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Reader Identification and Alienation in the Legal Rhetoric of the Pentateuch

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Three voices dominate the Pentateuch's rhetoric in turn: the omniscient narrator relates the stories of Genesis and Exodus, Yʜᴡʜ delivers the laws of Exodus, Leviticus, and Numbers, and Moses combines narrative and law in Deuteronomy. There is much about the narrator's discourse which reinforces, and is reinforced by, the speeches of Yʜᴡʜ and Moses. The very technique of omniscient narration conveys a semi-divine perspective. The narrator's authorial control over the discourse invites comparison with Yʜᴡʜ's "authorial" control over the story world.

The Pentateuch leaves the unification of speaking voices incomplete, however, and as a result divides the audience in two. God and Moses (or, at least, God through Moses) address the people in the wilderness and also the readers who overhear their speeches. Their audience comprises Israel throughout time, from Sinai to the present, as Deuteronomy makes explicitly clear (especially Deut. 5:3). The narrator, by contrast, addresses only the readers through a discourse lying outside the story being narrated. Thus the Pentateuch's use of a third-person omniscient and impersonal narrator resists the unifying rhetoric of the divine and human speeches which it contains. By providing knowledge unavailable to the Israelites in the story, the narrative alienates readers from wilderness Israel at the same time that the laws identify them with the audience in the story. The resulting tension strengthens the persuasive power of the Pentateuch's rhetoric.

Law and Rhetoric

Torah, "law or instruction," the Pentateuch's traditional name in Judaism, obscures the complex mixture of genres that make up the first five books of the Bible. In quantitative terms, narrative competes with legal and instructional material for dominance of

the whole. The combination of genres forces readers to decide by which generic conventions to read the text.[1]

Lawyers and judges do not usually read law books from beginning to end like novels. Instead, laws are collected, compared, harmonized, codified, and in general arranged systematically so as to preclude the necessity of ever having to read the whole code through from start to finish. The laws of the Pentateuch have received similar treatment from interpreters, both ancient and modern. Scholars arrange the provisions of Torah to produce, for example, the traditional enumeration of 613 laws, codes of *halakhah*,[2] and comparisons of the regulations with their biblical

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[1] Twentieth-century research has tended to focus on the instructional and narrative texts separately. This tendency was already well advanced by the time of Rudolph Smend's source-critical analysis of "Hexateuchal" narratives in 1912 (*Die Erzählung des Hexateuch auf ihre Quellen untersucht* [Berlin: G. Reimer, 1912]). It was exacerbated by the subsequent rise of form-critical study of the oral traditions underlying the written documents (e.g., Hermann Gunkel, *Genesis* [Göttingen: Vandenhoeck & Ruprecht, 5th edn, 1922]; Martin Noth, *A History of Pentateuchal Traditions* [trans. B. W. Anderson; Chico, CA: Scholars Press, 1981, orig. 1948], especially pp. 8-10). The forms and oral transmission of legal and narrative material differ considerably and invite separate analysis. Despite a resurgence of interest in the written sources, this situation still obtains for the most part today: though radical revisions of the Documentary Hypothesis have been suggested, they are based primarily on studies of the narratives alone (e.g., John Van Seters, *Abraham in History and Tradition* [New Haven: Yale University Press, 1975]; Van Seters, *The Life of Moses: the Yahwist as Historian in Exodus-Numbers* [Louisville, KY: Westminster/John Knox Press, 1994]; Hans Heinrich Schmid, *Der sogennante Jahwist* [Zürich: Theologischer Verlag, 1976]; R. N. Whybray, *The Making of the Pentateuch: A Methodological Study* [JSOTSup, 53; Sheffield: JSOT Press, 1987]). It has been left to critics of the Documentary Hypothesis to discuss the history of the combined narrative and legal materials (e.g., Yehezkel Kaufmann, *The Religion of Israel* [ed. and trans. M. Greenberg; Chicago: University of Chicago Press, 1960]; Ivan Engnell, "The Pentateuch," *A Rigid Scrutiny* [ed. and trans. J. T. Willis; Nashville: Vanderbilt, 1969], pp. 50-67; Rolf Rendtorff, *The Problem of the Process of Transmission in the Pentateuch* [trans. J. J. Scullion; JSOTSup, 89; Sheffield: JSOT Press, 1990; orig. 1977]; Erhard Blum, *Studien zur Komposition des Pentateuch* [BZAW, 189; Berlin: de Gruyter, 1990]). Meanwhile, the increasing popularity of literary methods of analysis, which were developed for modern fiction and poetry, have reinforced the tendency to focus primarily or even exclusively on Pentateuchal narratives (an exception: Joe M. Sprinkle, *'The Book of the Covenant': A Literary Approach* [JSOTSup, 174; Sheffield: JSOT, 1994]). The exceptional works which attempt to read the Pentateuch as a whole do so from a narratological perspective (e.g., David J. A. Clines, *The Theme of the Pentateuch* [JSOTSup, 10; Sheffield: JSOT Press, 1978]; Thomas W. Mann, *The Book of Torah: the Narrative Integrity of the Pentateuch* [Atlanta: John Knox Press, 1988]; John H. Sailhamer, *The Pentateuch as Narrative: A Biblical-Theological Commentary* [Grand Rapids, MI: Zondervan, 1992]).

[2] E.g., the *Shulhan Arukh* by Rabbis Joseph Karo and Moses Isserles (16th century).

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and extra-biblical parallels.[3] So in the academic as well as the legal spheres, the legal genre invites readers to pick and choose, rearrange and codify to suit their purposes.

The laws of the Pentateuch offer fertile ground for such efforts because they show remarkably few signs of codification. Of course, there are codes which pay attention to systematization and organization (e.g., Lev. 1-7 or Deut. 12-26). But taken as a whole, Pentateuchal law contains a bewildering array of codes and independent provisions, and is marked by repetition, variation, and occasional contradiction. It seems fair to ask, then, how the writers of biblical law expected it to be read. One major indication that sequential reading *was* intended lies in the narrative contexts of Pentateuchal law. The laws' placement within stories suggests reading the laws within the narrative plot sequence.

What does the lack of systematic codification indicate about the law's intended use? This question raises the issue of ancient Israel's reading practices, which apparently emphasized (at least in the case of law) public recitations.[4] Thus questions about genre in the Pentateuch point to the influence of oral rhetoric on Pentateuchal texts.[5] By "rhetoric" I mean the features of texts which are composed under the influence of conventions and genres shaped by persuasive speech. In this restrictive sense, rhetoric describes the way oral practices influence the conventions of written genres.[6]

This restrictive definition of rhetoric carries over from oral speech an emphasis on the relationship between speaker and audience, both as construed within the text as well as apart from it.[7] Rhetorical analysis therefore requires attention to the text's depiction of speakers, narrators, audiences and implied readers,

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[3] For examples of the former, see Charles Foster Kent, *Israel's Laws and Legal Precedents* (London: Hodder and Stoughton, 1907); of the latter, Shalom M. Paul, *Studies in the Book of the Covenant in the Light of Cuneiform and Biblical Law* (Leiden: Brill, 1970).

[4] See James W. Watts, "Public Readings and Pentateuchal Law," *VT* 45 (1995) pp. 540-57.

[5] See James W. Watts, "Rhetorical Strategy in the Composition of the Pentateuch," *JSOT* 68 (1995), pp. 3-22.

[6] In literary studies, rhetoric has come to have a much broader definition, "as the means by which a text establishes and manages its relationship to its audience in order to achieve a particular effect," as Dale Patrick and Allen Scult put it (*Rhetoric and Biblical Interpretation* [JSOTSup, 82; Sheffield: Almond Press, 1990], p. 12). My narrower focus derives not from a theoretical critique but rather from evidence in the Hebrew Bible for a tradition of public law readings in ancient Israel.

[7] Rhetoric's focus on the persuasive force of texts necessarily invokes the

which include the primary concerns of this article.[8] It also requires historical analysis of the relationship between the text's writers and intended readers, an agenda which cannot be addressed here. The governing premise of such analysis is that persuasion depends for its effect on identifying speakers with their audiences in one or more ways.[9] The following discussion therefore aims to answer this question: What rhetorical effects does the combination of law and narrative intend to have on the Pentateuch's readers?

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intentions that shaped the texts: "Through the shape into which speakers cast their message they tell the audience how they mean it to be engaged and therefore to be understood. Of course, the auditors are free to interpret the language of the discourse in any way they wish, but the speaker or author attempts to constrain that freedom and direct interpretation by giving the audience cues and indicators as to how he or she means the discourse to function for them ... Thus in order for the critic to comprehend the nature of a text's authority fully in this case, he or she needs to find those conventions of engagement through which the text might have originally exercised its authority over an audience. From a rhetorical perspective, then, a text's genre becomes the code that must be broken in order to bring its word to life" (Patrick and Scult, *Rhetoric*, p. 15).

[8] See also James W. Watts, "The Legal Characterization of God in the Pentateuch," *HUCA* 67 (1997), pp. 1-14, and "The Legal Characterization of Moses in the Rhetoric of the Pentateuch," *JBL* 117 (1998), pp. 415-26. My attention to characterization and narration employs many concepts derived from literary analysis, but remains fundamentally rhetorical in its orientation. M.M. Bakhtin distinguished the rhetorical genre's use of "authoritative discourse" from the novel's avoidance or parody of it, and rhetoric's formal use of multiple voices for purposes of persuasion from the novel's emphasis on "the mutual nonunderstanding represented by people *who speak in different languages.*" "For this reason it is proper to speak of a distinctive *rhetorical* double-voicedness, or, put another way, to speak of the double-voiced rhetorical transmission of another's word (although it may involve some artistic aspects), in contrast to the double-voiced *representation* of another's word in the novel with its orientation toward the *image of a language*" (*The Dialogic Imagination* [ed. M. Holquist; Austin: University of Texas Press, 1981], pp. 356, 354; also pp. 284, 342-44). My rhetorical analysis therefore points to a unified persuasive intention behind the multiple voices of the Pentateuch, in contrast to some literary analyses which, in novelistic fashion, have emphasized irreconcilable tendencies in its discourse (e.g., Robert Polzin, *Moses and the Deuteronomist: A Literary Study of the Deuteronomic History* [New York: Seabury, 1980], pp. 38-39; Dennis T. Olson, *Deuteronomy and the Death of Moses: A Theological Reading* [OBT; Minneapolis: Fortress Press, 1994], pp. 178-82).

[9] Kenneth Burke made the case most effectively for identification as the key to persuasion, though he built upon clear precedents in classical rhetorical theory (*A Rhetoric of Motives* [Berkeley: University of California Press, 1950], pp. xiii-xiv, 20-31 and *passim*). Burke argued, however, that at least a degree of alienation (his terms were "standoffishness" and "self-interference") "is necessary ... because without it the appeal could not be maintained. For if union is complete, what incentive can there be for appeal? Rhetorically, there can be courtship only insofar as there is division" (p. 271; see also p. 274).

Speakers and Narrators

The Pentateuch's discourse never presumes to equate God and the narrator, and in fact God and the narrator speak in quite distinct idioms on quite different subjects: Yнwн exhorts and commands, but rarely tells a story; the narrator does the reverse.[10] This distinction occasionally blurs when Yнwн's commands wander to subjects irrelevant to the wilderness generation, but very applicable to ancient (and modern) readers (for example, the Passover instructions of Exod. 12-13). The conventional distinction between the roles of law-speakers and narrators encourages one to find the narrator's voice here, but the markers of direct quoted speech are quite clear.[11] The shift, however, remains implicit: Yнwн and Moses never directly address the readers.[12] The narrator's reticence is also best illustrated where it breaks down. In the context of a divine speech to Moses, Num. 15:22-23 speaks of both in the third person while expanding the scope of a provision from Leviticus 4, thus apparently ascribing legislation to the narrator. The shift in voicing is extremely subtle, however, and easily missed by readers. By its rarity, this exception emphasizes the rule that the narrator does not speak law. Narratorial commentary appears only slightly more often: see, for example, Num. 26:9-11, 63-65.[13] The first four books of the Pentateuch maintain almost without exception the distinction between God and Moses on the one hand, and the narrator on the other. Nevertheless, the voices' different roles do not divide their message. The deity's statements and

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[10] Meir Sternberg has argued at length for the literary and theological implications of the biblical narrator's omniscience, concluding, for example, that "the very choice to devise an omniscient narrator serves the purpose of staging and glorifying an omniscient God" (*The Poetics of Biblical Narrative: Ideological Literature and the Drama of Reading* [Bloomington: Indiana University Press, 1985], p. 89; also p. 92, and, on the differences between deity and narrator, see pp. 117, 123, 155-59). Patrick and Scult distinguished between the narrator's characteristics in various Pentateuchal sources, interpreting them as theological differences (*Rhetoric*, pp. 108, 116-17).

[11] So Patrick: "The narrator steps out of the narrative world here to address the reader. This address is performative, requiring the readers to define their identity (through ritual) in relationship to this story" ("The Rhetoric of Revelation," *HBT* 16 [1994], p. 39 n. 26). However, it is not the narrator, but rather Yнwн and Moses who voice these laws and "break frame."

[12] As one expects in narrative, where characters do not address readers. In legal texts, however, readers are usually at least part of the intended audience addressed by the lawgiver.

[13] Mann, *Book of the Torah*, p. 141.

actions support the narrator's omniscience, reliability and control.

This division of labor breaks down in Deuteronomy, where Moses' speeches poach on both the divine prerogative for law-giving and the narrator's monopoly on storytelling. Here the three voices sometimes meld to the point of being indistinguishable: for example, are the antiquarian notices in Deut. 2:10-12, 20-23, in a context of Moses' quotation of YHWH's commands, voiced by YHWH, Moses, or the narrator?[14] Such overlapping voices unify the text's authority: as Moses relates YHWH's words, so also the narrator conveys the words of both.[15]

However, what unifies the speakers' authority divides the identity of the audience. The use of an omniscient narrator distinguishes the readers of the Pentateuch from the Israelites who heard Moses at Sinai and in Moab. The readers are more knowledgeable but also more dependent on the narrator for their knowledge of YHWH's and Moses' words as well as the story that contains them.

Israel in the Wilderness

The Pentateuchal story describes the law's audience quite explicitly: Israel in the wilderness (Exodus, Leviticus, and Numbers) and on the plains of Moab (Deuteronomy). Though only Moses in Deuteronomy directly addresses the people as a whole, God's instructions to Moses in the preceding books address the community as their ultimate, if indirect, audience ("Speak thus to the Israelites," Exod. 20:22; "These are the commandments which you shall set before them," 21:1; etc.). Occasional provisions address more limited groups, such as the priests (e.g., Lev.

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[14] It certainly *sounds* like the narrator, which prompted the interpretations of Polzin (*Moses*, p. 31) and Norbert Lohfink ("Die Stimmen in Deuteronomium 2," *BZ* 37 [1993], pp. 209-35). A similar situation obtains in Deut. 10:6-9 (Polzin, *Moses*, p. 34) and 29:5-6 (Timothy A. Lenchak, *"Choose Life!" A Rhetorical-Critical Investigation of Deuteronomy 28,69-30,20* [AnBib, 129; Rome: Pontifical Biblical Institute, 1993], p. 106).

[15] Polzin argued that Deuteronomy employs this strategy in order for the narrator to gain Mosaic authority to narrate the rest of the Deuteronomistic History (Joshua through Kings) (*Moses*, pp. 27-29, 70). However, the effect in the Pentateuch as a whole of the dual voicing of law tends to subordinate the human law-speaker to the divine (see my "Legal Characterization of Moses"). The legal and religious result is nevertheless the same, as Michael Fishbane noted: in the narrator's voice, "the authority for the *traditio* is indistinguishable formally from the authority of a historical *traditum*" (*Biblical Interpretation in Ancient Israel* [Oxford: Clarendon Press, 1985], p. 437).

6:9), but their placement within the context of the larger Sinai or Moab legislation reorients their message to all Israel as well.

Israel inherits the divine promises from their ancestors, but the laws address only wilderness Israel. Exodus through Deuteronomy refer to the ancestors only to explain God's behavior, never the people's.[16] Despite the appearance of certain "Mosaic" laws and practices already in Genesis 12-50 (e.g., circumcision in Gen. 17:10, levirate marriage in Gen. 38:8), laws and their motive clauses in the following books never refer back to them. The confession mandated in Deut. 26:5-10 formalizes the distinction between those whom the worshipers call their ancestors and those with whom they identify themselves: "*My father* was a wandering Aramean ... The Egyptians oppressed *us* and afflicted *us.*"

The characterization of Israel provided by the Pentateuchal laws and sanctions reflects the depiction of the wilderness generation in the stories of Exodus and Numbers as God's war booty, as a nation sanctified by the divine covenant, and as rebels against YHWH. The exodus story depicts YHWH's defeat of Pharaoh in a battle over possession of Israel, thus creating (Exod. 6:6-7) or revealing (Deut. 7:6-8) Israel's status as the people of God. This theme introduces the Sinai episode: "You have seen what I did to the Egyptians, and how I carried you on eagle's wings and brought you to myself. Now if you listen to my voice and keep my covenant, you will be my treasured possession of all the peoples" (Exod. 19:4-5). A rehearsal of YHWH's capture of Israel from Egypt also begins the Decalogue (Exod. 20:1; Deut. 5:6; cf. 5:15), thus establishing a direct link between the divinity's victories and Israel's obligation to obey (cf. Deut. 7:7-11).

Though the exodus has obligated Israel to YHWH, the people also obligate themselves by agreeing in advance to the covenant stipulations (Exod. 19:8; 24:3; extended to future generations in Deut. 5:3-4). In Exodus and Leviticus, obedience to the law defines Israel as God's people (Exod. 19:5; Lev. 26:12), whereas Deuteronomy makes that status the precondition and motivation for obedience (Deut. 7:1-6; 14:1-2).[17] Making or keeping the covenant therefore distinguishes Israel as YHWH's, and defines the people as

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[16] E.g., Exod. 2:24; 6:8; 32:13; 33:1; Lev. 26:42; Num. 32:11; Deut. 1:8; 6:10; etc.

[17] Moshe Weinfeld, *Deuteronomy 1-11* (AB, 5; New York: Doubleday, 1991), p. 61; Brevard S. Childs, *Biblical Theology of the Old and New Testaments* (Minneapolis: Fortress Press, 1992), pp. 421-23.

"holy" in the basic sense of "dedicated, set apart" for God ("You shall be holy to me, for I YHWH am holy and I have separated you from other nations to be mine," Lev. 20:26). The "kingdom of priests and holy nation" (Exod. 19:6) must be trained by the covenant's laws for divine service.[18]

As a result, Pentateuchal law defines the nation of Israel, rather than the nation defining the scope and jurisdiction of its laws. Frank Crüsemann noted that, unlike ancient or modern notions of national law, Israel's "law was understood as established before the nation and also as set over the nation."[19] The Pentateuch hardly conceives of Israel as a nation in the institutional sense at all (e.g., note the unrealistic treatment of the duties of the king in Deut. 17:14-20). The law describes Israel as the people in covenant relationship with YHWH. All the other trappings of nationality, most notably possession of land, depend on fulfilling the stipulations of that relationship.

Yet many of the commandments anticipate resistance from their hearers. Dale Patrick observed that "the wording of the first commandment projects an audience which would resist the commandment's exclusivism. It seems to assume the existence of other gods, or at least the audience's belief in them and attraction to them."[20] Other laws also presuppose the attractiveness of the religious or civil practices which they prohibit, as intermittent exhortations make clear: e.g., תשמרו "be attentive" (Exod. 23:13), "keep and do them with your whole mind (לב) and your whole being (נפש)" (Deut. 26:16). Indeed it is a truism of legal research that one does not outlaw behavior that does not occur. Though due allowance must be made for the preservation of antiquated legal traditions, the bulk of Pentateuchal law nevertheless paints a lively picture of practices that its audience might be reluctant to give up (e.g., "Do not do as they do in the land of Egypt where you were living, and do not do as they do in the land of Canaan to which I am bringing you," Lev. 18:3).

The laws thus resonate with the narrative's characterization of Israel in the wilderness as a rebellious people. As Samuel Sandmel

[18] Moshe Greenberg, "Three Conceptions of the Torah in Hebrew Scriptures," in *Studies in the Bible and Jewish Thought* (Philadelphia: Jewish Publication Society, 1995), p. 16.
[19] *Die Tora: Theologie und Sozialgeschichte des alttestamentlichen Gesetzes* (Munich: Kaiser, 1992), p. 25 (my translation).
[20] Dale Patrick, "Is the Truth of the First Commandment Known by Reason?" *CBQ* 56 (1994), p. 429.

noted, "the children of Israel, who are protagonists, are never the heroes; the Wilderness wanderings are, on the surface, an account of the *infamous* deeds of the Hebrews."[21] Israel's complaints and misdeeds prompt miraculous rescues in Exodus 14-17, but in Numbers, after the giving of law at Sinai, they provoke divine punishments including the death of an entire generation in the wilderness (Num. 14:32-35).[22] Thus those who first make the covenant break it and die without receiving what YHWH had promised. The next generation hears Moses' rehearsal of the stories, laws and sanctions in Deut. and is confronted with the same obligations.

The Pentateuch's characterization of Israel serves to enhance and to justify its persuasive rhetoric. Israel's rescue from Egypt and acceptance of the covenant obliges the people to obey the law. Israel's rebellious record demonstrates the critical need for persuasion. By depicting such an audience, the Pentateuch defends its rhetorical strategies as necessary for the people's survival.[23] Near its end, Moses' skeptical song (Deut. 31-32) suggests that even this will not be enough.

Readers as Israel

Pentateuchal law identifies its readers with Israel, particularly the Israel of the exodus story: "You were aliens/a slave in the land of Egypt."[24] Harry Nasuti demonstrated that, "whereas biblical narrative might imply (or invite) a reader, biblical law specifies a reader."[25] Through its exhortations to obedience, the laws specify

[21] Samuel Sandmel, "The Enjoyment of Scripture: an Esthetic Approach," *Judaism* 22 (1973), p. 466.
[22] For discussion and bibliography, see Mark S. Smith, "The Literary Arrangement of the Priestly Redaction of Exodus: A Preliminary Investigation," *CBQ* 58 (1996), pp. 32-33.
[23] Patrick described the same effect as a form of literary suspense: though the end of the story is already known, "a successful narrative produces new types of suspense which cannot be resolved by knowledge of the outcome. One way the exodus narrative creates suspense is by portraying Moses and Israel as less than ideals of religious piety" and thus prompting readers to self-examination ("Rhetoric of Revelation," p. 31).
[24] Exod. 22:20 [EV v. 21]; 23:9; Lev. 19:34; Deut. 5:15; 10:19; 15:15; 16:12; 24:18, 22.
[25] "Identity, Identification, and Imitation: the Narrative Hermeneutics of Biblical Law," *Journal of Law and Religion* 4/1 (1986), p. 12.

readers who will adopt as their own Israel's covenant and identity as the people of God and express that identity through obedience:

> Part of the function of the legal material in the Bible is precisely to keep the reader from "getting on with the story." It forces the reader to stop and consider who he or she is and what he or she does. It specifies who such a reader must be if he or she wants to read the text correctly.[26]

Deuteronomy commands its audience to recite this identification in words that connect the rescue from Egypt with obedience to the law (6:20-25; 26:1-11). Of course, readers may choose not to obey, but in that case they also place themselves outside of the story.[27] As Thomas Mann noted, "The reciprocity of law and story is now transparent: obedience to law is rooted in the recital of and identification with a story, an identification that is vacuous without obedience to the law."[28]

Thus Pentateuchal laws and Deuteronomy as a whole tend to equate the audience *in* the story, wilderness Israel, with the audience *of* the story, the readers. Many interpreters have noted details and themes which compound this effect. The people hear the law outside the land, like exilic and diaspora Judeans who were most likely the first readers/hearers of the Pentateuch as a whole.[29] Towards the end of Numbers, the wilderness rebels are replaced by a new generation whose potential, like that of the readers, for obedience and blessing or for disobedience and curse remains untested.[30] The rhetoric of Deuteronomy brings together Moses' hearers and readers with its emphasis on collective responsibility and its union of present and future generations (29:14-15) into an idealized vision of Israel.[31] Readers are urged

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[26] Nasuti, "Identity," p. 23; cf. Patrick, "Rhetoric of Revelation," p. 39 n. 26.
[27] Patrick, "Is the Truth," pp. 432-36.
[28] Mann, *Book of the Torah*, p. 151; cf. Patrick and Scult, *Rhetoric*, p. 52; Patrick D. Miller, Jr., "The Place of the Decalogue in the Old Testament and Its Law," *Int* 43 (1989), p. 232.
[29] Terence E. Fretheim noted that "The implied readers of the Pentateuch bear a family resemblance to the exiles in Babylon (587-538 BCE), but it seems just as clear that these exiles do not 'exhaust' the identity of the implied readers ... This lack of specificity leaves more room for other readers to hear themselves addressed" (*The Pentateuch* [Nashville: Abingdon Press, 1996], p. 40; so also Polzin, *Moses*, p. 72, and many others).
[30] Dennis T. Olson noted that the new generation remains untouched by rebellion and argued that the contrast between the generations, emphasized by the census lists of each in Numbers 1 and 26, establishes the large-scale structure of the book (*The Death of the Old and the Birth of the New: The Framework of the Book of Numbers and the Pentateuch* [BJS, 71; Chico, CA: Scholars Press, 1985], pp. 83-125).
[31] Dale Patrick, "The Rhetoric of Collective Responsibility in Deuteronomic

to feel as if they themselves agreed to the covenant at Mt. Sinai and heard Moses' sermon on the plains of Moab.

Yet other elements in the same texts put distance between the audience in the story and the readers. First, as Nasuti pointed out, the model for the readers' behavior is not Israel but God.[32] "You should be holy because I am holy" (Lev. 11:45) and similar exhortations make the imitation of God the explicit standard of behavior in clear contrast to the rebellions of wilderness Israel. Second, the dark threats that dominate the last eight chapters of Deuteronomy hold out little hope that subsequent generations will do any better and likely reflect experiences already in the first readers' past.[33] The book then encourages readers to make a break with their predecessors' actions and not continue the practices of the past.

Third, the narrator's mediation places readers in a relationship to the law different from that of wilderness Israel. Unlike Moses' audience at Sinai and Moab, readers experience law first as direct quotation of divine speech (Exodus through Numbers) and only later as Moses' reformulation (Deuteronomy). Though the narrator mediates divine law, the dramatic differences between the narrative and legal idioms (see above) emphasize the authenticity of the divine quotations: that is, because the reticent narrator sounds very unlike YHWH, the latter's words sound more authentic than Deuteronomy's merging of narrative and law in Moses' voice. Thus the self-characterizations of the three principal voices in the Pentateuch, like the work's overarching rhetorical structure, draw attention to the laws of Exodus, Leviticus and Numbers as the original divine revelation and categorize Deuteronomy as a secondary revision.[34] Unlike wilderness Israel, readers hear both YHWH and Moses through the narrator's presentation.

Robert Polzin and Edgar Conrad have detected in this presentation of divine law a strategy for enhancing the narrator's authority

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Law," in D.P. Wright, D.N. Freedman, A. Hurvitz (eds.), *Pomegranates and Golden Bells: Studies in Biblical, Jewish, and Near Eastern Ritual Law and Literature in Honor of Jacob Milgrom* (Winona Lake: Eisenbrauns, 1995), pp. 421-36; Lenchak, "Choose Life!," pp. 85-86, 90-93, 102-103.
[32] He suggested a dialectic between Egyptian slavery and the imitation of God: "The laws work to define Israel's present identity in terms of its past status and its future goal" (Nasuti, "Identity," p. 18).
[33] Fretheim, *Pentateuch*, pp. 41-42.
[34] On the rhetorical structure of the Pentateuch, see my "Rhetorical Strategy," pp. 3-22.

not only in the Pentateuch but in the books which follow as well.[35] Though in one sense the narrator mediates everything in these books, the disparate voicing of law and narrative in the Pentateuch points rather to narratorial reticence. Unlike Moses, the narrator does not presume to be the authoritative interpreter of divine legislation. The narrator's omniscient insight into divine and human affairs does not extend to legal reasoning.

The Pentateuch tries to persuade readers to both identify with and to alienate themselves from aspects of wilderness Israel. The readers' past becomes the exodus story which the text urges them to claim through repetition and ritual, and to identify their origins in the stories of ancestors and more universal tales stretching back through Genesis. The readers' present then becomes governed by divine laws which specify those who obey them as Israel. The sanctions describe the readers' possible futures, culminating in Deuteronomy's rousing call to "choose life!" (30:19) and reject wilderness Israel's deathwish (Exod. 16:3). This dialectic of identification and alienation intends to persuade readers of who they are and what they should do. The Pentateuch's rhetoric aims to convince its readers to be true Israel.

ABSTRACT

Three voices dominate Pentateuchal discourse in turn: the omniscient narrator relates the stories of Genesis and Exodus, YHWH delivers the laws of Exodus, Leviticus, and Numbers, and Moses combines narrative and law in the rhetoric of Deuteronomy. These three dominant voices of the Pentateuch are interdependent and almost interchangeable: the anonymous narrator, like Moses the scribe, requires both divine inspiration and reader acceptance for authorization of the story; the divine lawgiver requires reader acceptance of human mediation of the commandments; the prophetic scribe depends on authority delegated by both God and readers to interpret the stories, the laws, and the sanctions. The Pentateuch leaves the unification of speaking voices incomplete, however, and as a result divides the audience in two. God and Moses (or, at least, God through Moses) address the people in the wilderness and also the readers who overhear their speeches. Their audience comprises Israel throughout time, from Sinai to the present, as Deuteronomy makes explicitly clear. The narrator, by contrast, addresses only the readers through a discourse lying outside the story being narrated. Thus the Pentateuch's use of a third-person omniscient and impersonal narrator resists the unifying rhetoric of the divine and human speeches which it contains. By providing knowledge unavailable to the Israelites in the story, the narrator persuades readers to both identify with and to alienate themselves from aspects of wilderness Israel.

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[35] Polzin, *Moses*; Edgar W. Conrad, "Heard But Not Seen: the Representation of 'Books' in the Old Testament," *JSOT* 54 (1992), pp. 45-59.