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*Offprint:*

# The Pentateuch

International Perspectives  
on Current Research

Edited by

Thomas B. Dozeman, Konrad Schmid  
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Using Ezra's Time as a Methodological Pivot  
for Understanding the Rhetoric and Functions  
of the Pentateuch

JAMES W. WATTS

The transformation of the Pentateuch into scripture around the time of Ezra marks a watershed not only in Jewish religious history but also in the methods and data available to modern historians. Comparing pentateuchal traditions in the Assyrian and Babylonian periods with the Torah in the Hellenistic and Roman periods shows stark changes in their meaning and use. It also points up dramatic differences in the kind of evidence available to us for the shape and contents of pentateuchal texts.

From the Hellenistic and Roman periods, we possess physical evidence in the form of manuscripts, mainly the Dead Sea Scrolls. In this period, we also find literary references to pentateuchal texts in a wide variety of other Jewish literature. We possess a translation of the Torah into Greek created in the third century. In addition, there is evidence from the second century that Torah scrolls were functioning as icons of Jewish identity recognized by both Jews and non-Jews. Starting in the Roman period, we have evidence of practices of public and liturgical reading of Torahs and other scriptures.

By contrast, for pentateuchal traditions in the Assyrian and Babylonian periods we have only inductive literary evidence from the Hebrew Bible itself for their separate sources, redactional development, rhetorical agendas, legal history, and history of traditions. From the Assyrian and Babylonian periods we possess no manuscripts, very few literary references, and no translations. We do find a handful of references to the liturgical display and reading of Torah scrolls, but the suspicion that these may be back-projections of later practices casts doubt on their historical accuracy.

The Persian and early Hellenistic periods are thus pivotal for pentateuchal studies in a number of different ways. They mark the transition from original meaning as encoded by authors and editors and exposed by modern criticism to traditional meaning as preserved more or less in Jewish and Christian interpretation ever since. The period also brought about changes in historical evidence that separate our critical methods into two distinct groups. This is the old "higher criticism vs. lower criticism" distinction with some additions. The

inductive literary analysis necessary for the earlier periods requires the methods of source, form, and redaction criticisms, and tradition history. The very different data available for later periods require methods such as text criticism, the history of interpretation, and historical studies of canonization. Archaeology, of course, is helpful in every period, but in later periods there can be no question that archaeological and literary evidence must be interpreted in mutual dependence on each other. This Persian-period watershed thus marks a major shift in the nature of our historical evidence for the Pentateuch.

All this is old news, especially to pentateuchal scholars who have increasingly focused on the Persian period to understand the form of the Pentateuch. Missing from most of our work, however, is serious consideration of the *nature* of the change that occurred to the Pentateuch in this period. It was at this time that the Pentateuch began to function as a scripture.

This observation presupposes answers to the questions of how to define the category of scripture and what must happen to a text to turn it into a scripture. Here pentateuchal studies can benefit from attention to the comparative study of religions, especially the comparative study of scriptures. The study of comparative scriptures casts considerable light on the nature of scriptures and on the nature of the religious changes occurring in Persian- and early Hellenistic-period Judaism and, therefore, why they had such consequences for our historical evidence as well as for subsequent Western religious traditions.

### The Pentateuch as a Scripture: Engaging Some Old Challenges

Let me begin by placing this discussion of the Torah as scripture within the context of the previous generation's debates over scripture. The 1970s saw two major challenges posed in North America to the way biblical scholars define their subject matter. Both called on biblical scholars to pay more attention to the Bible's nature as scripture.

The more prominent of these challenges was raised by Brevard Childs, who tried to refocus research on the Bible's scriptural status by calling attention to its canonical shape and its history of interpretation.<sup>1</sup> Childs's proposals failed to sway the majority in the discipline because historical uncertainties undermined his ability to claim that this or that part of the Bible received its decisive canonical shape at any one particular time. The mutability of the shape of the Jewish and Christian canons lasted well into the rabbinic and

<sup>1</sup> Brevard S. CHILDS, *Introduction to the Old Testament as Scripture* (Philadelphia: Fortress, 1979); IDEM, *The New Testament as Canon: An Introduction* (Philadelphia: Fortress, 1984); IDEM, *Old Testament Theology in a Canonical Context* (Philadelphia: Fortress, 1985).

Constantinian periods and in some ways even beyond. That fact frustrates any attempt to define scripture on the basis of canonical shaping.<sup>2</sup>

Less often remembered is another challenge that sounded superficially similar to that of Childs but was programmatically different. The historian of religion, Wilfred Cantwell Smith, charged that biblical scholars study the Bible only "before it was the Bible."<sup>3</sup> He called for shifting the emphasis to the history and function of scripture since the time of its elevation to that status, as well as functional comparisons with other religious scriptures. His students continued his work for a time, especially William Graham, who wrote a monumental comparative study of the oral performance of scriptures in various religious traditions.<sup>4</sup>

Smith's work, however, exerted little influence on biblical scholars. German scholarship has given some attention to these issues, especially in discussions of whether and when Judaism and Christianity can accurately be described as "book religions."<sup>5</sup> These discussions often invoke comparative evidence from other religions, especially Islam. The debates about book religions tend, however, to revolve around whether scripturalization characterizes a religion in a fundamental way and how it affects the wider culture. They treat the specific functions of scriptures within religious communities in a more cursory fashion.

The broader field of biblical studies has given even less thought to the Bible's function as a scripture. Nevertheless, we have increasingly studied the history of interpretation and in that process accumulated evidence that can contribute to a functional analysis of scriptures. For example, James Kugel has shown a decisive and wide-ranging shift in the meaning of biblical texts in

<sup>2</sup> That is the case even when canonical analysis emphasizes the text's changing meaning through innerbiblical as well as postcanonical interpretation (e.g., James SANDERS, *Torah and Canon* [Philadelphia: Fortress, 1972]). Here distinguishing "canonical" adaptations from other kinds of interpretive changes becomes problematic.

<sup>3</sup> Wilfred Cantwell SMITH, "The Study of Religion and the Study of the Bible," *JAAR* 39 (1971): 131–40; reprinted in *Rethinking Scripture: Essays from a Comparative Perspective* (ed. M. Levering; Albany: SUNY Press, 1989), 18–28. See also IDEM, "Scripture as Form and Concept: Their Emergence for the Western World," in Levering, *Rethinking Scripture*, 29–57; IDEM, *What is Scripture?* (Minneapolis: Fortress, 1993).

<sup>4</sup> William A. GRAHAM, *Beyond the Written Word: Oral Aspects of Scripture in the History of Religion* (Cambridge, Engl.: Cambridge University Press, 1987).

<sup>5</sup> Siegfried HERRMANN, "Kultreligion und Buchreligion: Kultische Funktionen in Israel und in Ägypten," in *Das ferne und nahe Wort* (Berlin: Töpelmann, 1967), 95–105; Bernhard LANG, "Buchreligion," in *Handwörterbuch religionswissenschaftlicher Grundbegriffe* (ed. H. Cancik et al.; Stuttgart: Kohlhammer, 1991), 2:143–65; Oda WISCHMEYER, "Das heilige Buch im Judentum des Zweiten Tempels," *ZNW* 86 (1995): 218–42; Joachim SCHAPER, "Tora als Text im Deuteronomium," in *Was ist ein Text? Alttestamentliche, ägyptologische und altorientalische Perspektiven* (ed. L. Morenz and S. Schorch; BZAW 362; Berlin: de Gruyter, 2007), 59–60.

antiquity.<sup>6</sup> Pointing to exegetical traditions found in later Second Temple and early rabbinic Jewish literature, as well as early Christian literature, he argued that the Bible at this time took on the meanings that it has, for the most part, continued to wield ever since in traditional Jewish and Christian interpretation. Kugel credited this development to the adoption of a common set of exegetical presuppositions, namely that the Bible is of divine origins, that its text is omnisignificant and cryptic, that it is internally harmonious and perfect, and that its meaning is relevant to the current reader. In other words, the Bible became scripture through the adoption of these presuppositions in the late Second Temple period and that status has been more decisive for how it has been read than any of the issues usually of concern to historians and other modern critics. The meaning of the Bible changed when it became scripture.

Kugel identified the period when this change occurred as roughly 200 B.C.E. to 200 C.E., but those dates simply mark the period when a sizable body of exegetical literature first came into existence. In fact, this literature is itself one indication that the Torah had already become scripture, because it was considered worthy of this kind of exegetical effort.<sup>7</sup> The time when the Torah changed from meaning more or less what its authors intended it to mean to meaning what later Jewish and Christian traditions have generally taken it to mean then could have come a bit earlier, sometime in the Persian or early Hellenistic periods. The changes wrought by the Torah's scripturalization, however, went far beyond changing its generally accepted meaning.

### The Contribution of Comparative Scriptures Studies

Comparative study requires defining the category of scripture by function, rather than contents. Because the textual contents of scriptures around the world are so varied, because their textual forms and relations to oral traditions are so

<sup>6</sup> James L. KUGEL, *Traditions of the Bible: A Guide to the Bible As It Was at the Start of the Common Era* (Cambridge, Mass.: Harvard University Press, 1998), which is an expanded version of IDEM, *The Bible As It Was* (Cambridge, Mass.: Belknap, 1997). In these books, he described the interpretation of pentateuchal traditions, but later extended his analysis to the rest of the Hebrew Bible in IDEM, *How to Read the Bible: A Guide to Scripture Then and Now* (New York: Simon & Schuster, 2007).

<sup>7</sup> The mere fact of reuse of older textual tradition is too common in all literary traditions to count, by itself, as evidence for the scriptural status of the antecedent text. Thus Deut's quotation and revision of the Covenant Code, for example, does not indicate the scriptural status of the latter at the time of Deut's composition. The scriptural status of the antecedent tradition becomes more evident if the exegesis honors and preserves it even while modifying and augmenting its contents. But this criterion is not easy to assess; see the discussion of "rewritten Bibles" below. Scriptural status, however, does not depend on exegetical behavior alone; see below.

complicated, and because their status relative to other texts within a tradition is so mutable and, often, contested, the concept only has meaning as a description of the relationship between a particular community and its texts. As William Graham argued, "The 'scriptural' characteristics of a text belong not to the text itself but to its role in a community. 'Scripture' is not a literary genre but a religio-historical one."<sup>8</sup>

Scriptural texts are usually cited as authorities, often the most important authorities, for persuasive purposes. I have already mentioned the fact that the scripturalization of Torah led to changes in its meaning due to beliefs in the scripture's divine origins, relevance, cryptic nature, and omnisignificance. These beliefs and interpretive practices are common to other book-centered religious traditions, such as Islam, Sikhism, and many branches of Buddhism. They therefore tend to be cited in definitions of "scripture" and featured in most discussions of the category.<sup>9</sup>

Comparative study of scriptural traditions, however, also draws attention to other ways in which scriptures function that are not simply facets of the interpretation of a text's semantic meaning. On the one hand, oral performance of the words of scripture tends to play a key role in religious rituals and, often, in more casual contexts as well. Modes of oral performance may be dictated by strict traditions or readers may be assigned casually to broaden participation in religious services. Performative modes are frequently multiplied and translated into sung music or even reenacted as theater. On the other hand, the physical text may be venerated as a religious object in public or private rituals. Its most typical form, whether as scroll, codex, palm-leaf manuscript, or printed book, can become widely recognized as a symbol of the religious tradition, to the point even of substituting or replacing icons or relics in the rituals of the community.<sup>10</sup>

<sup>8</sup> William A. GRAHAM, "Scripture," in *Encyclopedia of Religion* (2nd ed.; Farmington Hills, Mich.: Thomson Gale, 2005), 12:8194–205; similarly Robert E. VAN VOORST, *Anthology of World Scriptures* (2nd ed.; Belmont, Calif.: Wadsworth, 2007), 5: "Scripture is primarily a relational, not a literary, phenomenon."

<sup>9</sup> Thus GRAHAM, "Scripture": "Every text that achieves scriptural status in a religious community elicits extensive popular and scholarly exegesis and study of its contents. ... All scriptural communities boast impressive formal traditions of scholarly interpretation, many of which form the basis of all learning in their respective traditions" (8202–3). Similarly, VAN VOORST, *Anthology*, 7–8.

<sup>10</sup> The definitive study of the performative dimension of scriptures remains that of GRAHAM, *Beyond the Written Word*. For the iconic dimension, see Dorina Miller PARMENTER, "The Iconic Book: The Image of the Bible in Early Christian Rituals," *Postscripts* 2, no. 2–3 (2006): 160–89; IDEM, "The Bible as Icon: Myths of the Divine Origins of Scripture," in *Jewish and Christian Scripture as Artifact and Canon* (ed. C. A. Evans and H. D. Zacharias; London: T&T Clark, 2009), 298–310. For a theory of the relationship between these dimensions and semantic interpretation, see James W. WATTS, "The Three Dimensions of Scriptures," *Postscripts* 2, no. 2–3 (2006): 135–59.

## Ezra's Time As Methodological Pivot

Turning back to the Pentateuch, such observations about the various functions of scriptures draw attention to the fact that the Torah has, since antiquity, been ritualized in the three dimensions of oral performance, iconic veneration, and semantic interpretation. Already in the Hebrew Bible itself, references to it as a text that is privately recited and memorized emphasize its performative dimension (Deut 6:6–7; 17:19). It is also publicly read and proclaimed in mass assemblies by key biblical figures such as Moses, Joshua, Josiah, and Ezra (Deut 31:9–11; Josh 8:34–35; 2 Kgs 22–23; Neh 8). The Torah's iconic dimension also receives great attention: as tablets of commandments stored in the ark of the covenant in the heart of the sanctuary (Exod 24:12; 25:16; 31:18; 34:1, 4; 40:20), as inscribed on the stones of an altar (Josh 8:32), as written scrolls preserved beside the ark by Levites (Exod 24:7; Deut 31:9) and discovered by Josiah's priests in the Temple (2 Kgs 22–23). Ritualization of the Torah's dimension of semantic interpretation is actually less prominent in the Hebrew Bible than the other two dimensions. It is implied in mandates to interpret the exodus story at Passover (Exod 12:26–27, though technically these describe interpreting the seder meal itself rather than texts of Exod). It is most explicit in the interpretation and/or translation work of Ezra's Levites (Neh 8) and of Jehoshaphat's bureaucrats (2 Chr 17:7–9).

Nevertheless, ritualizations of all three dimensions – iconic, performative, and semantic – find explicit mandate in the Pentateuch itself, especially in Deuteronomy. And they are highlighted by biblical stories of the Torah's normative use by important figures (Moses, Joshua, Josiah, Ezra). Modern scholarship has shown considerable interest in the actions of the later two. King Josiah's prominence as a public reader and promulgator of Torah (2 Kgs 22–23), together with his reform's evocation of the themes of Deuteronomy, have led historians for two centuries to identify Josiah's reign as a crucial turning point in the elevation of the Torah to scriptural status. But historical studies have increasingly raised questions about the antiquity and reliability of 2 Kings' story of Josiah's reform.<sup>11</sup> Even apart from such historical considerations, 2 Kings depicts Josiah's reform as short-lived due to his untimely death, which allowed his successors to reverse his policies. Scrolls containing Deuteronomistic ideas seem to have received a poor reception from subsequent

<sup>11</sup> E.g. Steven MCKENZIE, *The Chronicler's Use of the Deuteronomistic History* (HSM 33; Atlanta: Scholars Press, 1984), 168–69; Philip R. DAVIES, *Scribes and Schools: The Canonization of Hebrew Scriptures* (Louisville: Westminster John Knox, 1998), 96–99; David M. CARR, "The Rise of Torah," in *The Pentateuch as Torah* (ed. G. N. Knoppers and B. M. Levenson; Winona Lake, Ind.: Eisenbrauns, 2007), 47. For a recent defense of a pre-Deuteronomistic historical core to the book-find story, see Jonathan BEN-DOV, "Writing as Oracle and as Law: New Contexts for the Book-Find of King Josiah," *JBL* 127 (2008): 223–39 [esp. 230].

kings (Jer 36).<sup>12</sup> The Deuteronomistic History, Ezra-Nehemiah, and the Torah itself (Lev 26, Deut 27–30) argue that Israel's "heterodoxy" (by the standards of these texts) continued until the Babylonian exile.<sup>13</sup>

Insofar as ritualizing Torah as a scripture is concerned, historical evidence supports the biblical authors' claims. All three dimensions of Torah seem to have become *regularly* ritualized only in later periods. Nehemiah 8 describes what changed in normative practices. To later Jews and Christians and by the standards of the Torah itself (Deut 6:1–9; 31:9–13), its description of Ezra and his actions exemplifies what a religious leader should be and do. He leads the people to read and study the Torah and to observe the laws of God that it contains. One searches in vain to find another figure in the Hebrew Bible since Moses who exemplifies this model. It seems that only in the time when this story about Ezra was written and afterward did the Torah began to function regularly as scripture.<sup>14</sup>

According to Neh 8, Ezra ritualized all three dimensions of scripture. The people gathered in the plaza by the city gate, where they rose to their feet at the sight of the physical scroll and then prostrated themselves (iconic dimension, vv. 8–9).<sup>15</sup> He read it aloud on that day and on each day of the festival

<sup>12</sup> Baruch's reading of Jeremiah's prophecies in the temple constitutes a ritualization of the performative dimension of this text, the first evidence by many centuries of a prophetic book receiving this kind of treatment. However, it is not clear that Baruch's actions constitute a new stage in the treatment of prophetic texts as much as an ad hoc substitute for the prophet's oral performance of his oracles in the temple himself. The book of Jer also anticipates transcending the textuality of Torah by direct revelation to every Israelite (Jer 31:33–34).

<sup>13</sup> As CARR observes, "Whatever Josiah's reform once was, it later became cause to understand the postexilic installation of a broader Torah as a *restoration* of a former state of things, rather than as an innovation" ("Rise of Torah," 47).

<sup>14</sup> For a similar survey of the evidence for the conclusion that "the increasing centrality of the Torah in Judaism in the post-exilic period, certainly after the reforms by Ezra, led to a heightened awareness of the Torah's holiness," see Pieter W. VAN DER HORST, "Was the Synagogue a Place of Sabbath Worship Before 70 CE?" in *Jews, Christians, and Polytheists in the Ancient Synagogue: Cultural Interaction during the Greco-Roman Period* (ed. S. Fine; New York: Routledge, 1999), 34–37.

<sup>15</sup> Jacob WRIGHT comments on both the "cognitive" and "cultic" consequences of Ezra's reading, observing for the latter that "the Torah is treated as an iconic book" ("Writing the Restoration: Compositional Agenda and the Role of Ezra in Nehemiah 8," in *JHebS* 7 [2007]: art. 10. Online: <http://ejournals.library.ualberta.ca/index.php/jhs/article/viewFile/5648/4701> [cited 13 July 2010]; also, in more detail, IDEM, "Seeking, Finding and Writing in Ezra-Nehemiah," in *Unity and Disunity in Ezra-Nehemiah: Redaction, Rhetoric, Reader* [ed. M. J. Boda and P. L. Redditt; Sheffield: Sheffield Phoenix Press, 2008], 294–304). He notes, by contrast, that Neh 8 shows little to no interest in temple and altar, and so finds here the beginnings of a tension between Torah and temple. Lee I. LEVINE identifies the city gate as the functional forerunner of the synagogue as community center for a variety of activities, including ritual ones (*The Ancient Synagogue: The First Thousand Years* [2nd ed.; New Haven: Yale University Press, 2005], 28–34). However, though the urge to find synagogue and/or

(performative dimension, vv. 3, 17). And the Levites translated or interpreted its meaning to the people, while the leaders studied it for guidance (semantic dimension, vv. 7–8, 13). Here we find the three-dimensional ritualization of a text that continues to distinguish the function of later scriptures from secular texts. From the time of this story on, this became typical of how Torah was treated, but there is no sign that was the case much before this time.

This claim that the Torah was ritualized in all three dimensions as scripture from the late Persian period on requires demonstration. What follows here are three chronological lists of evidence for the continuing ritualization of the Torah in each of the three dimensions. I start with its *iconic* dimension, that is, ritualized attention to and even veneration of the physical Torah scroll.

- (1) In the fifth or fourth century B.C.E., the book of Nehemiah relates that Ezra showed the scroll of the Torah to the assembled people before reading it to them (Neh 8:2, 5).
- (2) Chronologically, the next evidence for the Torah's iconicity appears in the literary motif of the Torah in heaven or descended from heaven. Ben Sira (24:23) states this theme first in the late third century B.C.E. and it reappears in a wide variety of later texts (e.g., Bar 4:1; Acts 7:53; *m. 'Abot* 3:14; 5:6; *Gen. Rab.* 1:1).<sup>16</sup>
- (3) In the second century, 1 Macc 1:56–57 reports that Torah scrolls were deliberately targeted by Seleucid troops trying to suppress Jewish religious practices. This shows that the scrolls were by this time recognized as emblematic of Jewish identity by both Jews and non-Jews.<sup>17</sup> Josephus reports that in the first century B.C.E., the emperor Augustus issued a decree declaring that theft of a holy book from a synagogue should be punished as an act of desecration.<sup>18</sup>

scribal interpretation challenging priestly cult has played a prominent role in histories of the Second Temple period, there is scant evidence that serious attacks on the priests' cultic role emerged until the end of the period, though the priests were frequently criticized for corruption as in Neh 13. Neh 8 even highlights cultic personnel: a priest reads the Torah, which is then interpreted by Levites. Wright therefore finds that various editions and retellings of Ezra and Nehemiah try to mitigate the Nehemiah memoir's anti-priestly bias ("Writing"), and Titus REINMUTH argues that priestly and scribal interests combined to create its Torah-centered edition ("Nehemiah 8 and the Authority of Torah in Ezra-Nehemiah," in Boda and Redditt, *Unity and Disunity*, 256). For priestly interests in first-millennium textual conservation and production throughout the ancient Near East, see David M. CARR, *Writing on the Tablet of the Heart: Origins of Scripture and Literature* (Oxford: Oxford University Press, 2005); for a briefer account of the debate over Second Temple religious history, see James W. WATTS, "The Political and Legal Uses of Scripture," in *The New Cambridge History of the Bible* (ed. J. Schaper and J. C. Paget; Cambridge, Engl.: Cambridge University Press, forthcoming).

<sup>16</sup> For a recent discussion of the Bible's place among ancient traditions of heavenly books, see PARMENTER, "Bible as Icon," 298–309.

<sup>17</sup> On the political and ideological uses of book-burning in the late Hellenistic and Roman periods, see Daniel SAREFIELD, "The Symbolics of Book Burning: The Establishment of a Christian Ritual of Persecution," in *The Early Christian Book* (ed. W. E. Klingshirn and L. Safran; Washington, D.C.: Catholic University of America Press, 2007), 159–73.

<sup>18</sup> *Ant.* 16.164; in 20.115, he reports that a soldier who stole and publicly destroyed a Torah scroll was executed by the Roman governor of Judea to quiet a public uproar over the incident.

(4) *Tefillin* housings and the slips of parchment that were in them appear among the finds from Qumran and are the earliest physical evidence for the iconic use of Torah. They show that amulets incorporating pentateuchal texts were already in common use by the second or at least the first century B.C.E. Some of the slips seem to have actually come from *mezuzot* and so are evidence for this material textual practice as well.<sup>19</sup>

(5) Torah shrines of various kinds (niches, aediculae, apses) appear in the physical remains of second-century C.E. and later synagogues. Artistic remains from late antiquity show that they contained wooden scroll chests (arks).<sup>20</sup> These freestanding wooden arks likely developed from the earlier practice of carrying portable arks into the synagogue space rather than permanently enshrining them there. Such processions continued well into the fourth century, according to talmudic sources.<sup>21</sup>

(6) By the second century C.E., the Mishnah attests to the sanctity of scripture scrolls, especially Torah scrolls, and that they convey holiness to their clothes and to the furnishings and buildings containing them (*m. Meg.* 3:1). Christian polemicists knew at least by the fourth century that synagogues are considered holy on account of the scrolls they contain.<sup>22</sup>

This catalog of diverse types of evidence for the ritual use and veneration of Torah scrolls or texts is not extensive, given the fact that it spans almost a millennium. The amount of physical, literary, and artistic evidence obviously is much greater from later periods. Nevertheless, in aggregate it indicates that by the Hellenistic period, the ritualized veneration of Torah texts and scrolls was growing and spreading. The fifth or fourth centuries B.C.E., when the

<sup>19</sup> For a recent, full discussion, see Yehudah B. COHN, *Tangled Up In Text: Tefillin and the Ancient World* (BJS 351; Providence, R.I.: Brown University Press, 2008), 55–62. For the original publications, see Lankester G. HARDING, "The Archeological Finds: Introductory; The Discovery, the Excavation, Minor Finds," in *Qumran Cave I* (ed. D. Barthélemy and J. T. Milik; DJD I; Oxford: Oxford University Press, 1955), 1:7 and plate 1.5–7; Roland DE VAUX, "Archéologie: Les grottes 7Q à 10Q," in *Les "petites grottes" de Qumrân: Exploration de la falaise, les grottes 2Q, 3Q, 5Q, 6Q, 7Q à 10Q, le rouleau de cuivre* (ed. M. Baillet, J. T. Milik, and R. de Vaux; DJD III; Oxford: Oxford University Press, 1962), 1:31; J. T. MILIK, "Textes de la grotte 5Q: Phylactère," in Baillet, Milik, and de Vaux, *Les "petites grottes,"* 1:178; Yigael YADIN, *Tefillin from Qumran (XQPhyl 1–4)* (Jerusalem: Israel Exploration Society, 1970); and J. T. MILIK, *Tefillin, Mezuzot et Targums (DJD VI/2)* (Oxford: Oxford University Press, 1977), 34–35.

<sup>20</sup> Rachel HACHLILI, *Ancient Jewish Art and Archaeology in the Land of Israel* (Leiden: Brill, 1988), 273–78; Eric M. MEYERS, "The Torah Shrine in the Ancient Synagogue," in *Jews, Christians, and Polytheists in the Ancient Synagogue: Cultural Interaction during the Greco-Roman Period* (ed. S. Fine; New York: Routledge, 1999), 201–23.

<sup>21</sup> So LEVINE, *Ancient Synagogue*, 352; see *b. Šabb.* 125b. Historians and archaeologists debate the degree to which the biblical ark of the covenant was conceptually and/or functionally related to the Torah arks of ancient synagogues: HACHLILI denies any continuity of iconography and meaning between them (*Ancient Jewish Art*, 279–80), but MEYERS defends the connection ("Torah Shrine," 221 n. 36). The linguistic and conceptual link between them was explicitly presupposed in the fourth century C.E. anti-Jewish polemic of John Chrysostom (*Adv. Jud.* 6:7 [PG 48:913]).

<sup>22</sup> E.g. Chrysostom (see previous note).

story in Neh 8 was written, is likely when these practices and their associated beliefs originated.

As one would expect, ritualization of the *performative* dimension of scriptures leaves even fewer traces in the physical record than the iconic dimension does. We have very little specific information from the Second Temple period as to how Torah and other scriptures were read or recited.

(1) Again, our first description can be found in Neh 8:4–12: Ezra stood on a wooden platform surrounded by the community's leaders, he accompanied the reading with a blessing that elicited verbal responses ("Amen") and obeisances from the crowd, and he declared the day to be holy.

(2) At Qumran, second- or first-century-B.C.E. texts show that the sectarians not only heard law read aloud regularly (perhaps their own laws as well as the Torah: *Community Rule* 1QS VI 7–8, *Zadokite/Damascus Document* 4Q266 5 II 1–3 and parallels) and specifically on the Sabbath (4Q251 I 5), they also expected public readings to feature prominently in the eschaton (1QS<sup>a</sup> I 4–5). Because the *Damascus Document* assigns the role of reader to priests, Lawrence Schiffman observes that "it may, therefore, refer to a practice which took place in the Jerusalem Temple, or to one which the sectarians thought should take place there."<sup>23</sup>

(3) Second Maccabees in the first century B.C.E. claims that the armies of Judas Maccabee marched into battle to the sound of Torah being read aloud (2 Macc 8:23).

(4) First-century-C.E. references to public readings of Torah and other scriptures appear in Philo, Josephus, and the NT,<sup>24</sup> as well as the dedicatory inscription of Theodotus from Jerusalem that states the new synagogue's purpose is "for the reading of Law and teaching the commandments."<sup>25</sup> The Mishnah reports that Torah portions were read aloud in the Second Temple by priests at Yom Kippur (*m. Yoma* 7:1; *m. Soṭah* 7:7) and by kings such as Agrippa at Sukkot (*m. Soṭah* 7:8).

(5) Rabbinic literature, of course, devotes considerable attention to scripture-reading practices in ancient synagogues (e.g., *m. Meg.* 3–4), including in a variety of languages.<sup>26</sup> That literary evidence has been confirmed by archeological evidence for reading platforms (cf. Neh 8) in synagogues of the second century C.E. and later.<sup>27</sup>

This evidence for ritualizing the performative dimension of the Torah, though limited, does at a minimum validate Schiffman's conclusion that "the reading of the Torah and most of its procedures ... [were] practiced in the synagogues in the early first century, even before the destruction."<sup>28</sup> Lee Levine observes

<sup>23</sup> Lawrence H. SCHIFFMAN, "The Early History of Public Reading of the Torah," in *Jews, Christians, and Polytheists in the Ancient Synagogue: Cultural Interaction during the Greco-Roman Period* (ed. S. Fine; New York: Routledge, 1999), 46.

<sup>24</sup> Philo, *Dreams* 2:127; *Hypothetica* 7:12–13; *Prob.* 81–82; Josephus, *Ant.* 16:43; *Ag. Ap.* 2:175; Luke 4:16–17; Acts 13:13–15.

<sup>25</sup> "... ΑΝΑΓΝΩΣΙΝ ΝΟΜΟΥ ΚΑΙ ΕΙΣ ΔΙΔΑΧΗΝ ΕΝΤΟΔΩΝ ...": J.-B. FREY, ed., *Corpus Inscriptionum Judaicarum* (Rome: Pontificio istituto de archeologia Cristiana, 1936, 1952), 1:1404.

<sup>26</sup> Willem SMELIK, "Code-Switching: The Public Reading of the Bible," in Morenz and Schorch, *Was ist ein Text*, 123–51.

<sup>27</sup> MEYERS, "Torah Shrine," 210–14; LEVINE, *Ancient Synagogue*, 343–46.

<sup>28</sup> SCHIFFMAN, "Early History," 54.

from rabbinic literature that "[t]he Torah-reading component of synagogue liturgy seems to have been the least susceptible to rabbinic influence" because its practices were already widely established.<sup>29</sup> Schiffman, however, distinguishes strictly between didactic reading in Second Temple synagogues and the liturgical readings that developed in the rabbinic period. He therefore denies any historical connection between Ezra's reading of Torah and later practices.<sup>30</sup> There is, however, more overlap between religious/liturgical reading and didactic reading than Schiffman allows. Books may be ritualized through both instruction and worship and the two quickly become indistinguishable in religious communities. Van der Horst cited 1QS VI 6–8, "reading the book, studying the commandment, and praising together," to observe that "if the cult focuses on the reading, explanation, and study of the Holy Book present there, because this is the place where God reveals himself, study has become a form of worship."<sup>31</sup>

His point is supported by the evidence for ritualizing the teaching of Torah, that is, the *semantic dimension* of the scripture.<sup>32</sup>

(1) During Ezra's reading of the Torah, Levites interpreted or translated the reading so people could understand it (Neh 8:7–8). Though the story's emphasis on the physical scroll and the public reading, that is, the iconic and performative dimensions, reflects the tradition of public law readings already found in Exodus, Deuteronomy, and Kings, Neh 8 introduces a new element: ritualized interpretation of the semantic meaning of the Torah.<sup>33</sup> This becomes a

<sup>29</sup> LEVINE, *Ancient Synagogue*, 577; see also 539–40.

<sup>30</sup> "There is no doubt that the Nehemiah material served to provide much of the specific procedure for Torah-reading in the synagogue whenever it was instituted. But no historical connection can be proposed between the public reading described in Nehemiah and the reading of the Torah as a synagogue ritual" because they are different in reader (national leader vs. congregant), material (whole text vs. excerpt), and goal (national reading vs. didactic instruction) (SCHIFFMAN, "Early History," 44). Similarly Arie VAN DER KOOIJ, "The Public Reading of Scriptures at Feasts," in *Feasts and Festivals* (ed. C. Tuckett; Leuven: Peeters, 2009), 27–44. Heather MCKAY, building on the views of Solomon Zeitlin, has more broadly challenged the idea that synagogues were ever used for worship on the Sabbath, as opposed to instruction, prior to the third century C.E. (*Sabbath and Synagogue: the Question of Sabbath Worship in Ancient Judaism* [Leiden: Brill, 1994]; cf. Solomon ZEITLIN, "The Origin of the Synagogue" *Proceedings of the American Academy of Jewish Research* 2 [1930–1931]: 69–81, repr. in J. Gutman, ed., *The Synagogue: Studies in Origins, Archeology, and Architecture* [New York: Ktav, 1975], 14–26).

<sup>31</sup> VAN DER HORST, "Was the Synagogue," 35. See also Benedict T. VIVIANO, *Study as Worship: Avot and the New Testament* (Leiden: Brill, 1978).

<sup>32</sup> For a more detailed survey of the early stages of the elevation of Torah's semantic interpretation, see CARR, "Rise of Torah," 50–53.

<sup>33</sup> WRIGHT ("Seeking, Finding, Writing") traces the theme of textual exegesis throughout Ezra-Neh and its redactional layers as it evolves from bureaucratic investigations of Persian archives into creative exegesis of divine Torah. He concludes that "The authors of Ezra-Nehemiah are exegetes, and they imbue their activities with greater authority by creating a

standard element in later descriptions of the public reading of Torah and other scriptures listed above.<sup>34</sup>

(2) Chronicles, in the fourth century B.C.E., contributes a story about a royal commission traveling around to teach the Torah in Judah under King Jehoshaphat (2 Chr 17:7–9).

(3) References to the Torah in general or to specific pentateuchal laws also appear frequently in Ezra, 1 Esdras, 2 Chronicles, and Malachi.<sup>35</sup> Other books from roughly the same period, such as Ruth and Ecclesiastes, reveal knowledge of Torah but seem to take issue with its authority or some of its specific rules.<sup>36</sup>

(4) Outside the Hebrew Bible, the first evidence for the ritualization of the semantic dimension of Torah appears in its translation into Greek in the third century B.C.E. The Septuagint is thus a material manifestation of these rituals of textual interpretation. It was probably also intended for use in public readings.

(5) By the second century B.C.E., Torah scrolls were being consulted to determine courses of public action according to 1 Macc 3:48, which draws an explicit analogy to the way “the Gentiles consult images of their gods.” This points out a close relationship between ritualized interpretation and the iconic dimension surveyed above.

(6) The phenomenon of “rewritten Bibles” in late Second Temple Jewish literature (e.g. *Jubilees*, *Testament of Levi*, the *Temple Scroll*, Josephus’ *Antiquities*) presents ambiguous evidence for ritualization of the semantic dimension of Torah and other scriptures. On the one hand, they attest to very strong interests in interpreting the religious significance of these texts. On the other hand, their freedom to rewrite and expand the stories has raised doubts as to how seriously they took the canonical text. Comparison with later scriptural traditions shows, however, that free adaptation of scriptural materials in sermons, songs, and narrative literature, among other genres, coexists very frequently in communities with a high regard for canonical texts and their accurate preservation.

(7) The Dead Sea Scrolls provide our earliest evidence for systematic textual interpretation of Torah and prophetic texts, whether by a string of citations as in 4QMMT or a commentary format such as 1QpHab (the *Habakkuk Peshar*). The former method appears also in New Testament citations of the Septuagint from the first century C.E.

(8) The concern for ritualized interpretation of Torah and other scriptures is also reflected in the sheer number of copies in the library at Qumran. Though the fragmentary nature of most of the manuscripts makes an exact count difficult, four books of Torah and two other biblical books appear in more than ten copies each among the scrolls, by Tov’s count: thirty-six copies of Psalms, thirty of Deuteronomy, twenty-one of Isaiah, nineteen or twenty of Genesis, fifteen of Exodus, and twelve of Leviticus (Flint counts seventeen).<sup>37</sup> The only noncanonical

historical memory according to which the heroes of the restoration did long ago what they are doing now” (303).

<sup>34</sup> Philo, *Hypothetica* 7:12–13; *Prob.* 81–82; Theodotus inscription; Luke 4:16–21; Acts 13:13–15.

<sup>35</sup> Ezra 3:2; 7:6, 12, 14, 21, 25, 26; 9:10, 14; 10:3 and parallels in 1 Esd; 2 Chr 23:18; 25:4; 30:16; 34:14; Mal 1:6–14; 3:7, 10, 22; similarly Dan 9:13. CARR finds a different, less Torah-oriented attitude in the earlier Nehemiah memoir (“Rise of Torah,” 50).

<sup>36</sup> See Thomas KRÜGER, “Die Rezeption der Tora im Buch Kohelet,” in *Das Buch Kohelet* (ed. L. Schwienhorst-Schönberger; BZAW 254; Berlin: de Gruyter, 1997), 303–25; and Sebastian GRÄTZ, “The Second Temple and the Legal Status of the Torah,” in Knoppers and Levinson, *Pentateuch as Torah*, 273–87.

<sup>37</sup> Emanuel TOV, *Textual Criticism of the Hebrew Bible* (2nd ed.; Assen: Van Gorcum, 2001), 104–5; Peter W. FLINT, “The Book of Leviticus in the Dead Sea Scrolls,” in *The Book*

works represented in more than ten copies are *Jubilees* with fourteen or fifteen, and the *Community Rule* with twelve.<sup>38</sup>

(9) Scripturalization enhanced concern for the details of the Torah’s text, which ultimately resulted in the standardization of the proto-Masoretic form. Russell Hobson has recently demonstrated that both Akkadian and early Hebrew ritual texts (i.e. Pentateuch) show a greater tendency toward textual standardization than other genres of literature.<sup>39</sup>

Obviously, more evidence exists for attention to the semantic dimension of scriptures than to the other two dimensions. That is to be expected, given the fact that ritualized textual interpretation naturally exhibits itself in, among other things, the production of many more texts. (That is why I have made no effort to reference the vast amount of evidence for the semantic interpretation of Torah in rabbinic literature.) The chance of some of these surviving the millennia to be available for modern examination is therefore higher as well. Comparative study of scriptures, however, cautions against scholarship’s habit of putting disproportionate emphasis on the semantic dimension of textual form and interpretation at the expense of the other dimensions. Especially the classical issues in debates over canonization – the list of books considered scripture and the standardization of their form and contents – tend to result from the ritualization of all three dimensions that conveys scriptural status, rather than being preconditions for it.<sup>40</sup>

These lists of evidence for ritualizing the three dimensions of Torah and other scriptures in Jewish antiquity omit one significant piece of data. I have saved it for last because it amply illustrates all three forms of ritualization

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of Leviticus: Composition and Reception (ed. R. Rendtorff and R. Kugler; VTSup 93; Leiden: Brill, 2003), 323. For a slightly different count, see James C. VANDERKAM, *The Dead Sea Scrolls Today* (Grand Rapids, Mich.: Eerdmans, 1994), 30.

<sup>38</sup> James C. VANDERKAM, “The Jubilees Fragments from Qumran Cave 4,” in *The Madrid Qumran Congress: Proceedings of the International Congress on the Dead Sea Scrolls* (ed. J. T. Barrera and L. V. Montaner; STDJ 11; Leiden: Brill, 1992), 2:642–43.

<sup>39</sup> Russell HOBSON, “The Exact Transmission of Texts in the First Millennium B.C.E.: An Examination of the Cuneiform Evidence from Mesopotamia and the Torah Scrolls from the Western Shore of the Dead Sea” (Ph.D. diss., University of Sydney, 2009).

<sup>40</sup> Stefan SCHORCH has shown that reading practices shaped the textual tradition of biblical books (“Die Rolle des Lesens für die Konstituierung alttestamentlicher Texte,” in Morenz and Schorch, *Was ist ein Text*, 108–22). My suggestion here is that ritual display of the physical scroll did so as well. A study that illustrates this phenomenon in twentieth-century religious developments can be found in Shawn KRAUSE-LONER, “Be-Witching Scripture: The Book of Shadows as Scripture within Wicca/Neopagan Witchcraft,” *Postscripts* 2, no. 2–3 (2006): 273–92. Thus Childs correctly linked scriptural status and the “shape” of the text, but against both Childs and Hobson, that is because scriptural status generates heightened concern and attention to standardizing the shape of the text, both on large and small scales, not the other way around. Nor is it the case that standardization of form and content is uniquely the product of scriptural concerns; other motives may also lead to the same result (e.g., the concern for ritual standardization illustrated by Hobson, or the concern for standardized commercial products evidenced in the modern publishing business).



together. The Letter of Aristeas, probably dating from the second century B.C.E., describes the translation of the Septuagint in the third century. Though there are many reasons to doubt the historicity of its account, Aristeas nevertheless provides clear evidence for how the writer and his intended audience in this period thought the Torah *should* be regarded and treated.<sup>41</sup> Here the Torah is repeatedly labeled *hagnos*, “holy” and *theios*, “divine,” the first time these adjectives are applied to it in the extant literature.<sup>42</sup> The description of the Hebrew scrolls’ arrival in Egypt shows great interest in their iconic features:

So they arrived with the gifts which had been sent at their hands and with the fine skins on which the Law had been written in letters of gold in Jewish characters; the parchment had been excellently worked, and the joining together of the letters was imperceptible. When the king saw the delegates, he proceeded to ask questions about the books, and when they had shown what had been covered and unrolled the parchments, he paused for a long time, did obeisance about seven times, and said, “I offer to you my thanks, gentlemen, and to him who sent you even more, and most of all to the God whose oracles these are.”<sup>43</sup> (*Let. Aris.* 177)

The Greek translation was also received with obeisances (*Let. Aris.* 317). Its accuracy had to be confirmed by a complete public reading (performative dimension), both to the Jewish community in Alexandria and to the king (308, 312). But the Letter of Aristeas lavishes the most attention on the semantic dimension. It presents a long speech by the High Priest praising the noble contents of Torah (139–69), and devotes most of its space to celebrating the scholarship, piety, and wisdom of the seventy translators (121–27, 187–294, 305–6). The accuracy of their translation was affirmed by the Jewish community in Alexandria and guaranteed by reciting curses on anyone who might tamper with its text (310–11), a fate that Aristeas assures us had already been met by writers who adapted Jewish scriptures for their own compositions (312–16).

This analysis of Aristeas artificially distinguishes ritualizations of the three dimensions, which the document in fact interweaves tightly. Each dimension supports the others to emphasize the sanctity of the Torah and its Greek translation. That same close interaction between the three dimensions is also evident in the story of Ezra’s reading of Torah, though not as elaborately as in Aristeas’ composition from three centuries later. As with Aristeas, the historical accuracy of Neh 8 is open to question, but that matters little for the analy-

<sup>41</sup> See Sylvie HONIGMAN, *The Septuagint and Homeric Scholarship in Alexandria: A Study in the Narrative of the Letter of Aristeas* (London: Routledge, 2003); Dries DE CROM, “The Letter of Aristeas and the Authority of the Septuagint,” *JSP* 17, no. 2 (2008): 141–60.

<sup>42</sup> *Let. Aris.* 3, 5, 31, 45, 313; VAN DER HORST, “Synagogue and Sabbath Worship,” 35.

<sup>43</sup> Translation by R. J. H. SCHUTT in *The Old Testament Pseudepigrapha* (ed. J. H. Charlesworth; Garden City, N.Y.: Doubleday, 1985), 2:24.

sis here. The stories depict practices already regarded by their writers and intended readers as appropriate and ideal, perhaps even customary, whether or not they accurately represent the specific historical events they claim to narrate.

## Torah Ritualization and Historical Criticism

Nehemiah 8 presents strong evidence for the ritualization of Torah in all three dimensions already in the mid- to late Persian or early Hellenistic periods. From this time on, Torah became more and more widely recognized as scripture through the increasingly common ritualization of all three of its dimensions, not just interpretation of its semantic meaning or form alone. The nature and extent of ritualization, of course, evolved over time: the Persian period public readings were not the same as late-ancient synagogue reading, as Schiffman and others note.

However, it is also this regular ritualization that changed the nature of the evidence for the Pentateuch from this period on, as the enumeration above demonstrates. Elevation of the Torah to scriptural status by ritualizing its three dimensions changed the evidentiary basis for historical research on the Torah from inductive analysis of the pentateuchal texts themselves to include empirical arguments based on comparative evidence from other texts, translations, manuscripts and artifacts. This is the methodological point that comparative scriptures studies allows us to see. Recognition of the Torah’s enscripturalization in the Persian/early Hellenistic period thus permits the historical correlation of the methods of historical research with the changes in religious ritualization of scriptures. It also shows the methodological dependence of historical research on these scripturalizing changes. Engaging the problem of scripturalization from a comparative perspective is therefore a desideratum for understanding our own critical methods.

Recognition of the role of ritualization in shaping the Torah as scripture may also suggest some new solutions to old problems. For example, critical scholars have long debated what could have motivated Persian-period editors to juxtapose obviously contradictory narrative and legal materials in the Pentateuch.<sup>44</sup> Perhaps the iconic veneration and performance given one set of To-

<sup>44</sup> Recent scholarship has wondered to what extent the Persian Empire’s policy of sometimes authorizing local law collections may have motivated the combination. See the essays collected in James W. WATTS, ed., *Persia and Torah* (Atlanta: Society of Biblical Literature, 2001); also Konrad SCHMID, “The Persian Imperial Authorization as a Historical Problem and as a Biblical Construct: A Plea for Distinctions in the Current Debate,” in Knoppers and Levinson, *Pentateuch as Torah*, 23–38; Anselm C. HAGEDORN, “Local Law in an Imperial Con-

rah scrolls in the temple motivated various groups to want their legal and narrative traditions to be included in them. Since oral performance and, especially, iconic veneration do not require the literary consistency that semantic interpretation often does, perhaps the three-dimensional ritualization of Torah permitted those who combined the Pentateuch's component parts to be less concerned with consistency than were the scribes who wrote those sources in the first place. This suggestion does not necessarily conflict with other theories of possible motivations for editing the Pentateuch together. Ritualizing Torah may have reinforced other motives for doing the same thing.

### Rhetoric on Both Sides of the Pivot

Attention to scripturalization can therefore make an important methodological contribution to pentateuchal studies. This is especially the case since the methods employed in biblical studies continue to multiply and diverge. The more-than-thirty-year-old divide between historical ("diachronic") and literary ("synchronic") approaches has only been exacerbated by increasing methodological pluralism within both camps (from source criticism to supplementary, redactional, even author-centered theories in the former, and from formalist to structuralist, poststructuralist, feminist, and postcolonial approaches in the latter). But other polarizations continue unabated as well: between archaeology-based and text-based history writing, between text criticism and redactional analysis, between investigations of original meaning and descriptions of the history of interpretation. It is not easy to make sense of all this to students, or even to ourselves, except in a piecemeal fashion.

I am suggesting that greater attention to the Bible's ritual function as a scripture and to the time periods in which it first gained those functions can provide a pivot around which to arrange both our data and our methods of study. I also suggest that rhetorical analysis can provide a metamodel for organizing, if not resolving, our chronic methodological controversies. I focus here on the Pentateuch, though analogous claims can be made for other portions of the various biblical canons as well.

How can the various relationships between the Pentateuch's (or the whole Bible's) pre-scriptural forms and post-scriptural functions be expressed coherently? When that question is ignored, the various historical-critical interpretations of the composition of the Pentateuch have often produced only impasse or even disciplinary incoherence. Identifying the Persian/early Hellenistic era as the watershed when pentateuchal literature changed from being

text: The Role of Torah in the (Imagined) Persian Period," in Knoppers and Levinson, Pentateuch as Torah, 57-76.

just important national literature to also being ritualized as scripture provides a starting point for addressing this issue.

It is possible to address this question in various ways, but I will suggest just one. Rhetorical analysis can provide a capacious framework for describing both sides of this watershed and for investigating their relationship to each other.

At its most basic, rhetorical analysis of texts asks: who was/is trying to persuade whom of what by using this text?<sup>45</sup> The focus on persuasion brings into sharp relief the way scriptural texts mediate social relationships between writers or public readers or sponsoring authorities on the one hand, and readers or hearers on the other. Rhetoric readily admits that persuasion can be as much a function of the identity of the (presumed) speaker and also of the presuppositions of the audience as it is of the semantic meaning of the text.<sup>46</sup> It can therefore accommodate uses of texts that exceed any clear connection to their semantic meaning due to attitudes produced by ritualizing their iconic and/or performative dimensions instead. The focus on social relationships also means that rhetoric readily accommodates changing practices and meanings over time: the text's meaning changes with every change of presumed author and audience throughout the text's history of use (as the history of biblical interpretation amply attests). However, historical interpretation need not fall into complete methodological relativism, because the *form* of the text was determined by the rhetorical intentions of all those who had a hand in shaping it. We can therefore place the rhetoric of authors and editors, and even oral tradents, alongside the rhetoric of readers and interpreters of various kinds and study the continuities and discontinuities between them.

The Persian-/early Hellenistic-period watershed when the Pentateuch became scripture then also marks the methodological transition from rhetorical analysis of the persuasive intentions behind pentateuchal sources and traditions to rhetorical analysis of the persuasive intentions behind the ritualization of the Torah/Pentateuch in all three dimensions. Rhetorical analysis can thus

<sup>45</sup> For a survey and discussion of the history of rhetoric in terms of persuasion, see Kenneth BURKE, *A Rhetoric of Motives* (Berkeley: University of California Press, 1950), 49-55, 61-62; for studies of the rhetorical practices of non-Greco-Roman cultures, see the essays in Roberta BINKLEY and Carol LIPSON, eds., *Rhetoric Before and Beyond the Greeks* (Albany: SUNY Press, 2004), and IDEM, *Ancient Non-Greek Rhetorics* (West Lafayette, Ind.: Parlor Press, 2009); for persuasive rhetoric in the Pentateuch, see Dale PATRICK and Allen SCULT, *Rhetoric and Biblical Interpretation* (JSOTSup 82; Sheffield: Almond Press, 1990), and James W. WATTS, *Reading Law: The Rhetorical Shaping of the Pentateuch* (Sheffield: Sheffield Academic Press, 1999).

<sup>46</sup> Aristotle already emphasized this point by distinguishing *logos*, the verbal argument, from *ethos*, the credibility of the speaker, and *pathos*, the feelings and biases of the audience. He insisted that successful persuasion depends on using all three effectively (*Rhet.* 2.1356a).

provide an overarching methodological umbrella under which to arrange the results of other methods of interpretation coherently.