouths (31:19, 21).

By contrast, in the second section the focus is on the written tradition of Moses'

words. In 31:24-29 the Law is not present in the midst of Israel because of periodic reading (as in 31:9-13), but because of the physical presence of a written copy next to the ark.

This also appears to be the case for the Song. The Song's quotative frame does not contain *amar*, the normal marker for direct speech, which is present in every other direct speech quotative frame in Deuteronomy. Two similarly worded indirect speech quotative frames are used to bracket the Song (31:30; 32:44). External evidence also points in this direction: in all the major texts, the Song is separated from the quotative frame in 31:30 by *petucha*. Furthermore, the "number of traditions suggesting a certain colometry for the Hebrew text of Deut. 32 is remarkably large."²²⁸ On balance, therefore, it seems as if the Song is presented to the reader not as a speech on the lips of Moses, but as a text copied out from a written source. The reader is *told* that Moses spoke the Song, but not *shown* it.

However this possibility is evaluated, various features of the narrative following the Song signal a cadence. 32:44 repeats the action of 31:30, with lexical repetition—another example of Buth's imprecisely labelled "unmarked temporal overlay,"²²⁹ breaking the principle of iconic sequencing (as in 31:9). In 31:1i the penultimate speech was introduced with the otherwise redundant verb *halak*, which "expresses the duration and intensification of an event."²³⁰ In 32:44i the verb *bo* seems to be used in a similarly redundant context, and may possibly express finality. This is more clearly the case with 32:45, which evokes the topical heading for the whole book in 1:1i: "And Moses finished speaking all these words..."

Moses then ends the day with a final exhortation to "take to heart all the words" he has spoken to them "today" (32:46ii-iii). The purpose is so that they will keep and do "all the words of this Law" (32:46v-vi). There has been a conceptual separation between "Moses' words" and "this Law" as a subset of those words, from the introduction in 1:1-5, through the

²²⁸ Paul Sanders, *The Provenance of Deuteronomy 32* (Oudtestamentische Studiën 37; Leiden: Brill, 1996), 131.

²²⁹ Buth, , 142-44.

²³⁰ HALOT 246b.

delineation of "this Law/covenant" in 4:44i and 28:69i, to the distinction between the Law and the Song in 31:9-32:43. The Law is what YHWH commanded Moses to command the Israelites to obey. The Song and Moses' other words have been given alongside the Law for the purpose of fostering this obedience. The oral tradition of the Song is עֵד "a witness" (31:19, 21), as is the written copy of the Law (31:26)—similarly, all day, through his words, Moses has been מְעִיד "witnessing" (32:46). Therefore, while Moses will go on to speak further in the final pericope, the discourse topic of "the words of Moses" has come to an end. These "words" were words about the Law, within which an articulation of the Law itself was a significant sub-topic.

Having closed the book's primary theme, 32:48i contains another temporal transition, "in that very day," which signals the final discourse shift of the book. There is another narrative structure here similar to the commissioning of Joshua in 31:14-23:

A—32:48-52	YHWH tells Moses he will die
B—33	Moses blesses Israel
A'—34	YHWH takes Moses to die

The narrator's concern with geography, so prominent in the framing material for the first two speeches, can be seen at points in this final narrative (e.g. 32:51; 34:1-3). Like with the function of the Levitical priests, the narrator appears to have anticipated the mention of Aaron's death (32:50) in the interpolation at 10:6-9. This is just one of a number of clues for the uncovering of the narrator's methods and aims for telling his story.

3.9 Conclusion

This chapter has applied the methodology outlined in chapter two to an inductive study of Deuteronomy's narrative frame with the aim of uncovering what sources the narrator used to construct his material, how he made use of them, and how he structured his narrative around them. This will necessarily involve collecting what information can be gleaned from the text about the narrator himself and his audience. While reconstructing an editor's sources will always involve some measure of speculation, Deuteronomy's narrator has left several transpar-

ent, almost explicit, clues to the sources he used and the editorial work he has performed.

The narrator interprets his sources for his audience by interpolating glosses and contextualising them within a narrative frame. The high level of prestige given to the words of Moses, the narrative claim that these words have been transmitted orally and in written form, and the fact that the glosses are easy to identify suggests to the reader that the narrator has not otherwise changed the text of his sources. The narrative frame shares stylistic and thematic features with the interpolations, and at least one interpolation (10:6-9) also contributes to the narrator's overall story by introducing or explaining elements that will feature later in the narrative.

The existence of glosses in the first and second speeches demonstrate that these were sources that the narrator has used and adapted for his audience. The phrases "to this day" (3:14; 10:8) and "is it not in..." (3:11) self-consciously denote the present day for the narrator and his readers. The comments on Israel in the third person (2:12; 10:6) separate the gloss from the words of Moses. It would be odd to phrase the gloss in this way if the narrator were attempting to conceal his editorial work. Given this, one would not expect the narrator to have made other adjustments to his sources that the reader was not designed to identify. The interpolated glosses constitute the clearest evidence for identifying the narrator's sources.

Within the narrative, the narrator references two written sources and the oral traditions surrounding them, namely the Book of the Law and the Song of Moses (31:9-13, 19-22, 24-26). Both of these written sources receive explicit designation within Deuteronomy. "This is the Law..." and "this is the covenant..." (4:44i; 28:69i) identify the second speech as the Book of the Law (5:1iii-28:68). Indirect speech quotative frames (31:30; 32:44) identify the Song. It is possible that the song is not placed on the lips of Moses in order to indicate that it was copied out verbatim from a written source (32:1-43). The narrator's description of the writing of the Law and the Song along with an account of the initiation of an institution guaranteeing their faithful transmission conveys to the reader that his own presentation of Moses' words can be trusted. This tying of the written and oral traditions to the priests and to Joshua

in 31:9-29 places great importance on the reception and transmission of these words. It would seem logical to infer from this that the narrator is himself a priest, and understands Deuteronomy to be the vehicle to fulfil his task of passing the tradition on to a new generation or audience.

There are other indications the narrator gives that the reader should receive his work as authoritative. The sources themselves repeatedly call for obedience to the Law (e.g. 4:9-14; 10:12-13; 26:16-19; 28), and this is underscored by other material, which may have been written by the narrator (e.g. 32:46-47). The stated topic of Deuteronomy is that the book presents "the words of Moses" (1:1i). These include the Law (4:44i; 28:69i), the Song (31:30), and other words explaining the Law (1:5). The narrative summaries in 31:24 & 30 imply that no words have been missed out.²³¹ The narrator also ends his account by describing Moses as a prophet with no equal. This evokes the theme of prophecy within the second speech, which demands the words of prophets must be obeyed (34:10; cf. 18:15, 19).

The narrator supports the veracity of his account and his sources by peppering them with proofs and historical details. Three of the interpolations are explanatory glosses giving updated geographical or historical details (2:10-12; 3:9, 11), and three are a "formula of personal testimony" affirming the historical reliability of what is being described (2:20-23; 3:13b-14; 10:6-9).²³² The present existence of Og's bed of iron is appealed to directly as historical evidence (3:11). References to geography in the narrative frame endow the narrator's version of events with a sense of historical precision. 1:1-2 gives geographical details for the location of Israel when Moses gave his addresses. Similarly, in light of the first speech, the land taken by Israel is described in detail by the narrator (4:41-43; 46-49). The location of Aaron's grave is described in an interpolation (10:6), and the location of Moses' grave is de-

²³¹ "When Moses had *finished* writing the words of this law in a book *to the very end...*" (31:24); "Then Moses spoke the words of this song *until they were finished...*" (31:30); emphasis mine.

²³² Brevard S. Childs, "A Study of the Formula, 'Until This Day'," *Journal of Biblical Literature* 82 (1963): 279-92.

scribed in as much detail as the narrator is able to discover (34:5-6).

In working this way to persuade his readers of the authority, reliability, and accuracy of what he conveys, the narrator leaves several clues about his audience (or at least his view of his audience). In the detailed geographical explanations for the location of key events at the beginning and end of the narrative, and in his glosses, the narrator anchors the geographical information he conveys to his readership using geographical details that are assumed to be known by his readers.

It is assumed that the narrator's readers have prior knowledge of: Arabah, Suph, Paran, Tophel, Laban, Hazeroth, Dizahab (1:1); the road from Horeb to Kadesh Barnea via Mount Seir (1:2); Seir (2:12, 22); Heshbon, Ashtaroth, Edrei, Bashan (1:4); Moab (1:5; 29:1; 34:1); Gaza (2:23); Bashan (3:13-14); Havvoth-jair (so named "to this day," 3:14); Beeroth Bene-jaakan, Moserah (10:6); Gudgodah (10:7); Horeb (29:1); Jericho (34:1); Gilead, Dan (34:1); Naphtali, Ephraim, Manasseh, Judah, the western sea (34:2); Negeb, the valley of Jericho, the city of palm trees, Zoar (34:3); and Beth-peor (34:6). The narrator also assumes knowledge of: the Amorites (1:4; 3:9), the Anakim (2:10, 21), the Moabites (2:11), the people of Esau (implied to be alive, 2:12, 22); the Ammonites (2:20, 21); the Sidonians (3:9); and Rabbah of the Ammonites, where Og's bed of iron is said to still reside (3:11).

Conversely, the gloss in 10:6-9 is of particular interest, as here the narrator assumes that his readers do *not* have knowledge of the tradition of Aaron's death or the etiology of the role of the Levitical tribe. Yet these traditions are important for the narrator. They are both glossed in anticipation of events later in the narrative. The priests carrying the ark are entrusted with the Law's oral tradition in 31:9-13, and Aaron's death is a precursor to Moses' death (32:50). These are further hints that the narrator of Deuteronomy is himself a priest. It would seem that at least part of the reason for his Priestly redaction of his sources is to present them to a readership previously unfamiliar with the P tradition. The narrator might be said to be putting a P slant on his received and (what at least he understands to be) Mosaic written and oral traditions.

The book is structured by the use of temporal features. It is divided into two parts by the clauses at 1:3i and 31:24i-ii containing ויהי + temporal noun phrases. Subdivisions within these parts are marked at 31:9 by the use of an "unmarked" temporal overlay. All the material in that section is thematically related to writing and commissioning. A temporal clause in 32:48 separates the second part of the book, which is thematically concerned with the death of Moses, rather than Moses' words *per se*. Within these broader sections, further organisation is achieved using speeches chained together with quotative frames, and simple narrative structural devices, such as the ABA format in 31:14-23 created by the incomplete narrative event of 31:14-15 being interrupted by 31:16-22. These observations are applied in more detail to an outline of Deuteronomy's structure in the conclusion.

At this stage of the investigation, the analysis of Deut 27 has been deliberately overlooked. The following chapter applies the above findings to ch 27, and examines the function it plays in context.

4. EXEGESIS OF CH 27

Despite its difficulties, Deut 27 is a significant passage for the theology of Deuteronomy, and that of the Torah more broadly. Its four sexual prohibitions (vv. 20-23) exhibit the closest affiliation of any part of Deuteronomy to the P material which dominates other aspects of the Pentateuch, and the final verse is quoted by Paul in Gal 3:10—a highly significant passage in the discussion of his theological thought.

From the beginning of this investigation, ch 27 has been held up as a particularly thorny problem in the discussion of Deuteronomy's redaction. In the survey of approaches to the book's structure made in chapter one, ch 27 was argued to be the most oddly shaped piece of the puzzle from any perspective. In this chapter, the analysis of Deuteronomy's narrative frame undertaken in chapter three shall now be brought to bear upon ch 27. The passage might therefore be considered to be something of a test case. Can the hypotheses about Deuteronomy's structure and redaction made on the basis of the above discourse analysis give some reasonable account for the position, function, and oddities of ch 27 in context?

After constructing a hypothesis for the function ch 27, the passage is then exegeted on this basis. Given the significance of 27:26 for NT studies, and the various claims made about the verse in light of that context, the chapter ends with a discussion of the exegesis of this final curse and the theology of the book of Deuteronomy.

4.1 The Context and Function of Ch 27

In light of the analysis in chapter three, the two primary sources of evidence for determining the function of ch 27 in context are the narrator's use of pragmatically marked quotative

frames to introduce the speech material in the chapter, and comparison with the narrator's use of interpolated glosses elsewhere. These are considered in turn.

4.1.1 Quotative Frames

In chapter three it was argued on the basis of Miller's work on quotative frames that the five Mosaic speeches in Deut 1-31 are chained together as moves within a single monologue. In contrast, all three speeches in ch 27 are introduced with quotative frames marked as non-dialogic (hence not chained). The first and third of these are also further marked as their matrix verb is semantically indexed as dialogic:

לְאמֹר	מִשָּׁה וְזָקְנֵי יִשְׂרָאֵל אֶת־הָעָם	וַיֹּצֵאוּ	27:1
לְאמֹר	מִשָּׁה וְהַכֹּהֲנִים הַלְוִיִּם אֶל כָּל־יִשְׂרָאֵל	וַיְדַבֵּר	27:9
לְאמֹר	מִשָּׁה אֶת־הָעָם בַּיּוֹם הַהוּא	וַיֹּצֵאוּ	27:11

By marking the speeches in ch 27 as non-dialogic, the narrator indicates that they are not new moves within the mainline sequence of chained speeches. Miller also observes that multiple verb frames (rather than לְאמֹר frames) more often introduce the information most salient to a discussion.²³³ Consonant with this, the לְאמֹר frames in ch 27 would seem to introduce information which is less salient, or backgrounded, from the main sequence of speeches. לְאמֹר are often used in this way "since the use of reported speech is a narrative device for the presentation of information."²³⁴

Aside from being backgrounded from the main sequence of speeches, there may be indications in the quotative frames of the relationship the three speeches have toward one another. The first and second speeches are spoken chorally, the presence of the elders and Levitical priests with Moses signals continuity between Moses and Israel's leadership after his death.²³⁵ As well as not being choral, the third speech is separated from the first two by a temporal modifier "in that day," (v. 11). This is consistent with the observation made in chapter

²³³ Miller, *The Representation of Speech in Biblical Hebrew Narrative*, 394.

²³⁴ Miller, *The Representation of Speech in Biblical Hebrew Narrative*, 296-97.

²³⁵ Nelson, *Deuteronomy*, 316.

three that the narrator uses temporal features to structure the narrative.

In summary, the discourse features of the quotative frames in ch 27 suggest that these speeches are not part of the mainline sequence of dialogically marked monologues in Deut 1-31. This is not a particularly novel proposition, as the speeches are widely read as an interpolation within the second speech. However, the discourse features provide some data in support of this widely held view, and in opposition to a view such as that of Lohfink that the third speech of the chapter is inserted to recontextualise ch 28 within Shechem.²³⁶ If ch 28 continues the third speech of ch 27, it would seem odd that ch 28 is backgrounded in this way, especially given the anaphoric subscription at 28:69. The third speech is also set off from the first two. As backgrounded and likely interpolated material, the chapter therefore shares similarities to the other interpolations in the first and second speeches.

4.1.2 Comparable Interpolations

The identification of explanatory interpolations into Moses' speeches in the narrator's voice can be traced at least as far back as Spinoza. Here, six are identified in Deuteronomy, not counting the possible interpolation within the narration at 1:2 or ch 27 itself.

Three of the interpolations are explanatory glosses giving updated geographical or historical details (2:10-12; 3:9, 11), and three are a "formula of personal testimony" intended to affirm the historical reality of what is being described (2:20-23; 3:13b-14; 10:6-9).²³⁷ The final gloss is also etiological (10:6-9). In all six cases the purpose of the interpolation is to comment on, expand, or contextualise what immediately precedes for the sake of a readership removed in time (and perhaps geography?) from the apparent audience of the original text.

If ch 27 is an interpolation which plays a similar function, then one would similarly expect it to explain, comment upon, or expand what immediately precedes. There is some external evidence suggesting this possibility. A *setuma* break can be found at the beginning of

²³⁶ Lohfink, *Moab oder Sichem*.

²³⁷ Childs, "A Study of the Formula, "Until This Day"."

the chapter, and a stronger *petucha* break at the end in both Leningrad B19a and Sassoon 507.²³⁸ This indicates that at least some early readers associated ch 27 with what precedes, the declaration that YHWH and Israel have become bound by mutual oath (26:16-19), more so than with what follows.

Chapter 27 may update the mutual oath of 26:16-19 for the narrator's audience by marking the transition in leadership from Moses to the elders and Levitical priests noted above. It may also be inserted to explain 26:17-18, as the oath has no description or explanation anywhere else in Deuteronomy.

4.1.3 Synthesis

It has been argued here on the basis of the quotative frames in ch 27 that they mark its three speeches as non-sequential with the sequence of chained speeches in chs 1-31. Along with the vast majority of other exegetes, this analysis suggests that the speeches are likely to be a backgrounded interpolation within the second speech (5:1iii-28:68), where the reader is supposed to understand that ch 28 follows on directly from ch 26. Such speeches are often used to convey information to the reader, and this is consistent with the narrator's use of other glosses elsewhere, which explain, expand or update something immediately preceding.

4.2 Exegesis

Chapter 27 shall now be exegeted as an interpolated gloss on the mutual oath described in 26:16-19. The purpose of the following discussion is to discern the extent to which the chapter's difficulties be resolved if it is read in this light, informed by the discoveries made in chapter three about the narrator and his audience.

²³⁸ B17 has a *petucha* at the beginning, but the end of the chapter is illegible. Source: BHQ Deuteronomy, 12*-13*.

4.2.1 Exegesis of 27:1-8

Many commentators often concentrate on attempting to reconstruct the diachronic processes that led to the formation of vv. 1-8 as they have come to be in the final form of text. Others concentrate on attempting to justify their synchronic integrity. Both of these concerns distract from a much more important question, which receives surprisingly little attention: *Why* have these instructions for erecting stelae and an altar been spliced together here? Whether these instructions were composed as a unity or redactionally distilled from two separate accounts, the purpose for doing so would surely be the same in either case.

Much of the evidence already reviewed points in a particular direction—that these actions have been spliced together because vv. 1-8 are a re-enactment of the ceremony when Israel became YHWH's people. This would account for von Rad's observation that ch 27 contains the only instructions in Deuteronomy that are a "one time event."²³⁹ Becoming YHWH's people is inherently such a "one time event."²⁴⁰ If, as Hill suggests, the ceremonies of ch 27 are a Hebrew equivalent of a Babylonian *kudurru*, then they are a significant expression of Israel legally taking ownership of land bestowed upon them by their king, YHWH. But even if not, erecting stelae is still "a way of marking entrance into new territory (Gen 28:18, 22; 35:14, 20; Josh 4)."²⁴¹

The association of stelae and altar evokes an intertextual echo of Exod 24:4, where Moses "rose early in the morning and built an altar at the foot of the mountain, and twelve pillars, according to the twelve tribes of Israel"—precisely what Moses commands to be done in vv. 1-8. The sacrifice of *שְׁלֵמִים* offerings, and the subsequent feast, further strengthen this

²³⁹ Rad, *Das formgeschichtliche Problem des Hexateuch*, 164-65.

²⁴⁰ Does this also loosen the tension between this command to sacrifice at Shechem and the Deuteronomic insistence that sacrifice be made "in the place YHWH will choose"? If these ceremonies are initiatory, and supposed to be performed once upon entering the land, they must be performed before the land is fully conquered, and hence before YHWH has chosen the place.

²⁴¹ Nelson, *Deuteronomy*, 317.

connection with the covenant ceremony of Exod 24.²⁴² In chapter three it was noted that the narrator does not appear to assume that his readers are familiar with the Priestly tradition. In light of vv. 1-8, this may perhaps also include aspects of corporate covenant renewal. Either way, it is in this sense that 27:1-8 can contribute to explaining the statement that Israel have become YHWH's and YHWH has become Israel's. The verses command a re-enactment of the ceremony which effected this relationship. This would seem to be the purpose for knitting together the stelae and altar ceremonies of vv. 1-8, even if many modern readers find the execution wanting.

4.2.2 Exegesis of 27:9-10

Nelson and Driver both consider this speech to function well as a bridge between 26:16-19 and 28:1, but to lack connection with the speeches either side in 27:1-8 & 11-26.²⁴³ However, the temporal reference in this speech is placed clause-initially, possibly indicating its significance:

הַיּוֹם הַזֶּה נִהְיִיתָ לְעַם לַיהוָה אֱלֹהֶיךָ 27:9v

According to Tigay, this temporal reference does relate to the material either side of 27:9-10, and functions to temporally contextualise it, "Moses makes it clear that the later ceremonies will be a reaffirmation of the present covenant (itself a reaffirmation of the Horeb covenant) and not a new one."²⁴⁴

A consideration of the interrelationship of the clauses of the speech further suggests a rhetorical function for vv. 9-10 to bridge between the speeches either side:

הַסְּכַתוֹ	27:9iii
וַיִּשְׁמַע יִשְׂרָאֵל	27:9iv
הַיּוֹם הַזֶּה נִהְיִיתָ לְעַם לַיהוָה אֱלֹהֶיךָ:	27:9v
וַיִּשְׁמַעְתָּ בְּקוֹל יְהוָה אֱלֹהֶיךָ	27:10i

²⁴² Gary A. Anderson, *Sacrifices and Offerings in Ancient Israel: Studies in Their Social and Political Importance* (Harvard Semitic Monographs 41; Atlanta, Georgia: Scholars Press, 1987), 49-51.

²⁴³ Driver, *A Critical and Exegetical Commentary on Deuteronomy*, 298; Nelson, *Deuteronomy*, 318.

²⁴⁴ Tigay, *Deuteronomy*, 251.

וַעֲשִׂיתָ אֶת־מִצְוֹתַי וְאָתַתְּ חֻקֵּי

27:10ii

There is a chain of volitive verbs here. Two co-ordinate imperatives (v. 9iii-iv) followed by two weqatals which assimilate to these imperatives (v. 10i-ii).²⁴⁵ Within this chain, a qatal verb is used to express anteriority (v. 9v).²⁴⁶ Even though the clause is qualified as having taken place "this day," the action is still anterior to the immediacy of the volitive verbs. This renders a temporal sequence that probably implies a logical one:

1. You have become the people of God (v. 9v).
2. [So] listen to the voice of YHWH and do his commandments and statutes (v. 10i-ii).

The first step in this sequence is a reference "to the covenant agreement ratified in 26:17-19,"²⁴⁷ which is about Israel becoming God's people, and hence also to 27:1-8 which is a liturgical renewal of that act of becoming. However, the second step in the sequence does not describe the theological content of ch 28. In 27:10 Moses and the priests command the people to listen to YHWH and do his commandments, but in ch 28 Moses describes the covenantal blessings and curses—the *consequences* of obedience or disobedience. 27:10 more likely describes the theological content of the following speech, 27:11-26. The speech of 27:9-10, therefore, appears to transition from the first to the third speech, and suggests a logical connection between the two.

4.2.3 Exegesis of 27:11-26

It was noted above that the third speech is somewhat set apart from the other two by a temporal qualifier in its quotative frame:

לְאָמֹר

מִשָּׁה אֶת־הַיּוֹם בַּיּוֹם הַהוּא

וַיֵּצֵא

27:11

The temporal qualifier "in that day" of 27:11 has the same referent as "this day" in 27:9v and

²⁴⁵ Joosten, *The Verbal System of Biblical Hebrew*, 295-97.

²⁴⁶ This is analogous to the use of the qatal within wayyiqtol chains, cf. Joosten, *The Verbal System of Biblical Hebrew*, 214.

²⁴⁷ McConville, *Deuteronomy*, 390.

26:16i. This suggests that the content of the third speech may have something to do with the oath taking mentioned in both those places, something which was also suggested in the analysis of 27:9-10.

That ch 27 appears to be an interpolation by the narrator's hand may help to explain some of the otherwise unusual material found in the third speech. Most of the speech is made up of a list of curses, within which can be found four sexual prohibitions (27:20-23). As shall be discussed below, these prohibitions have more affinity with P material than they do with the rest of Deuteronomy. This is consistent, however, with the suggestion made in chapter three that the narrator is possibly himself a Levitical priest re-presenting his sources for an audience unfamiliar with the Priestly tradition.

Commentators are divided over the unity of the third speech, however. For some, vv. 14-26 are a description of the liturgical act described in vv. 11-13.²⁴⁸ For others they are two entirely separate liturgical events that have been glued together.²⁴⁹ Whatever compositional process lies behind the text, in the form as we have it two factors suggest that vv. 11-26 present a *sequence of two* liturgical events, a view adopted by some commentators:²⁵⁰

1. The initial consecutive verb וַיִּשְׁמְעוּ suggests that the oaths given antiphonally in vv. 14-26 are a *response* to the declaration of blessings and curses in vv. 11-13.
2. Verse 14 is a multiple-verb quotative frame, indicating a dialogic context.

Upon this reading, several problems observed with vv. 11-26 resolve themselves.²⁵¹ For example, there is no need to explain the absence of the blessings in the list of vv. 14-26. The blessings and curses are briefly reported to have been declared in full in vv. 11-13, and

²⁴⁸ E.g. Craigie, *The Book of Deuteronomy*, 330-31.

²⁴⁹ E.g. Tigay, *Deuteronomy*, 246-47, 253-57.

²⁵⁰"The movement from verses 12-13 to 14 suggests the ritual of verses 15-26 is intended as a response to the blessings and curses recited—presumably by leading Levites as liturgical leaders." Block, *Deuteronomy*, 632.; also Ezra, *The Commentary of Abraham Ibn Ezra on the Pentateuch*, 126-27.

²⁵¹ See the introduction for a list of problems with ch 27. One problem that is not immediately resolved is that of the dual reference to Levi/Levites seemingly playing different roles, for a discussion of this see the relevant excursus later in this chapter.

following this vv. 14-26 is a separate list of something else.

Four common factors asserted about the function of 27:14-26 in the secondary literature are:²⁵² (a) these are not a declaration of covenantal curses; (b) these are in fact oaths or vows; (c) these are heinous crimes for which the offender must be "cut off" by execution; (d) they are performed in secret, unbeknownst to others, hence why the deity is invoked.

Several features of vv. 14-26 support the views of such commentators:

1. The structure of each statement resembles that of other biblical oaths, e.g.:

אָרֹר הָאִישׁ אֲשֶׁר...	cursed be the man who...	Deut 27:14; 1 Sam 14:24, 28
אָרֹר ...<participle>	cursed be a one who...	Deut 27:15-25; Judg 21:18
אָרֹר אֲשֶׁר...	cursed be he who...	Deut 27:26
אָרֹר הָאִישׁ לְפָנַי יְהוָה אֲשֶׁר	cursed be the man before YHWH who...	Josh 6:26

2. The act of Israel entering into a vow to obligate themselves to obey YHWH's law is described in Neh 10:29 as "a curse and an oath."
3. The people assent to them by saying אָמֵן "Amen" (e.g. Num 5:11-31; Neh 5:13).
4. The curse is not stated (as it is in 28:16-29), but the reason for the curse is.

The parallels between here and the test for adultery in Num 5:11-31 are particularly striking:

Parallel	Num 5:11-31	Deut 27:11-26
Crimes whose punishment is expulsion from the community...	Adultery	Various, but including four prominently placed sexual prohibitions
...which are done in secret.	וְנִסְתָּרָה (v. 13)	סֵתֵר (vv. 15, 24)
The priests...	הַכֹּהֲנִים (v. 15)	הַלְוִיִּים (v. 14)
...place the hearers under a curse oath...	הַמְאָרְרִים (v. 18); וְהַשְּׂבִיעַ (v. 19); שְׂבַעַת (v. 21)	אָרֹר (vv. 15-26)
...which is voluntarily accepted.	וְאָמְרָה הָאִשָּׁה אָמֵן אָמֵן (v. 22)	וְעָנָו כָּל־הָעָם וְאָמְרוּ אָמֵן (vv. 15-26)

²⁵² Commentators who adopt either all or some of these views include: Rad, *Deuteronomy*, 167; Merrill, *Deuteronomy*, 346-47; Tigay, *Deuteronomy*, 253; Yisrael Isser Zvi Herczeg, *The Torah: with Rashi's Commentary Translated, Annotated, and Elucidated* (Artscroll Series/The Sapirstein Edition 5; New York: Mesorah, 1998), 283; McConville, *Deuteronomy*, 392; Biddle, *Deuteronomy*, 398; Ezra, *The Commentary of Abraham Ibn Ezra on the Pentateuch*, 127; Nelson, *Deuteronomy*, 319; Block, *Deuteronomy*, 633-34. Cf. also Driver, who reads the list as covenant curses, but nevertheless recognises that the form employed is sometimes used as an oath Driver, *A Critical and Exegetical Commentary on Deuteronomy*, 301.

In Num 5:11-31, if the woman's oath turns out to be a lie, then she becomes "a curse among her people." Similarly, for all of the crimes listed in Deut 27:11-26 which have a parallel in Deuteronomy where the punishment is made explicit, the offender is to be executed for the purposes of "purging" the guilt or evil from Israel's midst:

Idolatry	27:15	17:2-7
Dishonouring parents	27:16	21:18-21
Perversion of justice	27:19	19:15-21
Pre-meditated murder	27:24-25	19:11-13

As noted in the introduction, the sexual prohibitions have no other mention in Deuteronomy, so there is no mention of their punishments. However, their equivalents in Leviticus also remove the offenders from the community:

Incest with mother	27:20	Lev 18:8; 20:11	"put to death"
Bestiality	27:21	Lev 18:23; 20:15-16	"put to death"
Incest with sister	27:22	Lev 18:9; 20:17	"cut off"
Incest with mother in law	27:23	Lev 18:17; 20:14	"burned"

It would therefore seem that the list of curses in vv. 15-26 are not corporate covenant curses, and do not function in the same way as the curses listed in 28:15-68.²⁵³ They are a list of personal oaths. While the actual *content* of the curse might be the same, they are distinguished on the grounds that 27:15-26 refer to a curse that falls on criminals who perform exceptionally sinful acts in secret, while 28:15-68 refer to a curse that falls on the entire community for breaking the covenant.

If ch 27 is an interpolated gloss by the narrator, then this list of oaths gives content to the vow referenced in 26:17, which was made "on this day." (cf. 26:16i; 27:9v, 11i). This associates the chapter with previous material as the Masoretic paragraphing and comparison with other interpolations suggested, whereas a list of curses would be associated with

²⁵³ Deuteronomy's section of the Blessings and Curses similarly differs from the corresponding part of the treaties in that it is preceded by a series of anathemas (27: 15-26), which are to be proclaimed in a sacral ceremony and which actually bear the stamp of ban and excommunication rather than the threat of physical calamity that characterises the treaty curses as well as those in Deut. 28. In fact the Decalogue in ch. 27 constitutes a series of injunctions similar in its contents and formulation to the series of injunctions in the Covenant Code (Exod 21: 12-17; 22: 17-19) which apparently reflects the religious-sacral background of the ancient tribal life. Weinfeld, *Deuteronomy and the Deuteronomistic School*, 147.

following material. The third speech in ch 27 therefore gives a response of "Yes, we vow to obey," anticipated by the bridging passage vv. 9-10, which asserted that because Israel are YHWH's people they are required to obey him.

The function of the curses as oaths in this way suggests that the content of the malediction they threaten is individual in scope. Compare this to the curses of 28:15-68, which spell out the corporate implications of Israel's failure to keep the covenant for the whole people. In contrast, in ch 27 the people take upon themselves oaths not to commit heinous crimes deserving of expulsion from the community by death.

On the basis of this above analysis, it would seem that the curses in 27:15-26 theologially explain what it means to "vow" to be YHWH's people in 26:17. The acts they denote are the ethical manifestation of religious apostasy.

4.2.4 Synthesis

It has been argued that ch 27 is an interpolated gloss by the narrator in order to explain and expand upon the statement that YHWH and Israel have become bound together by mutual oath in 26:16-19. Verses 1-8 describe a re-enactment of the ceremony which effected this relationship; the knitting together of the stelae and altar ceremonies evoke an intertextual echo of Exod 24. Verses 9-10 transition from vv. 1-8 to vv. 11-26. They imply a logical relationship between the act of entering into covenant with YHWH, and entering into oath to obey his Law. These first two speeches (vv. 1-8 & 9-10) are choral, hinting at the continuity between Moses and the Israelite leadership.

In the final speech (vv. 11-26) the actual content of Israel's vow is given in a series of curse-oaths. After all the people have recited the covenant blessings and curses, the curse-oaths are articulated by the Levitical priests and each given individual assent by all the people saying "Amen."

4.3 27:26 and the Theology of Deuteronomy

The above observations on the structural and redactional function of ch 27 in context have been grounded in an inductive study of Deuteronomy's narrative frame using the methodology of discourse analysis and an exegesis of ch 27 in this light. However, for many, a significant factor influencing their consideration of this question is 27:26 and the use made of it by Paul in Gal 3:10.

'Cursed be anyone who does not confirm the words of this law by doing them.' And all the people shall say, 'Amen.' (Deut 27:26)

For all who rely on works of the law are under a curse; for it is written, "Cursed be everyone who does not abide by all things written in the Book of the Law, and do them." (Gal 3:10)

Christian readings of this verse have, since at least Luther, been coloured by their understanding of Paul's usage here. This in turn impacts the exegesis of the entire list in 27:15-26, and the function ch 27 plays within the book as a whole. For example, Noth considers the position of Deut 27 "is that defection and curse are no longer merely possibility, they are already the reality."²⁵⁴ Similarly for Barker "Deuteronomy 27 expects Israel to fail and disobey. It is pessimistic at this level."²⁵⁵

Paul must at least be considered as a significant early Jewish reader of Deut 27:26, who was familiar with Deuteronomy and early discussions of its exegesis. Reading 27:26, among other verses, through the lens of the NT also has a long pedigree. As such, this perspective on Deut 27 is relevant to the present enquiry and must be engaged. Nevertheless, the issue of the theology of Deut 27 would itself require a discussion at least as long as the present study. Therefore, it shall be attempted here to demonstrate that a reading of 27:26 consistent with the exegesis of ch 27 above is theologically consistent with Deuteronomy as a whole. On the issue of Galatians, this author is of the opinion that Paul's use of the verse in

²⁵⁴ Martin Noth, *The Laws in the Pentateuch and Other Studies* (Edinburgh: Oliver & Boyd, 1966), 131.

²⁵⁵ Barker, "The Theology of Deuteronomy 27," 280.

Gal 3:10 can be read consistently with the exegesis of 27:26 put forward here, however a discussion of this highly controversial NT passage is beyond the scope of this investigation.

Verse 26 is one of only two places in Deuteronomy where דְּבַרֵי הַתּוֹרָה is not preceded by the universaliser כָּל, and the other location explicitly asserts the wholeness of the Law using different syntax.²⁵⁶ It might be argued on this basis that in Deuteronomy, דְּבַרֵי הַתּוֹרָה semantically indexes *all* the Law. However, conversely, if the purpose of the noun phrase here is to assert that obedience to the minutiae of the *entire* Law is necessary for blessing, and hence capture *every* sin and *every* sinful individual under its curse, then it seems an odd place to be the only instance where the Law's entirety is *not* made explicit.

The parallel sexual prohibitions to 27:20-23 in Lev 18 are so serious that Israel should not commit them "lest the land vomit you out when you make it unclean, as it vomited out the nation that was before you." (Lev 18:28). Both there, and for the crimes in Deut 27 that have punishments given within Deuteronomy, this is why such individuals must be purged from Israel. Their presence within the community threatens the whole community with the possibility of facing covenant curse (cf. ch 28). However, the crimes in 27:15-26 are all inherently secret, something mentioned explicitly in vv. 15 & 24, and as such the offender cannot be punished or purged by the community. According to the reading given above, by taking an oath and calling down divine curses upon such criminals individually, the community is protected. This theological idea is present elsewhere in Deuteronomy. For example, 21:1-9 describes how elders of a town are to atone for the guilt an unsolved murder. The need to do this implies that the guilt of this secret crime clings to the community and must be purged; divine curse must fall on the individual (or in this case an atonement for the individual) to protect the entire community.

However, if 27:15-26 are part of series of oaths binding Israel to YHWH, then they are more than simply serious social crimes—they represent the ethical consequences of

²⁵⁶ Deut 31:34.

religious apostasy. This may be hinted at by the intertextual echoes of the sexual prohibitions, which are more typical of P, which has a far greater concern for the cult. If the narrator of Deuteronomy is himself a priest, then this concern is hardly surprising. Specifically, the prohibition of bestiality occurs in the Exodus law code at 22:19, within an obviously religious context, sandwiched between the prohibition of witchcraft (v. 18) and of sacrificing to other gods (v. 20).

Furthermore, if the oaths of 27:15-26 do describe ethical manifestation of apostasy, then their calling down of the curse individually upon such apostates also finds affinity elsewhere in Deuteronomy. The same theological principle is at work in 29:18-21. Religious apostasy, undertaken in secret, results in the apostate individual being singled out from among all the tribes of Israel and *individually* receiving the covenant curses. That this apostate individual "hears the words of this oath," but secretly rejects them, perhaps even invites the reader to think back to 27:14-26. This explanation is not novel—a hermeneutic distinguishing between the curse operating corporately and individually in Deuteronomy was operative at Qumran.²⁵⁷

The above observations do not sit comfortably with reading 27:26 as demanding an impossible standard of strict obedience to every minutiae of an exacting legal code. If so, then v. 26 requires the reader to imagine the people, *en masse*, declaring every single individual to be an apostate worthy of immediate expulsion. This picture is difficult to conceive of for three reasons.

First, all the other oaths imply that the 'catch all' statement of v. 26 is intended to cover crimes that are (a) secret and (b) deserving of excommunication by death. The reason for stating the prohibition in the positive would be to universalise the list of oaths to cover any crime *of this nature*. In this case, 27:16 does require that the entire law be obeyed, but the

²⁵⁷ David Lincicum, *Paul and the Early Jewish Encounter with Deuteronomy* (Wissenschaftliche Untersuchungen zum Neuen Testament; Reihe; Tübingen: Mohr Siebeck, 2010), 68.

fact that it is the only occurrence of דְּבָרֵי הַתּוֹרָה in Deuteronomy without an explicit universaliser can be explained on the basis that it is not simply *any* crime that invokes the oath-curse, but only one of this level of seriousness.

Second, related to this is the implication of the scope and nature of the curse. The other oaths anathematise any such offender within the community, i.e. they invoke the deity to *cut off* such an individual from Israel's midst. They are not a general pronouncement of covenant curse, but a specific application of that curse to a particularly wicked (apostate) individual. It is only logical to expect 27:26 to also apply to such individuals.

Third, the oath list is associated with the vow in 26:16-19 and its purpose is to define what it means to be the people of YHWH. It would seem nonsensical to define the community in such a way that immediately excludes every individual from that community.

In summary, 27:26 does not assert that anyone who breaks any commandment under any circumstance should be anathematised by YHWH, but only those who break any commandment *in a particular way*. This is similar to the explanation of Ibn Ezra.²⁵⁸

In my opinion, having already cursed all those who violate the abovementioned negative commandments, Scripture now curses all those who *secretly* violate the positive commandments.

Beyond merely "secret," however, the position advocated here is that that oath-curse falls on those who secretly, willfully, and heinously violate any commandment. This is consonant with the other eleven oaths in the list, which are taken to be the ethical manifestations of religious apostasy.

4.4 Conclusion

This chapter has sought to construct an hypothesis for function of Deut 27 in light of the observations made in chapter three, and exegete it on this basis. While it is inevitable for such a discussion that some details will always appear more persuasive than others, overall the chapter has attempted to demonstrate that the hypotheses put forward about Deuteronomy's

²⁵⁸ Ezra, *The Commentary of Abraham Ibn Ezra on the Pentateuch*, 129, emphasis mine.

structure and redaction in chapter three are able to give some reasonable account for the position, function, and oddities of ch 27 in its context.

It was argued that the quotative frames in ch 27 mark its three speeches as non-sequential with the sequence of chained speeches in chs 1-31 and are best read as a backgrounded interpolation within the second speech (5:1iii-28:68). The function of the chapter is consistent with the narrator's use of other glosses elsewhere, which explain, expand or update something immediately preceding. The interpolation is inserted in order to gloss the statement that YHWH and Israel have become bound together by mutual oath in 26:16-19.

Verses 1-8 describe a re-enactment of the ceremony which effected this relationship. Verses 9-10 transition from vv. 1-8 to vv. 11-26, implying a logical relationship between the act of entering into covenant with YHWH and entering into oath to obey his Law. The final speech (vv. 11-26) describes the actual content of Israel's vow: a series of curse-oaths.

The last curse-oath was then examined in more depth. Whereas 27:26 is sometimes read as a catch-all, which consigns the entirety of Israel to covenant curse, it was argued here that in context this last oath-curse is designed to anathematise all who secretly, willfully, heinously, and unrepentantly violate any commandment. It denounces the ethical manifestation of apostasy, in whatever form that might take.

CONCLUSION

This study has been concerned with the redactional and authorial work undertaken by the narrator of Deuteronomy. A justification for the present study was made in chapter one, which described methodological limitations with three major approaches to the book's structure, that of covenant, composition, and the identification of parallels. From any perspective, ch 27 proves problematic. Chapter two described the methodology of the present study by introducing linguistic concepts from functional grammar and the discourse function of quotative frames in Biblical Hebrew. The theoretical underpinnings of the investigation are mostly indebted to the work of Simon Dik and Cynthia Miller. Chapter three applied these analytical tools to Deuteronomy's narrative frame with the goal of describing the identity of the narrator, the sources he used, the purpose for which he appears to have written, and the way he structures Deuteronomy. In chapter four, these hypotheses about Deuteronomy's structure and the narrator's use of sources were brought to bear upon ch 27. The findings of these chapters are synthesised in detail below.

The aim of undertaking this investigation was to explore the extent to which it is possible to describe the structure of Deuteronomy in a manner that accounts for the features of the book's narrative frame, the interpolations in the Mosaic speeches, and especially the function of ch 27. As with previous studies, any conclusions reached in relation to these matters must of necessity be tentative. The reality is that modern science does not—and cannot—know precisely why or how different redactors in the stages of a text's history treated their sources as they did. Until any actual pre-final form version of the text of Deuteronomy comes to light even the reconstruction of a redactor's sources is a studied exercise in the weighing of

probabilities.

As well as tentative, the conclusions drawn must be also be recognised as necessarily limited in scope. Only the work of one redactor has been considered, necessitating the overlooking of some data. For example, the extent to which the narrator's own work has been later glossed (in, say 1:2) has not been assessed. Such an extended investigation would inevitably impact some of the details of the present work. Furthermore, several topics of great interest to others have not been treated here. No attempt has been made to date the narrator's work, nor has the extent of the veracity of this redactor's claims been touched upon. It has been the aim of this author not to evaluate the redactor's work and motives, but merely attempt, as far as a modern reader is able, to elucidate them. A possibility that has not been considered is that alongside the surface level editorial work undertaken by the narrator, other more clandestine changes were made to his sources in a manner designed to be concealed from the reader. The examination of editorial work of this type is popular among redaction critics. However, it necessarily involves far greater dependence upon conjectural presupposition than was compatible with the criteria of the present inquiry.

Despite these unavoidable limitations, by restricting the scope of the present inquiry to a single stratum of the text (the narrative frame), and by attempting to inductively discern the communicative strategies employed by the narrator (through the application of functional linguistics and Miller's theory of the discourse functions of Hebrew quotative frames), the evidence uncovered suggests that it is possible to formulate some partial responses to the research questions posed in the introduction.

Who is the Narrator and What Can Be Known About Him?

In light of 31:9-29, the narrator is probably a Levitical priest in possession of written and oral sources which he believes (or at least would have his readers believe) are of Mosaic origin.

As a Levitical priest, the narrator likely sees himself as having the responsibility of, and possessing authority to, re-present the Law of Moses. The glossed statements "until this day"

suggest the narrator is writing a considerable time after that of Moses (e.g. 3:14), and he writes as though he himself is situated in the land west of the Jordan (e.g. 1:1). He presents himself as knowledgeable of the history and geography of Palestine in the late second and early first millennium, and is able to cite alternative place names used by different ethnic groups (e.g. 3:9).

What Sources Did the Narrator Make Use of to Produce Deuteronomy?

The narrator appears to have composed either all or a substantial part of Deuteronomy's narrative frame, as well as several interpolations within the first two speeches. The interpolation of glosses implies the pre-existence of the speeches as source material. Narrative and discourse factors may imply that the Song of Moses was copied out verbatim from somewhere else. As such, the narrator probably used at least three written sources: the first speech (1:6-4:40); the second speech, or the Book of Law (5:1-26:19; 28:1-68); and the Song (32:1-43). He also implies access to oral traditions surrounding the Law and Song (31:11, 19, 21). If the narrator used other written or oral traditions, the reader is given less explicit evidence of them.

Who Was the Narrator Writing for and for What Purpose?

The reader is assumed to have prior knowledge of the geography of Palestine, including: Arabah, Suph, Paran, Tophel, Laban, Hazeroth, Dizahab (1:1); the road from Horeb to Kadesh Barnea via Mount Seir (1:2—though this may be a later gloss); Seir (2:12, 22); Heshbon, Ashtaroth, Edrei, Bashan (1:4); Moab (1:5; 29:1; 34:1); Gaza (2:23); Bashan (3:13-14); Havvoth-jair (so named "to this day," 3:14); Beeroth Bene-jaakan, Moserah (10:6); Gudgodah (10:7); Horeb (29:1); Jericho (34:1); Gilead, Dan (34:1); Naphtali, Ephraim, Manasseh, Judah, the western sea (34:2); Negeb, the valley of Jericho, the city of palm trees, Zoar (34:3); and Beth-peor (34:6). Knowledge is also assumed of: the Amorites (1:4; 3:9), the Anakim (2:10, 21), the Moabites (2:11), the people of Esau (implied to be alive, 2:12, 22); the Ammonites (2:20, 21); the Sidonians (3:9); and Rabbah of the Ammonites, where Og's

bed of iron is said to still reside (3:11).

The tradition of Aaron's death and the etiology of the role of the Levitical tribe are presented to the reader as though they were new information (10:6-9). It might be inferred from this that the narrator's audience were unfamiliar with the Priestly tradition. From the narrator's glossing of some place names, his audience also appear to be familiar with the geography of Palestine but unfamiliar with some of the (older?) place names used.

The book's stated topic is to present "the words of Moses" (1:1i), and it seems reasonable to understand from this that the narrator's motivation is to pass on these words of Moses to his readers. These "words" include the Law (4:44i; 28:69i), the Song (31:30), and other words explaining the Law (1:5). The narrative summaries in 31:24 & 30 imply that no words have been missed out.

The narrator presents the words of Moses, and his own presentation of them, as an authority. The sources themselves repeatedly call for obedience to the Law (e.g. 4:9-14; 10:12-13; 26:16-19; 28), and this is underscored by other material, which may have been written by the narrator (e.g. 32:46-47). The description of Moses as a prophet with no equal implies that his words must be obeyed (34:10; cf. 18:15, 19). The transmission of Moses' words through written and oral tradition is entrusted to the priests and to Joshua (31:9-29), granting the Levitical caste a measure of authority.

It is also apparent that the narrator employs various strategies to persuade the reader that what he writes is historically true. The description of the written and oral transmission of the Law and Song authenticates his sources. Three interpolations within Moses' speeches are explanatory glosses giving updated geographical or historical details (2:10-12; 3:9, 11), and three are a "formula of personal testimony" intended to affirm the historical reality of what is being described (2:20-23; 3:13b-14; 10:6-9).²⁵⁹ The present existence of Og's bed of iron is cited as extant evidence of the veracity of Moses' account (3:11). The various references to

²⁵⁹ Childs, "A Study of the Formula, "Until This Day"."

geography in the narrative frame also create the impression of historical veracity by concretising the narrative events in the reader's real world experience (e.g. 1:1-2; 4:41-43; 46-49; 34:5-6).

How Does the Narrator Structure His Story?

The narrative is structured by the use of temporal clauses, markers and shifts. In most part the book is a series of long speeches delivered by, and this lends it a flavour of being a "testament." A combination of narrative backgrounding and the use of marked constructions for the introduction of these speeches indicates the relationships they have to one another:

Heading: These are the Words of Moses (1:1-2)

Part 1: What Moses Said on 1st Shvat, 40th Year After the Exodus from Egypt (1:3-31:23)
(Containing the Book of the Law)

Moses Explains This Law (1:3-31:23)

Speech 1: Context for the Book of the Law (1:3-4:43)²⁶⁰

Speech 2: The Book of the Law (4:44-28:69[29:1])²⁶¹

Introduction (5:1iii-11:32)

Stipulations (12-26)

Interpolation of Three Backgrounded Speeches (27)

Blessings & Curses (28)

Speech 3: Exhortation to Obey the Law (29-30)²⁶²

Speech 4: Moses Tells the People to Follow Joshua (31:2:ii-6)²⁶³

Speech 5: Moses Calls Joshua to Lead the People (31:7iii-8)²⁶⁴

Moses Writes the Law & Song; the Priests & Joshua are Commissioned (31:9-23)

Moses Writes the Law and Gives it to the Priests to Read & Teach (31:9-13)

Moses Writes the Song and Teaches to the People Joshua will Lead (31:14-23)

YHWH Tells Moses to Call Joshua to the Tent of Meeting (31:14-15)

YHWH Tells Moses to Write the Song and Teach it (31:16-22)

YHWH Commands Joshua to Lead in Moses' Place (31:23)

Part 2: What Happened When Moses Finished Writing (31:24-34:12)
(Containing the Song of Moses)

²⁶⁰ Framing material (1:3-5; 4:41-43); the speech (1:6-4:40); interpolated material (2:10-12, 20-23; 3:9, 11, 13b-14).

²⁶¹ Framing material (4:44-5:1ii; 28:69); the speech (5:1iii-28:68); interpolated material (10:6-9; 27).

²⁶² Framing material (29:1i-ii); the speech (29:1iii-30:20).

²⁶³ Framing material (31:1-2i); the speeches (31:2:ii-6).

²⁶⁴ Framing material (7i-ii); the speech (7iii-8).

Moses Finishes the Law and the Song (31:24-47)
 Moses Finishes Writing the Law (31:24-30)
 The Song of Moses (32:1-43)
 Moses Finishes Telling the People the Song (31:44-47)

That Very Day, Moses Dies (32:48-34:12)
 YHWH Tells Moses He Will Die (32:48-52)
 Moses Blesses Israel (33)²⁶⁵
 YHWH Shows Moses the Land, Then Takes Him to Die (34)

How Does Ch 27 Fit into the Narrator's Story and Why Does it Feel so Out of Place?

Chapter 27 is an interpolation of three speeches which are backgrounded and not part of the sequence of chained speeches in chs 1-31. The chapter is inserted as gloss in order to further expound the statement that YHWH and Israel have become bound together by mutual oath in 26:16-19. Verses 1-8 describe a re-enactment of the ceremony which effected this relationship. Verses 9-10 transition from vv. 1-8 to vv. 11-26, implying a logical relationship between the act of entering into covenant with YHWH and entering into oath to obey his Law. Verses 11-26 describes the actual content of Israel's vow: a series of curse-oaths.

Elsewhere, the narrator appears to have glossed and framed his sources in such a way that it is apparent to the reader that the text has been transmitted faithfully and without alteration. All the glosses are easily recognisable, and three make reference to the present time for the narrator and his audience. It could have been possible for the narrator to attempt to more smoothly integrate the material of ch 27 within the second speech, however this would have required altering the source material, something the narrator appears unwilling to do.

Conclusion

This study is not the first to suggest a Priestly redaction of Deuteronomy.²⁶⁶ However, the methodological analysis employed is a fresh contribution. As far as is known to the present

²⁶⁵ Framing material (33:1-2i, 7i-ii, 8i, 12i, 13i, 18i, 20i, 22i, 23i, 24i); the blessings (33:2ii-6, 7iii-vi, 8ii-11, 12ii-iv, 13ii-17, 18ii-19, 20ii-21, 22ii-iii, 23ii, 24ii-29).

²⁶⁶ Duane L. Christensen, "New Evidence for the Priestly Redaction of Deuteronomy," *Zeitschrift für die alttestamentliche Wissenschaft* 104 (1992): 197-201.

author, this investigation is the first time that Miller's discourse description of quotative frames has been applied in a sustained way to Deuteronomy. Other discourse studies of Hebrew narrative also make use of Dik's description of functional grammar, however the present study is one of only a few that utilise his significantly revised second edition published posthumously.

The above findings demonstrate that synchronic analysis of Deuteronomy with attention to discourse features of the text can shed light on the book's form, with potential implications for redaction criticism. A logical next step would be the application of discourse analysis to the speeches themselves. Such a study could serve as a useful control for the present investigation by exploring the extent to which differences in discourse style can be identified between the narrative frame and proposed sources used by the narrator.

BIBLIOGRAPHY

- Alt, Albrecht. *Essays on Old Testament History and Religion*. Translated by R. A. Wilson. Oxford: Blackwell, 1966.
- Anderson, Gary A. *Sacrifices and Offerings in Ancient Israel: Studies in Their Social and Political Importance*. Harvard Semitic Monographs 41. Atlanta, Georgia: Scholars Press, 1987.
- Baden, Joel S. *J, E, and the Redaction of the Pentateuch*. Forschungen zum Alten Testament 68. Tübingen: Mohr Siebeck, 2009.
- Baltzer, Klaus. *Das Bundesformular*. Neukirchen: Neukirchener Verlag, 1960.
- . *The Covenant Formulary: in Old Testament, Jewish, and Early Christian Writings*. Translated by David E. Green. Oxford: Blackwell, 1971.
- Barker, Paul A. “The Theology of Deuteronomy 27.” *Tyndale Bulletin* 49 (1998): 277-303.
- Bickerman, Elias J. “Couper une alliance.” *Archives d’histoire du droit oriental* 5 (1950-1951): 133-56.
- . *Studies in Jewish and Christian History*. Arbeiten zur geschichte des antiken Judentums und des Urchristentums 1. Leiden: Brill, 1976.
- . *Studies in Jewish and Christian History: A New Edition in English including The God of the Maccabees*. Edited by Amram Tropper. Leiden: Brill, 2007.
- Biddle, Mark E. *Deuteronomy*. Smyth and Helwys Bible Commentary. Macon, Georgia: Smyth & Helwys, 2003.
- Block, Daniel I. *Deuteronomy*. The NIV Application Commentary. Grand Rapids: Zondervan, 2012.
- Bratcher, Robert G. and Howard A. Hatton. *A Handbook on Deuteronomy*. UBS Handbook Series. New York: United Bible Societies, 2000.
- Brown, Gillian and George Yule. *Discourse Analysis*. Cambridge Textbooks in Linguistics. London: Cambridge University Press, 1983.
- Brueggemann, Walter. *Deuteronomy*. Abingdon Old Testament Commentaries. Nashville: Abingdon Press, 2001.
- Buth, Randall. “Methodological Collision between Source Criticism and Discourse Analysis: The Problem of “Unmarked Temporal Overlay” and the Pluperfect/

- Nonsequential *wayyiqtol*.” Pages 138-54 in *Biblical Hebrew and Discourse Linguistics*. Edited by Robert D. Bergen. Winona Lake, Indiana: SIL, 1994.
- . “Functional Grammar, Hebrew and Aramaic: An Integrated, Textlinguistic Approach to Syntax.” Pages 77-102 in *Discourse Analysis of Biblical Literature: What it is and What it Offers*. Edited by Walter Ray Bodine. Atlanta, Georgia: Scholars Press, 1995.
- Childs, Brevard S. “A Study of the Formula, “Until This Day”.” *Journal of Biblical Literature* 82 (1963): 279-92.
- Christensen, Duane L. “New Evidence for the Priestly Redaction of Deuteronomy.” *Zeitschrift für die alttestamentliche Wissenschaft* 104 (1992): 197-201.
- . *Deuteronomy: 1-21:9*. 2 vols. Word Biblical Commentary 6A. Nashville: Thomas Nelson, 2002.
- . *Deuteronomy: 21:10 - 34:12*. 2 vols. Word Biblical Commentary 6B. Nashville: Thomas Nelson, 2002.
- Cienki, Alan. “Frames, Idealized Cognitive Models, and Domains.” Pages 170-87 in *The Oxford Handbook of Cognitive Linguistics*. Edited by Dirk Geerearts and Hubert Cuyckens. Oxford: Oxford University Press, 2007.
- Craigie, Peter C. *The Book of Deuteronomy*. New International Commentary on the Old Testament. Grand Rapids: Eerdmans, 1976.
- Croft, William and D. A. Cruse. *Cognitive Linguistics*. Cambridge: Cambridge University Press, 2004.
- Dawson, David Allan. *Text-Linguistics and Biblical Hebrew*. Journal for the Study of the Old Testament Supplement Series 177. Sheffield: Sheffield Academic Press, 1994.
- Dik, Simon C. *The Theory of Functional Grammar 1: The Structure of the Clause*. Functional Grammar Series. Translated by Kees Hengeveld. 2 ed. Berlin: Walter de Gruyter, 1997.
- . *The Theory of Functional Grammar 2: Complex and Derived Constructions*. Functional Grammar Series. Translated by Kees Hengeveld. 2 ed. Berlin: Walter de Gruyter, 1997.
- Dixon, R. M. W. *Basic Linguistic Theory 1: Methodology*. Oxford: OUP, 2009.
- . *Basic Linguistic Theory 2: Grammatical Topics*. Oxford: OUP, 2010.
- . *Basic Linguistic Theory 3: Further Grammatical Topics*. Oxford: OUP, 2012.
- Driver, Samuel Rolles. *A Critical and Exegetical Commentary on Deuteronomy*. The International Critical Commentary. 3 ed. Edinburgh: T&T Clark, 1902.
- Erman, Adolf. *The Literature of the Ancient Egyptians: Poems, Narratives, and Manuals of Instruction, from the Third and Second Millenia B.C.* Translated by Aylward M. Blackman. London: Methuen, 1927.
- Ezra, Abraham ben Meir Ibn. *The Commentary of Abraham Ibn Ezra on the*

- Pentateuch: Deuteronomy*. Translated by Jay F. Schachter. Hoboken: KTAV Publishing House, 2003.
- Finkelstein, J. J. *The Ox That Gored*. Transactions of the American Philosophical Society. Philadelphia: The American Philosophical Society, 1981.
- Fox, Michael V. "Frame-Narrative and Composition in the Book of Qohelet." *Hebrew Union College Annual* 48 (1977): 83-106.
- Geeraerts, Dirk. *Theories of Lexical Semantics*. Oxford: Oxford University Press, 2010.
- , ed. *Cognitive Linguistics: Basic Readings*. Berlin: Mouton de Gruyter, 2006.
- Geerearts, Dirk and Hubert Cuyckens, eds. *The Oxford Handbook of Cognitive Linguistics*. Oxford: Oxford University Press, 2007.
- Halliday, M. A. K. *An Introduction to Functional Grammar*. 2 ed. London: Arnold, 1994.
- Heimerdinger, Jean-Marc. *Topic, Focus and Foreground in Ancient Hebrew Narratives*. Journal for the Study of the Old Testament Supplement Series. Sheffield: Sheffield Academic, 1999.
- Heller, Roy L. *Narrative Structure and Discourse Contellations: An Analysis of Clause Function in Biblical Hebrew Prose*. Harvard Semitic Studies 55. Winona Lake, Indiana: Eisenbrauns, 2004.
- Hengeveld, Kees and J. Lachlan Mackenzie. *Functional Discourse Grammar: A Typologically-Based Theory of Language Structure*. Oxford: Oxford University Press, 2008.
- Herczeg, Yisrael Isser Zvi. *The Torah: with Rashi's Commentary Translated, Annotated, and Elucidated*. Artscroll Series/The Sapirstein Edition 5. New York: Mesorah, 1998.
- Hill, Andrew E. "The Ebal Ceremony as Hebrew Land Grant?" *Journal of the Evangelical Theological Society* 31 (1988): 399-406.
- Jackson, Samuel A. *A comparison of ancient Near Eastern law collections prior to the first millennium BC*. Gorgias Dissertations; Near Eastern Studies. New Jersey: Gorgias Press, 2008.
- Joosten, Jan. *The Verbal System of Biblical Hebrew: A New Synthesis Elaborated on the Basis of Classical Prose*. Jerusalem Biblical Studies. Jerusalem: Simor, 2012.
- Kitchen, Kenneth A. *Alter Orient und altes Testament: Problem und ihre Lösungen Aufklärung und Erläuterung*. Wuppertal: R. Brockhaus Verlag, 1965.
- . *Ancient Orient and Old Testament*. London: Tyndale Press, 1966.
- . "Ancient Orient, "Deuteronomism," and the Old Testament." Pages 1-24 in *New Perspectives on the Old Testament*. Edited by J. Barton Payne. London: Word Books, 1970.

- Kitchen, Kenneth A. and Paul J. N. Lawrence. *Treaty, Law and Covenant in the Ancient Near East, Part 2: Text, Notes and Chromograms*. 3 vols. 2. Wiesbaden: Harrassowitz Verlag, 2012.
- . *Treaty, Law and Covenant in the Ancient Near East, Part 3: Overall Historical Survey*. 3 vols. 3. Wiesbaden: Harrassowitz Verlag, 2012.
- . *Treaty, Law and Covenant in the Ancient Near East, Part 1: The Texts*. 3 vols. 1. Wiesbaden: Harrassowitz Verlag, 2012.
- Kline, Meredith G. *Treaty of the Great King: The Covenant Structure of Deuteronomy*. Grand Rapids: Eerdmans, 1963.
- . "Dynastic Covenant." *Westminster Theological Journal* 23 (1960): 1-15.
- Korošec, Viktor. *Hethitische Staatsverträge*. Leipziger rechtswissenschaftliche Studien 60. Leipzig: Th. Weicher, 1931.
- Lakoff, George. *Women, Fire, and Dangerous Things*. Chicago: University of Chicago Press, 1990.
- . "Cognitive Versus Generative Linguistics: How Commitments Influence Results." *Language & Communication* 11 (1991): 53-61.
- Lambrecht, Knud. *Information Structure and Sentence Form: Topic, Focus, and the Mental Representations of Discourse Referents*. Cambridge Studies in Linguistics 71. Cambridge: Cambridge University Press, 1994.
- LeFebvre, Michael. *Collections, Codes, and Torah: The Re-characterization of Israel's Written Law*. Library of Hebrew Bible/Old Testament Studies. London: Continuum, 2006.
- Levinsohn, Stephen H. *Review of Topic, Focus and Foreground in Ancient Hebrew Narratives, Jean-Marc Heimerdinger*. *Journal of Translation and Textlinguistics* 14 (2002): 126-47.
- Levinson, Bernard M., ed. *Theory and Method in Biblical and Cuneiform Law: Revision, Interpolation and Development*. Journal for the Study of the Old Testament Supplement Series 181. Sheffield: Sheffield Academic, 1994.
- Lincicum, David. *Paul and the Early Jewish Encounter with Deuteronomy*. Wissenschaftliche Untersuchungen zum Neuen Testament; Reihe. Tübingen: Mohr Siebeck, 2010.
- Lohfink, Norbert. "Moab oder Sichem—wo wurde Dtn 28 nach der Fabel des Deuteronomiums proklamiert?" Pages 139-53 in *Studies in Deuteronomy in Honour of C. J. Labuschagne on the Occasion of his 65th Birthday*. Edited by F. García Martínez, A. Hilhorst, J. T. A. G. M. van Ruiten and A. S. van der Woude. Leiden: Brill, 1994.
- . "Der Bundesschluß im Land Moab: Redaktionsgeschichtliches zu Dt 28, 69-32, 47." *Biblische Zeitschrift* 6 (1962): 32-56.
- Longacre, Robert E. *Joseph: A Story of Divine Providence: A Text Theoretical and Textlinguistic Analysis of Genesis 37 and 39-48*. Winona Lake: Eisenbrauns,

1989.

- Lundbom, Jack R. *Deuteronomy: A Commentary*. Grand Rapids: Eerdmans, 2013.
- Malul, Meir. *The Comparative Method in Ancient Near Eastern and Biblical Legal Studies*. Alter Orient und Altes Testament 227. Neukirchen-Vluyn: Neukirchener Verlag, 1990.
- Mayes, Andrew D. H. *Deuteronomy*. New Century Bible Commentary. London: Oliphants, 1979.
- McCarthy, Dennis J. *Treaty and Covenant: A Study in Form in the Ancient Oriental Documents and in the Old Testament*. Analecta Biblica 21. Rome: Pontifical Biblical Institute, 1963.
- . *Treaty and Covenant: A Study in Form in the Ancient Oriental Documents and in the Old Testament*. Analecta Biblica. 2 ed. Rome: Pontifical Biblical Institute, 1978.
- McConville, J. Gordon. *Deuteronomy*. Apollos Old Testament Commentary. Apollos, 2002.
- Mendenhall, George E. "Covenant Forms in Israelite Tradition." *The Biblical Archaeologist* 17(3) (1954): 50-76.
- . "Ancient Oriental and Biblical Law." *The Biblical Archaeologist* 17(2) (1954): 26-46.
- Merrill, Eugene H. *Deuteronomy*. The New American Commentary. Nashville: Broadman & Holman, 1994.
- Merwe, Christo H. J. van der, Jackie A. Naudé and Jan H. Kroeze. *A Biblical Hebrew Reference Grammar*. Biblical Languages: Hebrew 3. Sheffield: Sheffield Academic, 1999.
- Millar, J. Gary. *Now Choose Life: Theology and Ethics in Deuteronomy*. New Studies in Biblical Theology. Leicester: Apollos, 2000.
- Miller, Cynthia Lynn. *The Representation of Speech in Biblical Hebrew Narrative: A Linguistic Analysis*. Atlanta, Georgia: Scholars Press, 2004.
- Miller, Patrick D. *Deuteronomy*. Interpretation. Louisville: Westminster John Knox Press, 1990.
- Myers, Peter D. "Cognitive Linguistics and the Tripartite Division of the Law." *Westminster Theological Journal* 74 (2012): 387-416.
- Nelson, Richard D. *Deuteronomy: A Commentary*. The Old Testament Library. Louisville: Westminster John Knox Press, 2004.
- Noth, Martin. *The Laws in the Pentateuch and Other Studies*. Edinburgh: Oliver & Boyd, 1966.
- . *A History of Pentateuchal Traditions*. Translated by Bernhard W. Anderson. Englewood Cliffs: Prentice Hall, 1972.

- . *The Deuteronomistic History*. Translated by Jane Doull. 2 ed. Sheffield: JSOT Press, 1991.
- Paul, Shalom M. *Studies in the Book of the Covenant in the Light of Cuneiform and Biblical Law*. Supplements to Vetus Testamentum 18. Leiden: Brill, 1970.
- Polzin, Robert. *Moses and the Deuteronomist: A Literary Study of the Deuteronomistic History: Part One Deuteronomy, Joshua, Judges*. New York: The Seabury Press, 1980.
- Rabinowitz, Isaac. “‘Āz Followed by Imperfect Verb-Form in Preterite Contexts: A Redactional Device in Biblical Hebrew.” *Vetus Testamentum* 34.1 (1984): 53-62.
- Rad, Gerhard von. *Deuteronomy: A Commentary*. Philadelphia: Westminster John Knox Press, 1966.
- . *Das formgeschichtliche Problem des Hexateuch*. Beiträge zur Wissenschaft vom Alten und Neuen Testament 4; Folge Heft 26. Stuttgart: W. Kohlhammer Verlag, 1938.
- Regt, Lénart J. de. “Macrosyntactic Functions of Nominal Clauses Referring to Participants.” Pages 273-96 in *The Verbless Clause in Biblical Hebrew: Linguistic Approaches*. Edited by Cynthia L. Miller. Winona Lake, Indiana: Eisenbrauns, 1999.
- Robar, Elizabeth. “Grounding: Biblical Hebrew.” Pages 151a-6b in *Encyclopedia of Hebrew Language and Linguistics, vol 2*. Edited by Geoffrey Khan. Leiden: Brill, 2013.
- Runge, Steven E. *Discourse Grammar of the Greek New Testament: A Practical Introduction for Teaching and Exegesis*. Peabody, Massachusetts: Hendrickson Publishers, 2010.
- Sanders, Paul. *The Provenance of Deuteronomy* 32. Oudtestamentische Studiën 37. Leiden: Brill, 1996.
- Schneider, Wolfgang. *Grammatik de Biblischen Hebräisch*. München: Claudius Verlag, 1982.
- Sommer, Benjamin D. “Dating Pentateuchal Texts and the Perils of Pseudo-Historicism.” Pages 85-108 in *The Pentateuch: International Perspectives on Current Research*. Edited by Thomas B. Dozeman, Konrad Schmid and Baruch J. Schwartz. Tübingen: Mohr Siebeck, 2011.
- Sonnet, Jean-Pierre. *The Book Within the Book: Writing in Deuteronomy*. Biblical Interpretation Series. Leiden: Brill, 1997.
- Spinoza, Benedict de. *Tractatus Theologico-Politicus, Tractatus Politicus*. Translated by R. H. M. Elwes. London: Routledge, 1862.
- Tigay, Jeffrey H. *Deuteronomy*. The JPS Torah Commentary. Jerusalem: Jewish Publication Society, 1994.
- van Wolde, Ellen. “The Verbless Clause and Its Textual Function.” Pages 321-36 in

The Verbless Clause in Biblical Hebrew: Linguistic Approaches. Edited by Cynthia L. Miller. Winona Lake, Indiana: Eisenbrauns, 1999.

- Weinfeld, Moshe. *Deuteronomy and the Deuteronomistic School*. Oxford: Clarendon Press, 1972.
- . “The Origin of the Apodictic Law: An Overlooked Source.” *Vetus Testamentum* 23 (1973): 63-75.
- . “The Loyalty Oath in the Ancient Near East.” *Ugarit-Forschungen* 8 (1976): 379-414.
- . *Deuteronomy 1-11*. Anchor Bible 5. London: Doubleday, 1991.
- Wellhausen, J. *Die Composition des Hexateuchs und der historischen Bücher des alten Testaments*. Berlin: Georg Reimer, 1889.
- Wenham, Gordon J. “The Structure and Date of Deuteronomy.” Ph.D. diss. University of London, 1969.
- Westbrook, Raymond. *Studies in Biblical and Cuneiform Law*. Cahiers de la Revue Biblique 26. Paris: Gabalda, 1988.
- Whybray, R. N. *The Making of the Pentateuch: A Methodological Study*. Sheffield: Sheffield Academic Press, 1987.
- Widder, Wendy L. »To Teach« in Ancient Israel: A Cognitive Linguistic Study of a Biblical Hebrew Lexical Set. Beiheft zur Zeitschrift für die alttestamentliche Wissenschaft 456. Berlin: De Gruyter, 2014.
- Wiseman, Donald J. “The Vassal-Treaties of Esarhaddon.” *Iraq* 20 (1958): 1-99.