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Esiste un intreccio nel Deuteronomio? Un approccio narrativo del quinto libro del Pentateuco

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Il Deuteronomio è spesso presentato come una collezione di discorsi, prolungata da alcune appendici. La ricerca recente ha invece evidenziato una dinamica narrativa che attraversa l'intero libro. Un intreccio unisce i primi agli ultimi versetti – mediante tanti punti intermedi – ed è centrata sulla recezione delle parole di Mosè oltre Mosè (dopo la sua morte, oltre il Giordano, grazie alla mediazione del libro, e tramite l'erede che è Giosuè, profeta come Mosè). Si tratterà nel seminario di individuare i momenti cardinali dell'intreccio d'insieme del Deuteronomio, con l'aiuto delle categorie dell'analisi narrativa: intreccio, suspense, curiosità e sorpresa, personaggi e punto di vista.

Saranno studiati da più vicino: Dt 1,1-5; 5,28-31; 18,14-18; 34,9.

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———, «The Fifth Book of the Pentateuch: Deuteronomy in Its Narrative Dynamic», *Journal of Ancient Judaism* 3.2 (2012) 197-234 [*allegato nelle pagine seguenti*].

E. OTTO, *Deuteronomium 1–11*. Erster Teilband: 1,1-4,43. Zweiter Teilband: 4,44-11,32 (HTKAT; Herder, Stuttgart 2012).

The Fifth Book of the Pentateuch

Deuteronomy in Its Narrative Dynamic¹

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This article considers the book of Deuteronomy in its narrative integrity and dynamic, from beginning to end. It focuses on six main threads and themes of Deuteronomy's overall construction, paying attention to their (interconnected) sequential unfolding: The relationship between Moses, speaker and narrator within the narrated world, and the narrator of the framing book (section 2); Deuteronomy's overall plot, which surfaces only when the final disclosure about the obedience of the sons of Israel (34:9) is taken into consideration (section 3); Moses' switch from oral to written communication (section 4); The motif of Moses' death, from his dissimulation to God's ultimate education of his prophet (section 5); The narrative centrality of the law code within Deuteronomy's system of if-plots (section 6). The identity of Joshua as "prophet like Moses," and epitome of the system of mediations set up by Moses, the prophet whom God knew face-to-face (section 7).

1. Introduction

Every literary work, Samuel Taylor Coleridge contends, must "contain in itself the reason why it is so, and not otherwise."² Does Coleridge's aphorism apply to the book of Deuteronomy? In a definite sense, it does: Deuteronomy has a strong sense of unity (of plot, of time, of place), and it qualifies as a narrative whole. This assumption will provide the present essay with its particular perspective. The study will consider the book in its narrative integrity, from beginning to end. In its extant form, Deuteronomy is not to be isolated from its pentateuchal and even larger canonical context, since the book serves as the conclusion of the Pentateuch, on the one hand, and as the gate to the historiographical unit Joshua–Kings, on the other. Yet while playing a definite role within the larger narrative units just mentioned, Deuteronomy displays a narrative integrity of its own, providing its inner controls when it comes to sum up the Exodus–Numbers story or to anticipate the Joshua–Kings narrative. Deuteronomy thus enjoys the special status of those works that "lead a dual existence both as separate, fully realized wholes and as part of a larger scheme."³

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- 1 I wish to thank Norbert Lohfink for his valuable comments and suggestions on this essay.
 - 2 S. T. Coleridge, *Biographia Literaria* (1817), in *The Collected Works of Samuel Taylor Coleridge* (eds. J. Engell and W. J. Bate; 23 vols.; London: Routledge, 1983), 7:2:12.
 - 3 D. H. Richter, *Fable's End: Completeness and Closure in Rhetorical Fiction* (Chicago: University of Chicago Press, 1974), 177.

Deuteronomy tells of the beginning (see Deut 1:5) and of the completion (see 31:24; 32:46; 34:9) of a process, and one presumes that it efficiently brings the reader from the former to the latter point. The present inquiry will deliberately address the narrative's sequence, from the first to the last chapter of the book. Panoramic perspectives (which synchronically consider all the narrative's data at one glance) tend to disregard the *way* Deuteronomy builds up meaning. This manner is narrative and therefore sequential and cumulative; it brings into play the three universals of narrativity – suspense, curiosity, and surprise – all three playing on the before and after of narration.⁴ It thus calls for a critical exposition that takes into account the temporal and ordered logic of the narrative.⁵ Since the limits of this essay will not allow the implementation of a systematic step by step reading, the approach will privilege some main threads and themes attached to Deuteronomy's overall construction, while always paying attention to the sequential dynamic that underlies the narrative's unfolding.

2. Moses and the Narrator

Deuteronomy can conveniently be presented as an act of communication about an act of communication, or as a combination of two levels of communication: Moses' address, in the represented world (to the sons of Israel in the plains of Moab), and the book's address to its reader. If the book's narrator opens the narration ("These are the words..."), he almost immediately hands it over to its *dramatis persona*, whose direct speech gives Deuteronomy its distinctive ring. Having in mind the opening of the book, "These are the words," and reaching Deut 4:44, "And this is the Torah..." the reader gets an important hint, which will serve as a guide throughout the book: Deuteronomy presents itself as a sequence of master speeches by Moses, in each case pointed out by a deictic expression:⁶

4 For a presentation of the universals in question and of their incidence in biblical narrative, see M. Sternberg, *The Poetics of Biblical Narrative: Ideological Literature and the Drama of Reading* (Bloomington: Indiana University Press, 1985), 264–320.

5 See M. Perry, "Literary Dynamics: How the Order of a Text Creates its Meaning," *Poetics Today* 1 (1979): 35–61.

6 The Deuteronomic superscription system was first noticed by P. Kleinert, *Das Deuteronomium und der Deuteronomiker: Untersuchungen zur alttestamentlichen Rechts- und Literaturgeschichte* (Bielefeld-Leipzig: Velhagen & Klasing, 1872); in recent scholarship, Kleinert's perception of the structure of Deuteronomy has been elaborated by N. Lohfink in various contributions; see, for the first, "Der Bundesschluß im Land Moab: Redaktionsgeschichtliches zu Dt 28,69–32,47" (1962), in *idem, Studien zum Deuteronomium und zur deuteronomistischen Literatur I* (SBAB 8; Stuttgart: Katholisches Bibelwerk, 1990), 53–82 (53–56).

	Deut 1:1	Deut 4:44–45	Deut 28:69	Deut 33:1
1				
2				
3	These are the words which	And this is the Torah which Moses	These are the words of the covenant which	And this is the blessing with which
5	Moses spoke to all Israel beyond the Jordan.	set before the sons of Israel ... when they came out of Egypt.	YHWH commanded Moses to make with the people of Israel in the land of Moab besides the covenant which he had made with them at Horeb.	Moses the man of God blessed the sons of Israel before his death.
10				

Along the way, the reader will have to sort out different levels of Deuteronomy’s structuring. Moses’ speech is equally articulated in successive units. In Deut 6:1, “And this is the commandment, the statutes, and the judgments, which YHWH your God commanded to teach you,” or in 12:1, “These are the statutes and ordinances that you must diligently observe,” it is Moses who introduces consecutive sections in his (second) speech. In these cases, Moses’ rhetoric mirrors the narrator’s own: both of them are using the “this is” or “these are” construction. The relationship between the Deuteronomic Moses and Deuteronomy’s narrator thus deserves comment: it stands at the heart of Deuteronomy’s effectiveness. The peerless prophet and the inspired historian are objectively joining forces, according to various patterns throughout the book, for the sake of Deuteronomy’s historiographical claim and inner coherence.

2.1. Frame-breaks

Moses’ first speech is marked out by a series of inserted explanatory notes: five instances of interpolated data often described as “antiquarian notices” or “ethnographic sections” (Deut 2:10–12, 20–23; 3:9, 11, 13b–14; a further instance is found in Moses’ second speech, in 10:6–9).⁷ A double instance is read in 3:8–12:

- 8 So we took the land at that time out of the hands of the two kings of the Amorites who were beyond the Jordan, from the Wadi Arnon to Mount Hermon
 - 9 *The Sidonians call Hermon Sirion, while the Amorites call it Senir* –
- 10 all the cities of the tableland and all the Gilead, and all Bashan, as far as Salech and Edrei, cities of the kingdom of Og in Bashan
 - 11 *Now only King Og of Bashan was left of the remnant of the Rephaim; behold his bedstead was a bedstead of iron; is it not in Rabbah of the Ammonite? Nine cubits was its length, and four cubits its breadth, according to the common cubit* –
- 12 when we took possession of this land at that time ...

⁷ See more details in J.-P. Sonnet, *The Book within the Book: Writing in Deuteronomy* (BibInt 14; Leiden: Brill, 1997), 238–43.

In these “frame-breaks,” to use Robert Polzin’s expression, the narrator is actually drowning out and covering Moses’ voice in order to provide the reader with pieces of information unavailable to Moses (notwithstanding his prophetic status).⁸ More precisely, the narrator is confirming Moses’ report with his own authority and “international” knowledge, corroborating Moses’ account by affixing to it pre-mosaic (Deut 2:10–12, 20–23) as well as post-mosaic data (3:11, 14; 10:8–9), and national facts (the alternative names for Mount Hermon, 3:9). A section of Moses’ speech interpolated with a narratorial comment is thus a section enhanced in its reliability.⁹

This phenomenon powerfully illustrates Deuteronomy’s historiographical claim. The issue at stake here is not the historicity of the narrated events and figures – we are all indebted to the reasonable and at times documented hypotheses formulated by modern critical history on the matter – but the book’s claim to tell history, and foundational history at that. In no way does Deuteronomy present itself as a work of fiction. As Meir Sternberg has made clear, the antithesis between history-writing and fiction does not lie “in the presence or absence of truth value but of the *commitment* to truth value”: “For history-writing is not a record of fact – of what ‘really happened’ – but a discourse that claims to be a record of fact. Nor is fiction-writing a tissue of free invention but a discourse that claims freedom of invention.”¹⁰ What is told between Deut 1 and 34 does not present itself as imaginative and meaningful tales passed on by Moses; rather, the text claims to record what happened “in the fortieth year, on the first day of the eleventh month” (1:3), and this “in the wilderness, on the plain opposite Suph, between Paran and Tophel, Laban, Hazeroth, and Dizahab” (1:2). Such is the book’s claim, and the book’s narrative proposal must first be received along these lines.

As in any other biblical work, the book’s (rhetorical) thrust is primarily meant for the reader, who will learn countless lessons from Moses’ address, but never as the direct addressee of the prophet. Moses never speaks directly to Deuteronomy’s reader, even when he mentions future addressees, “who [are] not there with us” (29:14); his speech is the speech as addressed “at that time” to the second generation of the sons of Israel in the plains of Moab. This means that everything in Deuteronomy is mediated by historiographical telling; sense and reference primarily reverberate within the represented world set up by the book’s opening. The reader’s hermeneutical relationship

8 See R. Polzin, *Moses and the Deuteronomist: A Literary Study of the Deuteronomistic History* [New York: Seabury, 1980], 25–36; the phenomenon equally implies a subtle ratio between narrating and narrated time; see N. Lohfink, “Die Stimmen in Deuteronomium 2,” in *idem, Studien zum Deuteronomium und zur deuteronomistischen Literatur IV* (SBAB 31; Stuttgart: Katholisches Bibelwerk, 2000), 47–74 (66–70).

9 As against Polzin who, implementing a bakhtinian approach meant to drive out contrasting voices in the narrative, states: “The [narrator’s] voice that tends to diminish Moses’ status tends to diminish Israel’s uniqueness also” (*Moses and the Deuteronomist*, 38).

10 Sternberg, *Poetics*, 25 (my italics).

with Deuteronomy is thus not achieved at the expense of the work's claim to tell history; it operates along with it.¹¹ In other words, from 1:1–5 on, historiographical narration is Deuteronomy's most basic ideal.

The phenomenon of “frame-breaks” highlights Deuteronomy's preference for dramatic presentation. In what precedes Deut 31, reported speech is the norm. In Deuteronomy's unfolding, things are primarily shown (by Moses' speeches), not told (by the narrator). Between chap. 1 and 30, introductory statements (and 4:41–43, see below) excepted, the narrator's voice is only heard against the background of the character's speech (in the so-called “frame-breaks”). The showing mode reaches its climax in the Moab speech (Deut 29–30), where past history catches up with the present situation of the people:

You stand assembled today, all of you, before YHWH your God – the leaders of your tribes, your elders, and your officials, all the men of Israel, your children, your women, and the aliens who are in your camp, both those who cut your wood and those who draw your water – to enter into the covenant of YHWH your God, sworn by an oath, which YHWH your God is making with you today. (Deut 29:10–12)

It is the speaking character, not the narrator, who sets the stage and prompts the reader, through direct or indirect allusions, to infer the action. A participative imagination is thus required from the reader, proportional to the lack of authorized data provided by the narrator – as to, for instance the effective ratification of the Moab covenant by the people. The rhetorical appeal on the implied reader's own commitment is thus heightened.

The ratio inverts in the final chapters, more precisely in Deut 31 and 34, where the narrator now conducts the narration: “Moses summoned Joshua ... And Moses wrote down this Torah ... On that very day YHWH spoke to Moses saying ... And Moses, the servant of YHWH, died there ... He buried him in the valley ... And the sons of Israel listened to him and did as YHWH had commanded Moses.” The narrative shift actually fits the action. In Deuteronomy 1–30, Moses is telling past events, and reformulating what God told him forty years before. In Deut 31, the prophet is caught up by the story he

11 The valuable study by G. Papola, *L'alleanza di Moab: Studio esegetico di Dt 28,69–30,20* (An-Bib 174; Rome: Editrice Pontificio Istituto Biblico, 2008), lacks coherence in this respect. With good reason, Papola emphasizes Deuteronomy's relevance for its (supposed) exilic readers, yet she does so at the expense of the book's historiographical contention. See in particular the section “Il tempo dell'alleanza: l'oggi di Moab come oggi dell'esilio” (272–76). It should be noted that the phrase “as today” (כיום היום) mentioned in 29:27 does not refer to the “today” of Moab nor to that of the (exilic) readers (as contended by Papola), but to the projected future in which nations will wonder at Israel's destruction. Saadia Gaon makes this clear in his comment: “like this day: as you [the nations] are seeing them [the Israelites] this day”: the day in question primarily belongs to the time frame of the anonymous speakers projected by Moses. It is only indirectly and hermeneutically that it may refer to the present of exilic readers. See D. Markl's judicious comments in “Deuteronomy's Frameworks in Service of the Law (Deut 1–11; 26–34),” in *Deuteronomium – Tora für eine neue Generation* (eds. G. Fischer, D. Markl and S. Paganini; BZAR 17; Wiesbaden: Harrassowitz, 2011), 271–83 (277–78).

is telling: an unexpected theophany takes place, and Moses is confronted by unprecedented divine words (see in particular 31:14–23).

In the instances of “frame-breaks” in Deut 1–4, the narrator supported Moses’ knowledge with his own; in Deut 30, the character and the narrator once more (objectively) buttress each other. Actually they join forces in their respective deictic presentations of the Torah. The narrator, addressing the reader, points to “this Torah”: “Then Moses wrote (had written) down this Torah (31:9) “(הַתּוֹרָה הַזֹּאת), while Moses points to the same Torah in the world of his addressees in the plains of Moab: “You shall read this Torah (הַתּוֹרָה הַזֹּאת) before all Israel... so that they may... observe diligently all the words of this Torah (12–31:11) “(הַתּוֹרָה הַזֹּאת). In both cases the “near reference” demonstrative is used (הַזֹּאת, “this”). The narrator could have said “that Torah” (הַתּוֹרָה הַהוּא), making use of the “remote reference” quasi-demonstrative (the third person pronoun), as he does it in 31:22 referring to Moses’ writing of the song “that very day” (בַּיּוֹם הַהוּא). By saying “this Torah,” the narrator actually creates an anaphoric reference, pointing to a previous mention of “Torah” or to a previous stretch of discourse representing “this Torah” in the book. Back-reference suggests that הַתּוֹרָה הַזֹּאת, “this Torah,” is that which the reader has just perused within the part of Deuteronomy that opened in 4:44 with “This is the Torah (וְזֹאת הַתּוֹרָה).” The anaphoric phrase הַתּוֹרָה הַזֹּאת in 31:9 is thus the counterpart of the cataphoric (i. e., forward looking) phrase הַתּוֹרָה וְזֹאת, “This is the Torah” in 4:44.¹²

12 It seems to me difficult to assume that the book of Deuteronomy (directly) refers to *itself* as Torah, *pace* D. T. Olson (see *Deuteronomy and the Death of Moses: A Theological Reading* [OBT; Minneapolis: Fortress, 1994], 8), and E. Blum (see “Pentateuch–Hexateuch–Enneateuch? Or: How Can One Recognize a Literary Work in the Hebrew Bible?” in *Pentateuch, Hexateuch, or Enneateuch? Identifying Literary Works in Genesis through Kings* [eds. T. B. Dozeman, T. Römer and K. Schmid; Ancient Israel and Its Literature 8; Atlanta: Society of Biblical Literature, 2011], 43–72 [58–59 n. 53]). In Deuteronomy, references to the Torah either by the narrator or by Moses do not relate to the framing book as such. The narrator refers anaphorically (see 4:44) or cataphorically (see 31:9, 24) to a section of the book (the Torah speech), whereas Moses refers to his teaching as a piece of oral or written communication *in* the narrated world (see for instance 31:11, 13, 26). The same phenomenon is observed in the case of the song in Deut 32: whereas God points to a piece of poetry communicated in the narrative world (“Now therefore write this song, and teach it to the Israelites; put it in their mouths, in order that this song may be a witness for me against the sons of Israel ... this song will confront them as a witness” [Deut 31:19–21]), the narrator refers to the adjacent song in the text: “Then Moses recited the words of this song, to the very end, in the hearing of the whole assembly of Israel” (31:30); “Moses came and recited all the words of this song in the hearing of the people” (32:44). Regarding the book of Deuteronomy as *surrogate* book (of Moses’ Torah book), see however Sonnet, *Book*, 260–62.

	Deut 1:1.5	Deut 4:44–45 [Torah speech]	Deut 28:69	Deut 33:1
1				
2				
3				
4	<i>These are the words</i>	<i>And this is the Torah</i>	<i>These are the words of</i>	<i>And this is the</i>
5	Moses undertook to define ¹³ this Torah saying ...	<i>which Moses set before the sons of Israel</i>	the covenant And Moses wrote (had written) this Torah [Torah book]	<i>blessing</i>

In other words, what Moses commits to writing amounts to his Torah speech, which opened in Deut 4:44. Made of the words of the speech in question, Moses' Torah book will pass west of the Jordan and support the people's life on the land. By referring the reader to the section of Deuteronomy that has been previously read, the narrator concurrently refers the reader to (the content of) the "book" written down by Moses in the narrative world. In their respective rhetoric, Moses and the narrator are thus objective allies in their project of publicizing the Torah, each one in his world.

An interesting confirmation of the identification of the Torah book with the Torah speech is provided in one of the rare intrusions by the narrator prior to Deut 31, in 4:41–43. In these three verses, the narrator reports the setting apart by Moses of three cities of refuge "in the east beyond the Jordan" (4:41); the measure thus concerns the eastern bank of the Jordan River; it is of no relevance, unlike the rest of Moses' decrees, for the land west of the Jordan where the (written) Torah is meant to be carried.¹⁴ The Torah speech (and thus the Torah book) does indeed provide for the setting apart of cities of refuge in the west: "When YHWH your God has cut off the nations whose land YHWH your God is giving you, and you have dispossessed them and settled in their

13 How is the verb בִּאֵר in Deut 1:5 to be understood? Hypotheses are not wanting in recent scholarship, and valuable critical syntheses are found in J. Schaper, "The 'Publication' of Legal Texts in Ancient Judah," in *The Pentateuch as Torah: New Models for Understanding Its Promulgation and Acceptance* (eds. G. N. Knoppers and B. Levinson; Winona Lake: Eisenbrauns, 2007), 225–36, and K. Finsterbusch, "Aufsummierte Tora: Zur Bedeutung von hrwt als Bezeichnung für eine Gesetzessammlung im Pentateuch," *JAJ* 2 (2011): 1–28 (2–5). Both authors emphasize the interest of G. Braulik's and N. Lohfink's proposal (see "Deuteronomium 1,5 הוֹאֵת הַתּוֹרָה הַזֹּאת בִּאֵר אֵת הַתּוֹרָה הַזֹּאת: 'er verlieh dieser Tora Rechtskraft,'" in *idem, Studien zum Deuteronomium und zur deuteronomistischen Literatur V* [SBAB 38; Stuttgart: Katholisches Bibelwerk, 2005], 233–51) to construe בִּאֵר as "to enforce," "to confer legal value," on the basis of the cognate Akkadian verb *bâru* in one of its uses, "to establish the true legal situation (ownership, liability, etc.) by a legal procedure involving ordeal, oath, or testimony" (see *The Assyrian Dictionary of the Oriental Institute of the University of Chicago*, vol. 2 B [eds. I. Gelb et al.; 21 vols.; Chicago: Oriental Institute, 1965], 2:125, 127–30). The fact is that the content of Moses' Deuteronomic Torah will be regularly prefixed with two verbs: לָמַד, "to teach," and צוּה, "to order"; it seems therefore tempting to correlate the meaning of בִּאֵר in 1:5 with the compound meaning of the two verbs in question, implying didactic updating on the one hand and law enforcement on the other. Hence my tentative translation of בִּאֵר as "to define," with its illocutionary (legal) value.

14 For more details, see Sonnet, *Book*, 37, 184.

towns and in their houses, you shall set apart three cities in the land that YHWH your God is giving you to possess” (19:1–3; see also vv. 8–10 for three additional cities).

East Jordan

West Jordan

4:41–43
3 cities of refuge

4:44 → Torah speech → Torah book → carried to the land

19:1–13: 3 + 3 cities of refuge

The appropriative character of Deuteronomy’s narrative switch – in favor of the narrator’s lead – is even more flagrant in Deut 34, where Moses’ death is told. The sentence “and Moses died” – in a final episode where Moses is moreover totally silent – belongs per force to a narrator other than Moses. The narrator’s omniscience is further required to tell what no one ever saw, “And [God] buried him” (v. 6), and to provide an all-inclusive judgement such as the statement in v. 10: “And there arose not a prophet since in Israel like unto Moses.” The narrator who told about Og’s bed in 3:11, still to be found in Rabbah of the Ammonite, now tells about Moses’ tomb, not found “to this day” (34:6). Yet he is in no way stealing the show from Moses, to whom he pays tribute in the book’s last verses (34:10–12). The tribute in question, as we shall see, is inseparable from the last action reported by the narrator in Deuteronomy, in the proleptic summary of 34:9: the sons of Israel did hear and do what YHWH had commanded to Moses. What was left hanging in the speech of the Moab covenant – whether the people did enter the covenant – now gets an authoritative answer, as will be emphasized in the next section. In 34:9 the effectiveness of Moses’ teaching thus reverberates in the narrator’s statement – prophet and narrator indeed join forces when it comes to the effectiveness of the Torah.

3. Deuteronomy’s Communication Arc¹⁵

In the book’s opening in Deut 1:1–5, v. 3 occupies a central and strategic position; in the second part of the verse, the authority of Moses’ speech is indeed the issue at stake: “Moses spoke to the sons of Israel according to all that YHWH had commanded him unto them” (1:3b). Right away, the narrator gives evidence of his omniscience. Before Moses has spoken a single word, the narrator announces that his act of communication – as the *source* of the speech – has been successful, and that this is in accordance with a divine parameter. Moses has effectively transmitted everything according to the divine order imparted to him – “according to all that YHWH had commanded him (תוֹרַת אֱלֹהִים כְּכֹל אֲשֶׁר צִוָּה יְהוָה אֱתָו).” The ensuing speeches will not be a general attempt or

15 For more details, see J.-P. Sonnet, “Redefining the Plot of Deuteronomy – From End to Beginning: The Import of Deut 34:9,” in *Deuteronomium – Tora für eine neue Generation*, 37–49.

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42
43
44

approximation on Moses’ part, but an effective transmission in every respect true to a divine mandate.¹⁶ A conjunction is worth noticing, however: “according to all (ככל אשר).” This modality is somehow puzzling; the reader could have expected a sentence like: “Moses spoke everything (or: all the words) that YHWH had spoken to him” (cf. Exod 4:30; Jer 30:2). What is announced in Deut 1:3 is thus not a verbatim transmission of oracles, “word for word,”¹⁷ but a communication in accordance with divine instructions.

At the other end of the book, the opening statement of Deut 1:3 gets a powerful echo in the narrator’s comment: “And the sons of Israel listened to him [Joshua] and did as YHWH had commanded Moses” (Deut 34:9b). The communication arc that spans the entire book of Deuteronomy is thus revealed:

Deut 1:3	Deut 34:9
Moses spoke to the sons of Israel according to all that <i>YHWH had commanded</i> him unto them (ככל אשר צוה יהוה אתו אלהם).	And the sons of Israel listened to him [Joshua] and did as <i>YHWH had commanded</i> Moses (ויעשו כאשר צוה יהוה את־משה).

The echoing effect between Deut 34:9b and 1:3 keeps the unfolding of Deuteronomy’s thirty-four chapters within the span of a single act of communication, between its enunciation and its reception, and it highlights it as a successful performance in its active *reception* as well.¹⁸ The “listening (שמע)” by the people accompanies their “doing (עשה).” In the opening chapters of Deuteronomy, the reader has progressively learned that the “doing” in question – the observance of the commandments – was the purpose of Moses’ enterprise: “See, I now teach you statutes and ordinances as YHWH my God has commanded me for you to *do* (לעשות) in the land that you are about to enter and occupy” (Deut 4:5; see also 4:14 and 6:1). The people’s compliance in 34:9 is thus a crucial point in Deuteronomy’s overall action: Moses’ teaching and enforcing of the Torah on the last day of his life has not been in vain. Yet what Deuteronomy’s narrative arc most emphasizes is a major shift in the communication process: it is not Moses who is heeded, but Joshua; it is through Joshua’s mediation that the Mosaic Torah is brought home. This transfer of agency brings out the core of Deuteronomy’s overall plot. To read Deuteronomy is to follow step by step the process that has made this shift possible.

16 See L. Peritt, *Deuteronomium* (BK, AT V, Lfg. 1–2; Neukirchen-Vluyn: Neukirchener Verlag, 1990), 17; Sonnet, *Book*, 10, 25, 198, 243; K. Finsterbusch, *Weisung für Israel: Studien zu religiösem Lehren und Lernen im Deuteronomium und seinem Umfeld* (FAT 44; Tübingen: Mohr Siebeck, 2005), 119.

17 See Finsterbusch, *Weisung*, 119.

18 On the centrality of the representation of reception in biblical narrative, see M. Sternberg, “The World from the Addressee’s Viewpoint: Reception as Representation, Dialogue as Monologue,” *Style* 20 (1986): 295–318 (308–9).

3.1. A Founding Scene

In its terseness, the narrator's statement in Deut 1:3 stirs the reader's curiosity: is it a mere *argument d'autorité*, or is something meant to be specified? Will the reader learn something about the mandate in question?¹⁹ The reader's curiosity receives a decisive clue in 4:5, when Moses makes clear that the divine injunction entailed a specific modality of communication, expressed through the verb לָמַד, *piel*, "to teach": "I now teach (לְמַדְתִּי) you statutes and ordinances as (כְּאִשֶּׁר) YHWH my God has commanded me (צִוִּי) for you to do (לַעֲשׂוֹת) in the land..." Teaching was thus the manner implied by God's mandate, and this was meant to lead the people up to the practical obedience of the "statutes and ordinances" formulated by Moses. The reader's curiosity is stimulated again when Moses alludes in Deut 4:14 to an actual commissioning scene (with the same key verbs): "And YHWH commanded me *at that time* (וְאֵתִי צִוָּה יְהוָה בְּעֵת) (וְהָיָה) to teach you statutes and ordinances for you to do in the land that you are about to cross into and occupy." Once more curiosity pays, for the actual scene is detailed in Deut 5:25–31, in what could be termed the etiological scene of the Torah as Torah, that is, as law enforced by way of teaching.²⁰

In Deut 5:25–31, Moses' report of the Horeb event, he articulates the circumstances of the scene of the people's request for a mediator; in his quality as witness, he provides details not given in the narrator's account in Exod 20:19. In God's answer, now fully reproduced by Moses, the important point appears in 5:31, where a subtle rephrasing of the people's petition is to be observed.²¹ The people had asked Moses to tell (תְּדַבֵּר) them whatever God would tell (יְדַבֵּר) him, in a word for word transmission (cf. the double use of the verb in Exod 20:19). When God endorses the people's request, he modifies one of the terms: "But you, stand here by me, and I will tell (וְאִדְבַרְתָּ) all the commandments, the statutes and the ordinances, that you shall teach them (תְּלַמְּדֵם), so that they may do them in the land that I am giving them to possess" (Deut 5:31). Saying so, God astutely brings into play (as he is wont to do), the "man proposes, God disposes" principle (see for instance 1 Sam 8:7–9; 2 Sam 7:5–11). The people had proposed: you will tell us whatever God will tell you; God has answered: you shall teach them whatever I will tell you. God's subtle and astute rephrasing is nothing less than the rationale of Moses' speeches in Deuteronomy. In reproducing God's integral directive, Moses indeed provides the divine warrant of

19 See Finsterbusch, *Weisung*, 119; and *idem*, "Du sollst sie lehren, auf dass sie tun . . ." Mose als Lehrer der Tora im Buch Deuteronomium," in *Religiöses Lernen in der biblischen, frühjüdischen und frühchristlichen Überlieferung* (eds. B. Ego and H. Merkel; WUNT 180; Tübingen: Mohr Siebeck, 2005), 27–45 (31–33).

20 The highlighting of Moses' teaching should not overshadow the prescriptive aspect of the mosaic Torah – hence my "enforced by way of teaching." On this issue, see N. Lohfink's perceptive observations about the coupling of the verbs לָמַד, *piel*, "to teach," and צִוָּה, *piel*, "to command," in Moses' Deuteronomic speeches (N. Lohfink, "Prolegomena zu einer Rechts-hermeneutik des Pentateuchs," in *Studien zum Deuteronomium V*, 181–231 [198–99 n. 59]).

21 See on this issue Sonnet, *Book*, 37–38, 47–48; Finsterbusch, *Weisung*, 166–69.

his own rhetorical enterprise.²² Associated to the verb צוה, *piel*, “to command,” the verb למד, *piel*, reveals the illocutionary value of Moses’ Torah speech: it is a prescriptive teaching, which elaborates on the basis of a previous “told” revelation (in Exod 21–23). What was implicit in 1:3 – “according to all that YHWH has commanded him” – has now been made explicit (to Moses’ audience and to the reader) in the “mandate scene” disclosed by Moses in 5:25–31.

God’s mandate is recorded a last time in Deuteronomy in 34:9: “And the sons of Israel listened to him [Joshua] and did as YHWH had commanded Moses (ויעשו כאשר צוה יהוה את־משה).” The modal “as” (כאשר) in Deut 34:9 echoes the distributive “according to all” (ככל אשר) in 1:3. What Moses had to spell out piecemeal is implemented *per modum unius* by the people, as recorded by the narrator in his proleptic summary in 34:9:

Deut 1:3	Deut 4:5	Deut 4:14	Deut 5:31	Deut 34:9
Moses spoke to the sons of Israel according to all that YHWH had <u>com-</u> <u>manded</u> him unto them (ככל אשר צוה יהוה אתו אלהם).	“See, I now teach you statutes and ordinances just as (כאשר) YHWH my God <u>has commanded</u> me (צוני) for you <u>to do</u> (לעשות) in the land that you are about to enter and occupy.”	“And YHWH <u>com-</u> <u>manded</u> me at that time (ואתי צוה יהוה) (בעת ההוא) to teach you statutes and ordinances for you <u>to do</u> in the land that you are about to cross into and occupy.”	[<u>command</u> :] “But you, stand here by me, and I will tell (ואדברה) all the <u>commandments</u> , the statutes and the ordinances, that you shall teach them (תלמדם), so that they may <u>do</u> them in the land that I am giving them to possess.”	And the sons of Israel listened to him [Joshua] and <u>did</u> as YHWH <u>had commanded</u> Moses (ויעשו כאשר צוה יהוה את־משה).
	→			↑

4. From Oral to Written Communication

Moses’ communication, the reader comes to know, unfolds within a unity of time (the day announced in Deut 1:3), and within a unity of space (as Moses stands next to the Jordan River he will not cross). More dynamically, it is built on a momentum and a counter-momentum: the momentum of the people’s entry into the land (the theme singled out by Moses in the opening of his speech in 1:6–8), and the counter-momentum of the prophet’s destiny outside of the land. To him God has said: “You shall not enter there” (1:37; 3:27). This paradoxical situation is what prompts Moses to speak, in a “last chance” speech. In Deuteronomy Moses addresses a new generation that has not witnessed the exit out of Egypt and the Horeb revelation (see 2:14–16), and which is thus dependent on what Moses will tell them “today,” for the people

22 The scene in question obviously also concerns Deuteronomy’s authors behind the scenes. The mandate’s scene is an ingenious expedient whereby the Deuteronomic scribes – engaged in a revision of the Covenant Code (Exod 21–23) – endow their own activity with a divine sanction, through Moses’ as a third party.

will cross “today” into the land (9:1, 3). Moses’ face-to-face with the people is thus the last one. Behind the urgency of Moses’ word stands the paradoxical will of God, who dispatches his people beyond the desert while restricting his spokesman to its borders.

The legal revelation that Moses reformulates is thus a word “to be carried away”: it comes into force beyond the Jordan River (see Deut 4:5, 14; 5:31; 6:1; 7:1; 12:1, 9; etc.) and it is meant to regulate the life of future generations who, even less than the generation that listens to Moses, will enjoy no immediate access to its original revelation. Will Moses, for such a long-term transmission (in space and time), trust only oral transmission and thus memory? Certainly both play a decisive role in Moses’ opening speeches (see Deut 4:1, 12; 5:1, 23–31; 6:4–8; 6:20–21; 9:1; 11:18–19). Yet, Moses’ farewell speech progressively introduces another communicative economy – that of writing. Focusing on an event of “words” (see Deut 4:12), the mosaic communication equally includes decisive references to writing. In the world projected by Moses in his speech, some have written and some will write.

Some have written in the past, starting with God in his transcription of the Ten Words at Horeb: “These words, YHWH ... wrote them on two stone tablets, and gave them to me” (Deut 5:22). God’s writing is done in two acts. The Golden Calf episode ends in the destruction of the original tablets. Then God, so to speak, writes a duplicate (see Deut 10:4), in the manner of the ancient Near East scribes. The phenomenon of duplication is inherent to writing, the written sign being offered for reproduction (see also Deut 17:18; cf. Josh 8:32). The God of Deuteronomy thus has the features of a “celestial scribe”;²³ the “logic of writing,” in Jack Goody’s expression, belongs to him before belonging to anyone else.²⁴

The God who writes also establishes an appropriate “vector” for the written document (see Deut 10:1–5): the ark, which, in Deuteronomy, is at the very most an *attaché-case*, a chest that guarantees the protection and the transport of the tablets written “by God’s finger” (9:10). Protected in the ark, which is itself carried by the Levites (10:8), the founding writ is dispatched by God to

23 A significant hint at the “scribal” logic in God’s words is seen in the “canon formula” attached to the Ten Words in Deut 5:22: “and [YHWH] added no more.” The complete formula is read in Deut 4:2, and it is attached by Moses to his Torah: “You must neither add anything to what I command you nor take away anything from it” (see also 13:1). A technical scribal formula, documented in the literature of the ancient Near East, it functions as a colophon marking the ending of literary units; see B. M. Levinson, “The Neo-Assyrian Origins of the Canon Formula in Deuteronomy 13:1,” in *Scriptural Exegesis: The Shapes of Culture and the Religious Imagination: Essays in Honour of Michael Fishbane* (eds. D. A. Green and L. Lieber; Oxford: Oxford University Press, 2009), 25–45. In the case of 5:22, it is probably a way to mark off the Ten Words. The use of the formula is of course paradoxical, since God originally did add to the words in question (the Covenant Code in Exod 20:22–23:33). The impetus for Moses to pass over this supplement in silence is quite obvious, since he is about to substitute a Deuteronomic reformulation of the Covenant Code.

24 J. Goody, *The Logic of Writing and the Organization of Society* (Cambridge: Cambridge University Press, 1986).

ward the land of the promise (10:11). Added to the phenomenon of duplication, then, is the phenomenon of mobility: the writ is something that, in its physical form, is transportable and can be produced elsewhere (see Is 8:16; 29:11; 1 Kings 21:8; Jer 32:11–14; Dan 12:4; Rev 5–10). Yet, God’s regulations in Deuteronomy nowhere provide for an opening of the ark and an exhibition of the tables. Deuteronomy therefore stands out for its avoidance of promoting “relics” (the tables as a divine autograph). On the other hand, the shielding of a document from any future readings seems to contradict the finality of writing. What follows in the narrative will however consequently resolve the aporia.

God has written in the past, people will write in the future. The act of writing is prescribed twice to the people, actually to the fathers of family: “these words that I am commanding you today in your heart ... Bind them as a [written] sign on your hand, fix them as an emblem [written] on your forehead and write them on the doorposts of your house and on your gates” (Deut 6:6–9; cf. 11:18–21). Once installed on the land, the Israelites will emulate the scribal God and surround themselves with written signs. The liminal aspect of the act of writing is particularly clear when it is done on the doorposts and on the city gates, that is, on the threshold of the lived space, private and social. This liminal aspect is even more manifest at the end of Moses’ second speech, when the people is enjoined to write “all the words of this Torah” upon large stones plastered with chalk (27:2–3, 8) on the other bank of the Jordan, that is, when entering in the space where the Torah will be enforced. Such an operation carries to extremes the power of publicity attached to the recourse to writing (as against the deposit of the tables in the sealed ark).

The modalities of the future inscription of Moses’ words – on the bodies (hands and foreheads), on the doors and the gates, on the steles – illustrate the variety of mediums of writing. The panoply is completed with a further medium, which will turn out most decisive, summing up all the others: the vehicle of the book. The book makes its appearance in Moses’ speech with the entrance of a specific addressee of the Torah: the future king of Israel: “When he has taken the throne of his kingdom, he shall write for himself in a book a copy of this Torah out of [that which is] before the priests the Levites. It shall remain with him and he shall read in it all the days of his life” (Deut 17:18–19).²⁵ In his private reading and study, the king will appropriate what is otherwise accessible to all; he will be submitted to the common text – a political miracle made possible by literacy.²⁶ In casting the king’s reception of (a copy of) “this Torah,” Moses’ speech projects its own reception – via the representativeness of an exceptional reader.²⁷

God has written, the people and the king will write. Moses, as for him, up to chapter 31, keeps speaking. He is apparently entirely on the side of orality.

25 The king will make the copy the day of his accession to the throne: here too, writing is liminal.

26 See J.-M. Carrière, *Théorie du politique dans le Deutéronome: analyse des unités, des structures et des concepts de Dt 16,18–18,22* (OBS 18; Frankfurt a. M.: Peter Lang, 2001), 329–35.

27 About the *mise en abyme* of the Torah’s reception, see Sonnet, *Book*, 78–83.

This certainly raises questions about the effective transmission of the Torah from one bank of the Jordan River to the other: what will assure the transmission and the reproduction of “all the words of this Torah” (Deut 27:3, 8) on the great stones beyond the Jordan, their transcription on the royal copy, and the inscription of the Torah words on the doorposts and the city gates, on the bodies and in the memories? The enigma is solved in 31:9, when the narrator reports: “Moses wrote down this Torah” – more precisely, in context, “had written²⁸ down this Torah.”²⁹ As scroll written within Deuteronomy’s represented world, Moses’ Torah book is out of reach of the reader; yet Deuteronomy’s “book within the book” is paradoxically made accessible to the reader by the stratagem of letting the reader read or hear its content (as Torah speech, up from 4:44) before it is committed to writing. It is worth observing that the writing down of the Torah does not stem from a divine order. If Moses transfers the words of the Torah into the economy of the writ, it is because he is aware of a limit that he will not cross (the limit of the Jordan, see 31:2), and

28 See Sonnet, *Book*, 134–38 for the construing of the *wayyiqtol* in 31:9 as a pluperfect, “Moses had written,” in a nonsequential use of the *wayyiqtol*; see R. Buth, “Methodological Collision Between Source Criticism and Discourse Analysis: The Problem of ‘Unmarked Temporal Overlay’ and the Pluperfect/Nonsequential *wayyiqtol*,” in *Biblical Hebrew and Discourse Linguistics* (ed. R. D. Bergen; Dallas: Summer Institute of Linguistics, 1994), 138–54; the same construing is proposed by N. Lohfink in “Zur Fabel in Dtn 31–32,” in *Studien zum Deuteronomium IV*, 219–45 (232–35).

29 The sense and reference of the ספר mentioned in Deuteronomy 28–30 are subject to discussion; see the survey in K. Finsterbusch, “Aufsummierte Tora,” 13–15 and the discussion in E. Ehrenreich, *Wähle das Leben! Deuteronomium 30 als hermeneutischer Schlüssel zur Tora* (BZAR 14; Wiesbaden: Harrassowitz, 2010), 121–22. I have suggested associating the reference to the Torah ספר in Deut 28:58, 61 to the inscription on the steles to be erected beyond the Jordan, as a gate to the land (27:3–8); see in particular the echoing between 27:3, 8, “And you shall write upon them [the stones] all the words of this Torah,” and 28:58, “all the words of this Torah written on this ספר” (compare v. 61). As documented in western-Semitic epigraphy, the semantic field of the word ספר comprises the notion of “inscription,” including the sense of “inscription on a stele” (see Sonnet, *Book*, 86–103). According to Finsterbusch, this interpretation, although not impossible, complicates the data, since the further occurrences of ספר, in Deuteronomy 29–31, are understood as referring to a book scroll (“Aufsummierte Tora,” 14–15). What needs to be observed is that the mentions of the ספר in 29:19, 20, 26; 30:10 have in common with those in 28:58, 61 the fact that they appear *in medias* (spoken) *res*. In the curses of Deuteronomy 28 as in the Moab speech of Deuteronomy 29–30, dramatic presentation is the rule; Moses is pointing to a specific ספר within Deuteronomy’s represented world, meant for an audience in a position to grasp the act of reference. This is not true for the reader, who does not perceive what the audience supposedly perceives, and whose way of making sense of Moses’ reference is necessarily a process of trial and error. A rhetorical effect is thus created: throughout Deuteronomy 27–30, the theme of written communication becomes insistent, and drives the reader into a dynamic of curiosity (“What is the genesis of the documents in question? Does it include [for 28:58, 61] a reference to the stone inscription? Does the covenant making [in Deuteronomy 29–30] imply the presence of a previously written covenant document?”) as well as a dynamic of suspense (“how will ‘all the words of this Torah’ reach the other bank of the Jordan, since Moses has not been described in the act of writing?”). The report by the narrator in 31:9, “Moses had written down this Torah,” is a timely answer to some of these questions.

that the document will cross. When he writes down the founding words and hands them over to their future bearers (once more, the Levites, next to the elders), Moses reproduces a divine precedent, God's writing and handing over of the Ten Words to Moses. A significant mimetism thus underlies Moses' initiative; he is a scribe in the same manner as God:

Deut 5:22	Deut 10:4	Deut 31:9
"He [God] <i>wrote</i> them on two stone tablets, and <i>gave them to me</i> ."	"Then he [God] <i>wrote</i> on the tablets the same words as before, the ten commandments that YHWH had spoken to you on the mountain out of the fire on the day of the assembly; and YHWH <i>gave them to me</i> ."	Moses <i>wrote (had written)</i> down this Torah, and <i>gave it to</i> the priests, the sons of Levi, who carried the ark of the covenant of YHWH, and to all the elders of Israel.

In distinction from the tables written by God and sealed off in the ark, the words of the Torah written by Moses are immediately destined for reading: "You will read this Torah," Moses says to all Israel (31:11).³⁰ This solemn reading, every seven years, in front of the people gathered, will be nothing less than a new Horeb, eliciting the same effects.³¹ In its proclamation, the written text will bring about the reediting of the founding event, all the more since the event itself, as Moses has told, was nothing else than "the voice of words (קול דברים)" (Deut 4:12; compare Exod 19:16–20:18). The performance will be successful: the reading, Moses announces, will catalyze the people's obedience from generation to generation, "so that their sons, who have not known it, may hear and learn to fear YHWH your God, as long as you live in the land that you are crossing over the Jordan to possess" (Deut 31:13).

The glorious perspective opened by Moses is shattered in the following verses. For the first time in Deuteronomy, the divine voice is heard "live" on stage, without being mediated by Moses' reporting speech. Up to this point, everything that Moses has transmitted to the people was old for him; now Moses himself learns something new.³² Moses' death, as God reveals to him in the Tent theophany, will be followed by the people's infidelity: "Behold, you will lie down with your fathers; and this people will rise up, and prostitute themselves after the foreign gods of the land, into which they are going; they will forsake

30 Because of Moses' retelling of the Horeb event in Deut 5, at the outset of his Torah speech, the written and public Torah includes the content of the tablets, i. e., the Decalogue (5:6–21). The aporia of the revelation sealed in the ark is thus solved, in accordance with biblical exoterism.

31 For a presentation of the echoes between the people's reaction *in illo tempore* and the people's future reception of the Torah book, see Sonnet, *Book*, 142–45, and "Le Deutéronome et la modernité du livre," *Nouvelle Revue Théologique* 118 (1996): 481–96, especially 487–88.

32 As G. Braulik has observed, we are here facing the *peripeteia* of the told story (*Deuteronomium II* [Würzburg: Echter, 1992], 221).

me, breaking my covenant that I have made with them” (Deut 31:16). Exactly as at Sinai, where the absence of Moses on the mountain plunged the people in disarray and into the Golden Calf infidelity (Exod 31:1–6), the covenant just established in the plains of Moab will be broken after Moses’ withdrawal. So does Moses gather (see 31:27–29), and the reader with him.

God, however, does not leave the scene without entrusting Moses with an ultimate covenantal strategy. He reveals “this song,” which he commands Moses to write down and to teach to the people (Deut 31:19). In its temporal extension, the poem “Give ear, O heavens” (32:1–43) spans the whole history of Israel, from its election up to God’s final intervention for the sake of his people; yet what the song first and primarily does is to expose the people’s infidelity.³³ An uncompromising poem both written down and learned by memory will thus testify against Israel in the days when God will “hide his face” (31:18). Speaking in the deity’s place (see 31:21), the text will serve as “witness against (לעד ב)” the people (31:19; cf. Is 30:8), preventing them from finding the understanding of their own story elsewhere than in the divine word, which the poem records anticipatively. “The text as a nagging presence,” Harold Fisch writes, will return “in the future like a revenant.”³⁴ Moreover, the status of witness for the prosecution is communicated by the song, as by contagion, to the entire Torah (now augmented with the song): “Take this book of the law and put it beside the ark of the covenant of YHWH your God; let it remain there as a witness against you (26–31:22) (בך לעד). The written Torah that was meant to prompt the people’s obedience now exposes its disobedience. The witness-book will accompany the people wherever they will go, confronting them with their degenerate ways. Significantly enough, the book of the Torah (supplemented with the song) is attached to the ark and thus grafted on its momentum toward the land, being posted *beside* (מצד) the ark and not shielded in the closed ark. The book is thus, for future history, and whatever happens to the ark (which will eventually disappear; see Jer 3:16), the public side, in form of prosecution witness, of God’s revelation mediated by Moses.

The dramatic juncture of God’s intervention in Deuteronomy 31 brings about a *peripeteia* in Moses’ writing: the prophet, who had already written down the Torah (v. 9), has to supplement the manuscript by recording the song, and thus writes down “the words of this Torah to their very end (עד תמום)” (v. 24). The echoing effect is worth noticing:

Deut 31:9 *Moses wrote down (had written) this Torah*

Deut 31:14–23 (Tent theophany)

Deut 31:24 *When Moses had finished writing down in a book the words of this Torah to their very end*

33 In so doing, the song poetically and rhetorically expands the warnings and promises already expressed in Deut 4:25–31 and 8:11–20.

34 H. Fisch, *Poetry with Purpose: Biblical Poetics and Interpretation* (Bloomington: Indiana University Press, 1988), 152.

Vv. 9 and 24 apparently operate as a *Wiederaufnahme*, marking off and framing an interpolation in a text previously completed.³⁵ The interesting point in the present inquiry is that these verses not only (and supposedly) constitute such a supplementation; they also *tell* of such a redactional phenomenon: they narratively disclose how Moses has been led to supplement an already written Torah. The redactional phenomenon of supplementation is thus projected on the narrative stage as a juncture in Moses' writing process. Moses, the narrative tells, has done what biblical scribes have always done – to supplement an extant text. A double dynamic thus runs across the Deuteronomistic Torah: a dynamic of canonization (see Deut 13:1: “do not add to [what I command you] or take anything from it”), and a dynamic of supplementation. In Deuteronomy 31, apropos the Torah supplemented with the song, the dynamic of canonization surfaces in the phrase עַד תָּמַם, translated by “to their very end.” “This phrase,” Michael Fishbane writes, “is the precise Hebrew correspondence to the colophonic notation used in cuneiform literature: *qati*,”³⁶ that is, “the end” (of the text). Moreover, the verb בָּלַה, “to complete, to finish” (31:24: “when Moses had finished [בְּכִלּוֹת] writing”) can also operate as a colophon in biblical Hebrew (see Ps 72:20). In Moses' case as in the case of the copies made by God and by the king (10:4 and 17:18), scribal practices and techniques are projected on to the narrative stage; they are part of the founding event in a dialectic that brings into play the growth of an authorized corpus and its closing.

Unlike the patriarchs, who were men of oral communication, who have transmitted life as fathers, and who are venerated in their common grave in Hebron, Moses is a writing prophet who has transmitted life by his word, and whose tomb will not be found (Deut 34:6). In the mosaic economy, the propagation of life in space and time is achieved thanks to the words of the book: “This is not an empty word for you,” Moses warns, “but rather your very life” (32:47). Moses does not cross the Jordan River, but his Torah book does (see Jos 8:31: “the book of Moses' Torah”). From this book, Joshua will be instructed not to depart: “This book of the Torah shall not depart out of your mouth; you shall meditate on it day and night, so that you may observe to do according to all that is written in it” (Jos 1:8; see the compliance of Joshua's generation anticipated in Deut 34:9). Moses as a character thus merges with the invention of the holy book, that is, with the transformation of the founding revelation into a book to be read. And Deuteronomy presents itself as narrative treatise on what (holy) “writ” is all about.³⁷

35 Studies in the redactional history of Deuteronomy have long ago sensed the secondary character of the verses relative to the Tent theophany (31:14–23). See M. Noth, *Überlieferungsgeschichte des Pentateuchs* (Stuttgart: Kolhammer, 1948), 35 n. 125 (a “sekundär deuteronomistisch” redaction); more recently, see E. Blum, *Studien zur Komposition des Pentateuchs* (BZAW 189; Berlin: de Gruyter, 1990), 85–88.

36 M. Fishbane, “Varia Deuteronomica,” *ZAW* 84 (1972): 349–52 (350); cf. Jb 31:40: “End [*tammû*] of Job's words.”

37 Significant recent essays have explored the nexus between Deuteronomy and writing in its historical, literary, and theological valences, and complement the view here presented; see in

5. Moses' Death

The motif of Moses' death is intimately connected to the one of Moses' writing. It is however worth considering throughout the book, since it represents another constitutive thread of Deuteronomy's plot, stretching from chapter 1 to chapter 34, and narrowly tied to the motif of Moses' non-crossing of the Jordan. In critical exegesis, the theme of Moses' death is usually handled piecemeal, by way of comparison between contrasting texts attributed to various redactions. Yet it also presents a remarkable narrative coherence.³⁸

The motif of his non-crossing into the land matters to Moses, for he mentions it three times in his first speech (Deut 1:6–4:40):

Deut 1:34–37	Deut 3:23–27	Deut 4:21–22
<p>“When YHWH heard your words, he was wrathful and swore: ‘Not one of these – not one of this evil generation – shall see the good land that I swore to give to your ancestors, except Caleb son of Jephunneh. He shall see it, and to him and to his descendants I will give the land on which he set foot, because of his complete fidelity to YHWH.’ Even with me YHWH was angry <i>on your account</i>, saying, ‘You also shall not enter there.’”</p>	<p>“At that time, too, I entreated YHWH, saying: ‘... Let me cross over to see the good land beyond the Jordan, that good hill country and the Lebanon.’ But YHWH was angry with me <i>on your account</i> and would not heed me. YHWH said to me: ‘Enough from you! Never speak to me of this matter again! Go up to the top of Pisgah and look around you to the west, to the north, to the south, and to the east. Look well, for you shall not cross over this Jordan.’”</p>	<p>“YHWH was angry with <i>me because of you</i>, and he vowed that I should not cross the Jordan and that I should not enter the good land that YHWH your God is giving for your possession. For I am going to die in this land without crossing over the Jordan, but you are going to cross over to take possession of that good land.”</p>

To believe Moses in the first of these declarations (1:34–37), the fate of the people's leader was played out at Qadesh-Barnea when the people refused to take possession of the land after the report of the twelve spies (see the de-

particular J. Schaper, “A Theology of Writing: The Oral and the Written, God as Scribe, and the Book of Deuteronomy,” in *Anthropology and Biblical Studies: Avenues of Approach* (eds. L. J. Lawrence and M. I. Aguilar; Leiden: Deo, 2004), 97–119; *idem*, “The Living Word Engraved in Stone: The Interrelationship of the Oral and the Written and the Culture of Memory in the Books of Deuteronomy and Joshua,” in *Memory in the Bible and Antiquity* (eds. L. T. Stuckenbruck et al.; Tübingen: Mohr Siebeck, 2007), 9–21; E. Otto, “Mose der Schreiber,” in *idem*, *Die Tora: Studien zum Pentateuch* (BZABR 9; Wiesbaden: Harassowitz, 2009), 470–79.

38 For more details, see Sonnet, *Book*, 185–92 and “Le rendez-vous du Dieu vivant. La mort de Moïse dans l'intrigue du Deutéronome (Dt 1–4 et Dt 31–34),” *NRT* 123 (2001): 353–72. P. J. Kissling, *Reliable Characters in the Primary History: Profiles of Moses, Joshua, Elijah and Elisha* (JSOTS 224; Sheffield: Sheffield Academic Press, 1996), 45–52, has developed a similar view, spelling out the contrast between the narrator's and Moses' declarations about his final fate.

tailed report by Moses in 1:20–45, rehearsing the events told by the narrator in Numbers 13–14). The people’s incapacity to welcome his gift has provoked God’s wrath: “Not one of these – not one of this evil generation – shall see the good land that I swore to give to your fathers” (Deut 1:35); Joshua and Caleb are the only individuals for whom God makes a nominal exception (1:36, 38; cf. Num 14:24, 30). Without transition, Moses carries on: “Even with me YHWH was angry *on your account*, saying, ‘You also shall not enter there’” (Deut 1:37). Moses thus presents his fate as linked to the people’s fate, and as originating in the people’s sinful refusal. In the second (3:26–27) and the third (4:21–22) passages, Moses reference to the people’s responsibility (“because of you,” “on your account”) drives the reader back to the context of the first passage, the people’s fault at the time of the explorers’ episode, since no mention is made in these two sections of any other incident in the march in the desert. Moses thus seems to hammer the same basic truth: his personal fate is explained by the collective fate, resulting from the people’s rebellion at Qadesh-Barnea. Such is the interpretation that, understandably, occurs to the reader; it is moreover the interpretation commonly elaborated in critical exegesis.³⁹

Deuteronomy, however, does not close without a powerful reversal in the matter. In the Tent theophany (in chap. 31–32), the theme of Moses’ final lot is tackled for the first time without Moses’ mediation. God’s revelation in the Tent opens with what could be termed a return of the repressed: “behold, your days approach that you must die” (31:14). In the last of his mentions of his non-crossing in Deuteronomy 1–4, Moses had given to his death parameters which were exclusively spatial: “For I am going to die in this land, I do not cross over the Jordan (כי אנכי מת בארץ הזאת אינני עבר את־הירדן)” (4:22). The two sentences are not coordinated, in particular temporally. Moses’ sentence could imply that he would die from old age on the Jordan bank where he was already staying. Giving spatial parameters to his death (“this land,” “I do not cross,” “the Jordan”), Moses has removed it from any temporal parameter and thus from any countdown. In the first four words of his revelation in chap. 31, God confronts Moses with the countdown within which his death is already inserted: “behold, your days approach that you must die” (v. 14).

In God’s next (and next-to-last) declaration to Moses (Deut 32:49–52), the temporal reordering is completed with a causal reordering, in a further return

39 About the theology of vicarious punishment in these verses, presenting Moses as a servant suffering for the sake of the people, see especially G. von Rad, *Deuteronomy* (OTL; Philadelphia: Westminster Press, 1966), 20–210; P. D. Miller, “‘Moses My Servant’: The Deuteronomistic Portrait of Moses,” *Interpretation* 41 (1987): 245–55 (253–54); M. Weinfeld, *Deuteronomy 1–11* (AB 5; New York: Doubleday, 1991), 150; J. Van Seters, *The Life of Moses. The Yahwist as Historian in Exodus-Numbers* (Kampen: Kok Pharos, 1994), 462; see especially D. T. Olson, *Deuteronomy and the Death of Moses: A Theological Reading* (Minneapolis: Fortress, 1994), which is entirely built on this assumption (see however p. 165).

of the repressed. God sets the record straight, restating the proper reason for Moses' death outside of the land:⁴⁰

“Ascend this mountain of the Abarim, Mount Nebo, which is in the land of Moab, across from Jericho, and view the land of Canaan, which I am giving to the Israelites for a possession; you shall die there on the mountain that you ascend and shall be gathered to your kin, as your brother Aaron died on Mount Hor and was gathered to his kin; because both of you broke faith with me among the Israelites at the waters of Meribat-Qadesh in the wilderness of Zin, by failing to maintain my holiness among the Israelites. Although you may view the land from a distance, you shall not enter it – the land that I am giving to the Israelites.”

Moses has quoted God's verdict in Deut 3:26–27 (“Go up to the top of Pisgah and look around you to the west, to the north, to the south, and to the east. Look well, for you shall not cross over this Jordan”), yet inserting clever gaps. God now fills in Moses' gaps, reminding him of what he has passed over in silence, starting with the announcement of his death and the motivation for his non-crossing. The indictment of Moses has thus nothing to see with the sin of the desert generation; it concerns an incident from the journey through the desert (“at the waters of Meribat-Qadesh in the wilderness of Zin” [32:51]) that Moses has been careful not to mention explicitly in his narration to the people. In his first speech, Moses, “unfairly blaming the people and, by his silence over his own sin at Qadesh, denying his own responsibility in his tragic fate,”⁴¹ has thus betrayed his incapacity to ratify the lot that God had reserved for him. His desolation has taken the form of resentment against the people – the thrice repeated “because of you” – and God's exasperation on the matter has been audible in his reaction in 3:26: “Enough from you! Never speak to me of this matter again!”

When God sets the record straight in Deut 32:49–52, Moses is in position to hear it: the prophet has gone through the *catharsis* of the revelation in the Tent theophany – a revelation poetically condensed in the song recited by Moses in Deut 32:1–43. Moses is now ready to ratify God's will, and this is particularly clear in the narrative of his death in chapter 34. The narrator indeed presents Moses' last actions as a literal accomplishment of the divine orders:⁴²

40 The difference in perspective between Deut 1–4 and 32:48–52 usually receives an explanation in terms of *Redaktionsgeschichte*: whereas the motif of Moses' non-entering in Deut 1–4 constitutes a Deuteronomistic elaboration, the notice in 32:48–52 represents a late interpolation by the Priestly redactor, see for instance M. Noth, *Überlieferungsgeschichtliche Studien* (Tübingen: Max Niemeyer Verlag, 1943²), 190–206, and most of the ensuing commentaries.

41 Kissling, *Reliable Characters*, 48. Struggling with a personal issue and lobbying for himself, he was at that point not acting in his position as prophet, mediator of the Torah (see Deut 1:3) or intercessor for the people (see 9:18–21, 25–29).

42 See R. Lux, “Der Tod des Moses als ‘besprochene und erzählte Welt’. Überlegungen zu einer literaturwissenschaftlichen und theologischen Interpretation von Deuteronomium 32,48–52 und 34,” *ZTK* 84 (1987): 395–425 (401).

	Deut 32:48–52 (God to Moses)	Deut 34:1–6 (the narrator)
1		
2		
3	v. 49a עלה <i>“Go up”</i>	v. 1a ויעל <i>And [Moses] went up</i>
	v. 49b וראה <i>“and see”</i>	v. 1b ויראהו <i>And [YHWH] made him see</i>
5	v. 50a ומת <i>“and die”</i>	v. 5 וימת <i>And [Moses] died</i>

Liberated from his procrastination and from his compulsion to fashion things, Moses, in his final deeds, conforms himself literally to God’s orders.⁴³ Moses expires in the intimacy of a perfect obedience to God’s word, responding to the imperative “and die” (32:50) – a climax in biblical experience.

At this point, the narrator dispels any misunderstanding about Moses’ determination to obey.⁴⁴ Moses’ readiness is in no way mixed with the pragmatic motives of someone whose natural death draws near; Moses dies in the full possession of his means: “Moses was a hundred and twenty years old when he died; his eye was not dim, nor his natural force abated” (Deut 34:7). In so saying, the narrator corrects what Moses gave as a rationale in 31:2 for his being succeeded by Joshua, in an attempt to impress his audience.⁴⁵ In the narrator’s portrait, Moses is in no way the impaired leader described in 31:2 (“I am now one hundred twenty years old. I can no more go out and come in, and YHWH has told me, ‘You shall not cross over this Jordan’”). Far from failing, his eyesight makes possible an exceptional panoramic vision of the land from the heights of Mount Nebo (34:1–3). Similarly, his “natural force” has not left him – has he not, apparently in one breath, just passed “from the plains of Moab to Mount Nebo, to the top of Pisgah” (34:1)? It is thus in his full vigour that Moses goes up the mountain deliberately to meet his fate, that is, God’s order. The crisis of the Tent theophany, the revelation and the recitation of the song, and the *rendez-vous* on the mountain, represent the ultimate education of a prophet, whose faithfulness is now brought to perfection in a silent, undivided obedience.

43 In the framework of the Pentateuch, Moses’ accomplishment without blemish of God’s orders is emphasized by the narrator’s comment: “And Moses, the servant of YHWH, died there in the land of Moab, at YHWH’s mouth/order (על-פי)” (34:5). Moses thus reverses the point of God’s accusation in Num 27:14: “because you rebelled against my mouth/order (פי) word in the wilderness of Zin.”

44 There is no lack of commentaries that resolve the tension in question by an explanation in terms of sources. The presentation of a weakened Moses in Deut 31:2 is ascribed to a Deuteronomistic redaction whereas the portrait of Moses in freshness and strength is generally attributed to the Priestly writer (because of affinities between Deut 34:7–9 and the P material in Num 20:29 and 27:18–23).

45 In Deut 34:7, as elsewhere, the intervention of the narrator represents, as Sternberg writes, “an authorized reference-point to which we may safely appeal in order to sort out and motivate the versions originating in the other participants” (*Poetics*, 413).

5.1. In the Sequence Numbers–Deuteronomy

In addition to its unfolding within Deuteronomy's inner-context, the theme of Moses' death and non-entry into the land is worth considering in the sequential context of Numbers–Deuteronomy. Moses' allegations in Deut 1–4 are indeed particularly problematic when considered against the background of the narrative in Numbers. Moses' claim that his condemnation stems from the people's fault in the Qadesh-Barnea incident raises the question of divine justice since, as Norbert Lohfink has stressed, Moses' innocence in the explorers' affair is substantiated by the narrative in Num 14:5–9.⁴⁶ God's verdict in Num 14 bans from the land those who have rebelled against YHWH in protesting against Moses and Aaron (see Num 14:2, 28–29), and identifies them with those “included in the census, from twenty years old and upward” (Num 14:29), that is, the men of all the tribes subjected to military service, of which the tribe of Levi is exempted (see Num 1:47). Moses, the Levite, is thus not indictable under the sanction in question. In Deut 2, when Moses tells of the effective disappearance of the desert generation, up to the last man, he specifies moreover “the entire generation of warriors (כל־הדור אנשי המלחמה) (2:14.16). Thus speaking Moses establishes the truth: he is not included in the “generation” of which he tells the dying out. In the Pentateuch's context, and thus in the Numbers–Deuteronomy context, the only divine fit of anger that ends with the proscription of Moses out of the promised land is the one told in Num 20:1–13, when, at the waters of Meriba (Meribat-Qadesh), YHWH asked Moses to speak to the rock and Moses instead hits it twice. Moses was then faulted in his most personal gift: his vocation to convey God's word.

Read against the background of the book of Numbers, Moses' art of editing becomes perceptible. In his narration of the incident of the spies (Num 13–14) in Deut 1:19–45, Moses, it turns out, has inserted an anticipation of a further incident, the one of Meribat-Qadesh (1:36–37, referring to Num 20:1–13). In so doing, he astutely exploits his licence as teller, recounting an event of which his audience has not been the protagonist:

46 See N. Lohfink, “The Problem of Individual and Community in Deuteronomy 1:6–3:29,” in *Theology of the Pentateuch: Themes of the Priestly Narrative and Deuteronomy* (Minneapolis: Fortress Press, 1994 [1960]), 227–33 (228). More recently, Lohfink went back over this opinion, asking himself whether Moses did not lead the people into mistake (“Narrative Analyse von Dtn 1,6–3,29,” in *Studien zum Deuteronomium V*, 57–110 [100–5]). The source narrative (Num 13–14) does not record any divine pronouncement on this point.

1	Deuteronomy 1	Numbers 14	Numbers 20	Numbers 27
2				
3	34 “When YHWH heard your words, he was wrathful and swore: 35 ‘Not one of these – not one of this evil generation – shall see the good land that I swore to give to your ancestors, 36 except Caleb son of Jephunneh. He shall see it, and to him and to his descendants I will give the land on which he set foot, because of his complete fidelity to YHWH.’	30 “Not one of you shall come into the land in which I swore to settle you, except Caleb son of Jephunneh and Joshua son of Nun.		
5				
10				
15	37 <i>Even with me YHWH was angry on your account, saying, ‘You also shall not enter (תבא) there.</i>		12 “ <i>you shall not bring (תביאו) this assembly into the land that I have given them.</i> ”	14 “... because you rebelled against my word in the wilderness of Zin when the congregation quarred with me. You did not show my holiness before their eyes at the waters.” (These are the waters of Meribath-Qadesh in the wilderness of Zin.) 15 Moses spoke to YHWH, saying, 16 “Let YHWH, the God of the spirits of all flesh, appoint someone over the congregation 17 who shall go out before them and come in (יבא) before them, who shall lead them out and bring them in (יביאם), so that the congregation of YHWH may not be like sheep without a shepherd.” 18 So YHWH said to Moses, “Take Joshua son of Nun, a man in whom is the spirit, and lay your hand upon him ...”
20	38 <i>Joshua son of Nun, your assistant, shall enter (יבא) there; encourage him, for he is the one who will secure Israel’s possession of it.</i>			
25	39 And as for your little ones, who you said would become booty, your children, who today do not yet know right from wrong, they shall enter there; to them I will give it, and they shall take possession of it. 40 But as for you, journey back into the wilderness, in the direction of the Red Sea.”	31 And as for your little ones, who you said would become booty, I will bring in, and they shall know the land that you have despised.		
30		32 But as for you, your dead bodies shall fall in this wilderness.”		

Moses’ editing equally shows in the interpolation, just after the mention of his ban from the land, of the theme of Joshua’s appointment as his successor – a theme anticipated from Num 27:12–23. It is only after this double interpolation that Moses resumes his quotation of God’s speech in Num 14 (“And as for your little ones, who you said would become booty” [Deut 1:39 = Num 14:31]).⁴⁷

47 About Moses’ art of editing in Deuteronomy, see Sonnet, *Book*, 44–49, 186. As Sternberg points out, Moses’ scrambling of Israel’s “grand chronology” in Deuteronomy departs from the biblical rule of telling the episodes in their chronological sequence: “Moses begins *in medias res* with the Horeb turning point (1:6), to which he later reverts again and again (e.g., 4:10, 33, 36; 5:1–28; 9:8–21, 25–29; 10:1–5; 18:16). He partly closes the huge *in medias* gap by glancing back at the descent into Egypt (10:22) and harping on the miracles of the

Making use of the licence of the one who (re-)tells a story, Moses brackets together events and words separated in time and place. The reproduction of direct speech through direct speech is no guarantee of integral restoration of the original discourse: the resources of editing, sequencing, and recontextualization of quoted words turn citation into a subtle rhetorical weapon.⁴⁸ In this exercise, Moses astutely shields himself from any reproach of pure invention, and creates a determined effect – the obscuring of his personal responsibility in his own fate. Astuteness, indeed: the incident in Num 20 opened with a quarrel by the people (vv. 2–5), that prompted Moses to beseech YHWH; in his triple mention of the incident in Deuteronomy, Moses made the most from the initial implication of the people in the affair (“because of you”) to bypass his own responsibility, the most determining, in the incident. He achieves the tour de force of exonerating himself while evoking in veiled terms the episode in which he was guilty.

6. If-Plots

With the exception of the regulation about the future king of Israel, Deuteronomy’s law code has been so far left outside of the present inquiry. Yet, far from being a parenthesis in Deuteronomy’s narrative momentum, the law code is a major catalyst in the story’s suspense.⁴⁹ In a recent essay, “If-Plots: Narrativity and the Law Code,” Sternberg has addressed the narrative dimension of legal utterances, with special attention to their biblical form.⁵⁰ In both their casuistic and apodictic constructions, Sternberg shows, legal utterances are best un-

exodus (e.g., 4:34; 7:8, 15, 18–19; 8:14; 11:3–4), but in no systematic fashion. He interpolates into the Golden Calf tale a series of references to Tab’erah, Massah, Kibroth-hata’avah, Kadesh-Barne’a, all locations where the Israelites have likewise ‘provoked the Lord with wrath’ (9:22–25). He abruptly recalls individual episodes such as God’s turning against him on the people’s account (4:21–22; 31:2), or the Korah rebellion (11:6), or Miriam’s leprosy (24:9). “None of this global shuffling,” Sternberg concludes, “has either precedent or sequel in the Bible’s own tradition, or for that matter any real equivalent in Homer’s or elsewhere before the precursors of modernism. But then the Bible not merely owes Moses a valedictory story, it can well afford to let him tell it his own way. After all, he does not so much tell as retell. Given the sequence of the Bible’s narrative canon, by the time we reach Deuteronomy the historical path Moses erratically retraces is as familiar to ourselves as to his dramatic audience, and as followable, hence foolproof; the matter is not essentially new, only the manner” (M. Sternberg, “Time and Space in Biblical (Hi)story Telling: The Grand Chronology,” in *The Book and the Text: The Bible and Literary Theory* [ed. R. Schwartz; Oxford: Blackwell, 1990], 81–145 [138]).

48 On this topic, see M. Sternberg, “Proteus in Quotation-Land: Mimesis and the Forms of Reported Discourse,” *Poetics Today* 3 (1982): 107–56 (130–33).

49 For more details, see J.-P. Sonnet, “If-Plots in Deuteronomy,” *VT* (forthcoming).

50 M. Sternberg, “If-Plots: Narrativity and the Law-Code,” in *Theorizing Narrativity* (eds. J. Pier and J. A. García Landa; Berlin: de Gruyter, 2008), 29–107; see also *Idem*, *Hebrews between Cultures: Group Portraits and National Literature* (Bloomington: Indiana University Press, 1998), 520–37.

derstood as “law-tales,” sketching out possible courses of action with the aim of regulating them. Understood as a “foretold story,” the miniature tale of the law is a “master tale” endowed with a “boundless story-generating power.”⁵¹ The narrative dimension of the legal discourse surfaces in the dynamics that it activates. The legal master-tale indeed triggers interrelated dynamics of suspense, curiosity, and surprise – the three dynamics that Sternberg posits as the core of narrativity – and all the more so by reason of the numerous gaps that characterize the formulation of the law (especially in a biblical context).⁵²

Suspense is the prime movement of these dynamics. In its chronological ordering (“if..., then...”), the law “privileges a future directed, hence suspenseful, teleo-logic of communication”: tensed up by the “if...,” the mind gains release from the “then...,” with all the intermediate uncertainties.⁵³ Futurity, indeed, “involves doubtful representation: contingent, hypothetical, provisional, ever vulnerable to chance and challenge. Whether what is projected to happen will in fact happen remains uncertain.”⁵⁴ In biblical lore, suspense prevails even in the eyes of the all-knowing God. When it comes to human freedom, the biblical God, the one who ensures the workings of retributive justice, withholds his knowledge and desires to know: “Remember the long way that YHWH your God has led you these forty years in the wilderness, in order to humble you, testing you *to know* what was in your heart, *whether or not* you would keep his commandments” (Deut 8:2). “Here even God’s extraordinary control and knowledge of the world,” Sternberg writes, “is realized only in enforcement after the fact, and so validates the rule of the scenario’s uncertain occurrence in the law-world.”⁵⁵

51 Sternberg, “If-Plots,” 42.

52 As pointed out by Sternberg (see “If-Plots,” 52–65), the logic of casuistic law asserts itself in the syntax: the “if... then” advances from protasis (e. g., “If you buy a Hebrew slave...”) to apodosis (“six years he shall serve”), that is, logically, from antecedent to consequent “with the chain mapped seriatim onto narrative time, dynamism, reasoning, chronologic, in short” (53). The apodictic “You shall...” / “You shall not...” equally represents and regulates a future course of action, yet in the most reducible and unqualified form. Whereas the casuistic if-premise qualifies the antecedent, albeit with elements of indeterminacy, the entire “if” is premised in silence in apodictic law. “From... a narrative viewpoint, the bare apodictic directive then jumps *in medias res*; nor does it provide the gapped exposition thereafter at that, behind time, leaving closure to the reader instead” (p. 56). Compare Bar-tor, *Reading Law*, 6: “Although [the apodictic laws] contain the potential for narrative... in their current textual form this potential remains merely latent.” The present inquiry focuses on the case-laws as Deuteronomy’s way to foreground the formal analogy between if/when-sentences of all kinds. The apodictic laws (first of all the Decalogue) however participate in the overall narrative economy of the book, suffice it to point to the way the Decalogue’s first stipulation “You shall have no other gods before me” (Deut 5:7) is rephrased in if-form in Deut 8:19.

53 Sternberg, “If-Plots,” 51.

54 Sternberg, “If-Plots,” 75.

55 Sternberg, “If-Plots,” 78. Yet, suspense does not exclude the opposite dynamic, governed by curiosity, and born of an opaque past. The statutory discourse is a web of uncertainties in reference and in antecedents, that prompt a continuous questioning – who is who in the

Deuteronomy's legal core (chapters 12–26) features about 50 instances of case-laws. Some of them are cast in the classical third person form, endowed with the basic legal function illustrated in the ancient Near East legal tradition and in the other pentateuchal law codes: "If (כי) a man is caught lying with the wife of another man, both of them shall die" (Deut 22:22). The book of Deuteronomy, however, tends to favor the if-you form, typical of a covenantal rhetoric that establishes a bond between the lawgiver and the addressee:⁵⁶ "When (כי) you draw near to a town to fight against it, offer it terms of peace" (Deut 20:10). In all these cases, whether in third or in second person, the subordinating conjunction כי means "whenever" or "if," and joins the conjunction וְ in the hypothetical sense of "suppose," "in the case where." In their generality, the "whenever," "in the case where" כי and וְ are revealing of the omnitemporality of the law. The law is omnitemporal for it is, as John Lyons writes, "time-bound, but temporally unrestricted."⁵⁷ Sternberg comments: "the law is time bound, since it represents some event(s) happening in the world, and therefore subject to contingency, mobilizing agents and counteragents, and exhibiting the peculiarly temporal features of sequentiality, directionality and duration. But the law is also time unrestricted, in that (unless stipulated otherwise) its life-span extends indefinitely."⁵⁸

Yet, to read Deuteronomy is to encounter before (and also alongside and after) these case-laws analogous syntactical forms in כי or וְ that have a different value, irreducible to the casuistic law import. These when- and if-sentences pertain either to Deuteronomy's historical plot, linked to God's promise (especially in the case of the כי-forms), or to Israel's overall decision about the law and the Lawgiver (especially in the case of the וְ-forms). Deuteronomy thus brings into play various kinds of if-plots – in casuistic law, prophetic admonitions, and hortatory speech – and, as I intend now to show, it combines them all within a single narrative purpose.⁵⁹

law-tale, what's what, when, and where, and why? But even the third universal, surprise, can intrude, when "an unknown precedent comes to light, an unexpected yet *a posteriori* defensible referent springs to the law-interpreter's mind" (51). That further evidence may overturn a conclusion taken for granted is attested in biblical wisdom, as stated in Prov 18:17: "The one who first states a case seems right, until the other comes and cross-examines."

56 As noted by Bartor, *Reading Law*, 36, the addressee does not participate in only five laws (see Deut 21:15–17; 22:13–19; 22:28–29; 24:5; 25:5–10). About the You form, which does not appear in other ancient Near Eastern law collections, see H. W. Gilmer, *The If-You Form in Israelite Law* (SBLDS 15; Missoula: Scholars Press, 1975); see also J. W. Watts, *Reading Laws: The Rhetorical Shaping of the Pentateuch* (Biblical Seminar 59; Sheffield: Sheffield Academic Press, 1999), 62–65.

57 J. Lyons, *Semantics* (Cambridge: Cambridge University Press, 1977), 680.

58 Sternberg, "If-Plots," 42.

59 The present perspective, properly narrative, is not to be confused with C. M. Carmichael's genetic and allegorical theory about the relationship between Deuteronomy's laws and the narrative corpus that stretches from Genesis through 2 Kings. For a critical assessment, see B. M. Levinson, "Calum M. Carmichael's Approach to the Laws of Deuteronomy," in *idem*,

6.1. כִּי-Plots in Deuteronomy: the Temporality of the Law and the Temporality of the Promise

Within the hortatory כִּי-sentences in Deuteronomy, a group stands out, in which Moses brings into play the imminent entry of the people into the land (in its different phases). The protases prefixed by כִּי, with either God or the people as subject, have in this case a concrete temporal import, associated with a non-repeatable history:

“When YHWH your God has brought you into the land...” (Deut 6:10; 7:1; 11:29).

“When you cross the Jordan to go in to occupy the land...” (11:31).

“When YHWH your God enlarges your territory, as he has promised you...” (12:20).

“When YHWH your God has cut off before you the nations...” (12:29; 19:1).

“When you have come into the land that YHWH your God is giving you, and have taken possession of it and settled in it...” (17:14; see also 18:9; 26:1).

The temporality in question is no longer the abstract (hypothetical) temporality of the law (“whenever,” “suppose”), but the concrete (and impending) temporality of the promise, stemming from God’s initiative, and formulated with prophetic authority. Moreover, as is made clear in Moses’ ultimate warning before the law code, the historical scenario embodied in the כִּי-sentences leads to the coming into force of the case-laws and to the people’s responsibility to observe them: “When you cross the Jordan to go in to occupy the land that YHWH your God is giving you, and (when) you occupy it and live in it, (then) you shall observe to do all the statutes and ordinances that I am setting before you today” (Deut 11:31–32). In other words, the divinely driven “when you come in the land...” prompts the coming into force of the multifold “when you...” and “if a man...” statutes and ordinances. Deuteronomy is therefore built on the meeting and the coupling of two future oriented narrative temporalities: the omnitemporality of the law and the particular, divinely bound, temporality of the promise.

Interestingly enough, the historical when-sentences are not only found in the hortatory speech that precedes (and follows) the law code, but also *within* the code in question: “When YHWH your God enlarges your territory, as he has promised you...” (Deut 12:20, in the altar law; see also 12:29, in a warning against idolatry; 15:6, in the law on the sabbatical year; 19:1–2, in the law on the cities of refuge; 26:1, in the law on the first fruits). In such cases, the protasis no longer represents a hypothetical human-bound situation; it represents a contingency in history associating the people with the realization of God’s promise, and in that measure is divinely bound. The unrestricted temporality of the law code is thus permeated by the concrete temporality of the promise and indeed of its effectuation. Both of them are future-oriented and thus suspenseful, even in the case of the divine promise, depending on particular

“*The Right Chorale*”: *Studies in Biblical Law and Interpretation* (FAT 54; Tübingen: Mohr Siebeck, 2008), 224–55.

1
2
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hows and whens; both, therefore, drive the reader forward in Deuteronomy's narrated history.

5 6.2. ׀-plots in Deuteronomy: life and death in perspective

10
Along with the ׀-sentences, Deuteronomy features a group of protases introduced by ׀, in either legal or exhortatory use. In Deuteronomic casuistic laws, the ׀-cases always formulate (sub-) provisions, further determining a general case introduced by ׀ (see Deut 20:11–12; 21:14; 22:2, 20, 25; 24:1, 12; 25:2, 7):

“When (׀) you draw near to a town to fight against it, offer it terms of peace.

If (׀) it accepts your terms of peace and surrenders to you, then all the people in it shall serve you at forced labor.

15
If (׀) it does not submit to you peacefully, but makes war against you, then you shall besiege it; and when YHWH your God gives it into your hand, you shall put all its males to the sword.” (Deut 20:10–12)

20
The casuistic formulation is akin to a process axiology, made of successive provisions (“When..., if..., and if...”) and successive branching choices. The purest form is the alternative, illustrated in some rare cases, as in Deut 20:11–12 just cited and in Deut 22:13–21. But, in any case, the ׀-provision is then subordinated to a more general ׀-protasis.

25
In Moses' exhortative use, on the other hand, the ׀-sentences are promoted as the master protasis: “If (׀) you will only listen to my commandments that I am commanding you today..., then I will give the rain for your land in its season” (Deut 11:13–14; see also 8:19; 11:22, 28; 15:5; 28:1, 15; 28:18; 30:17). The ׀-sentences of this kind in most cases pertain to commitments of allegiance and faithfulness to the deity in a covenantal relationship. The ׀-group in question betrays in this the clear influence of the ancient Near East vassal treaty literature: political covenants between suzerain and vassal, in remote Hittite, Neo-Assyrian, or Aramean fashion, are marked out by if-stipulations bearing on the vassal's loyalty. In Deuteronomy, the first of these sentences stipulates:

30
35
“If (׀) you do forget YHWH your God and follow other gods to serve and worship them, I solemnly warn you today that you shall surely perish.” (Deut 8:19–20)

40
42
43
44
The warning is a rehearsal of the first commandment of the Decalogue (5:7, 9: “you shall have no other gods before me... You shall not bow down to them or worship them”), now rephrased in conditional form. The primary stipulation of the covenantal treaty is turned into a hypothetical scenario, mapping out Israel's trajectory toward life or death. Whereas the circumstantial protases in casuistic laws lead to a full array of proportional legal conclusions, the people's overall obedience (or disobedience) here stipulated has a radical outcome (“you shall surely perish”). Just as in the past, God has been testing Israel in

the desert “to know what was in your heart, whether or not (אֵלֶיךָ) you would keep his commandments” (Deut 8:2), the present situation of the people is a place of life and death bifurcations.

The critical character of the alternative is particularly perceptible when the אִם-protases are construed with the verb שָׁמַע, “to listen, to obey,” in warnings occurring before the law code (and just before it: Deut 11:13–15, 27–28), in the law code (15:5), and after it (28:1, 15; 30:15–16, 17–18). In all these cases, the all-embracing character of the hortatory אִם-statements is noticeable. The protasis explicitly or implicitly (30:17) brackets the entire legal revelation: “the commandments,” “all these (his) commandments,” “my commandment,” “this entire commandment,” “his voice [by diligently observing all his commandments].” To the all-inclusiveness of the protasis corresponds the radicalization in the apodosis, that, in most cases, sets in perspective life and death, blessing and curse. Once more, a suspenseful plot is opened, one that drives the reader forward.

6.3. If-Plots in Deuteronomy’s Overall Plot

The “if you listen / don’t listen (שָׁמַע)” thread is joined by other key verbs that mark out Deuteronomy’s major plot, in particular the verb שָׁמַר, “to keep, to observe,” and עָשָׂה, “to do.”⁶⁰ Most interestingly, the two threads “listen” and “do” are the ones leading to the final action told in Deuteronomy, in Deut 34:9b (before the flashback of vv. 10–12): “And the sons of Israel *listened* to him [Joshua] and *did* as YHWH had commanded Moses.” In other words, the suspense attached to Deuteronomy’s if-plots finds a resolution in Deut 34:9. The people (i. e., Joshua’s generation) “listened” and “did” “just as YHWH had commanded Moses,” that is, they chose to listen to the commandments, as a whole (“if you listen...”) and in their individual (applicable) requirements (“if a man...”, “when you...”). Moreover they did so necessarily within the land, where the commandments came into force. What is first implied by the people’s compliance is indeed the fulfilment of God’s promise, in other words, the accomplishment of the “when you enter into the land” announcements.

The report by the narrator in Deut 34:9 “the sons of Israel listened ... and did” represents in particular the resolution of the suspense heightened in 31:16–29 by God’s disclosure to Moses of the people’s unfaithfulness:⁶¹ “Behold, you will lie down with your fathers; and this people will rise up, and prostitute themselves after the foreign gods of the land, into which they are going... They will turn to other gods and serve them, despising me and breaking my covenant” (31:16, 20). To the reader’s surprise, the last action by the

60 See B. A. Strawn, “Keep/Observe/Do – Carefully – Today! The Rhetoric of Repetition in Deuteronomy,” in *A God so Near: Essays on Old Testament Theology in Honor of Patrick D. Miller* (eds. B. A. Strawn and N. R. Bowen; Winona Lake: Eisenbrauns, 2003), 215–40.

61 God’s disclosure reactivates previous warnings and announcements by Moses in Deut 4:25, 8:19 and 29:21.

people told in Deuteronomy – their listening to Joshua and their compliance with the law taught and enforced by Moses – does not spring from the people’s unfaithfulness, but from their faithfulness.

The reader is thus compelled to revise his or her own understanding of God’s announcement in 31:16:⁶² the people’s apostasy will indeed follow Moses’ death, but not immediately (as Moses, and the reader with him, had dreaded); it will do so later in history. The announced apostasy did not come true in (or as) the immediate aftermath of Moses’ demise; it will befall in post-mosaic history after the time of remission represented by Joshua’s generation (see Judg 2:7, 10–12).⁶³ The dire predictions of unfaithfulness and apostasy uttered by Moses in Deuteronomy, and powerfully reformulated in the song “Give ear, O heavens,” are not nullified; the post-mosaic history, however, before anything else, opens on a scene of effective obedience. Contrary to all expectation, the people have initially chosen “life,” as Moses had however *also* prophesied in his final exhortation (see 30:19–20 and 32:47).

The narrative background of the summary in Deut 34:9, however, extends behind the crisis told in chapter 31. In “listening” and “doing,” the people comply with the commitment of the previous generation in the Horeb scene, as told in 5:23–33. Asking Moses to serve as mediator (“Go near, you yourself, and hear all that YHWH our God will say...”), the people add: “and we will listen and do it” (5:27). In other words, the commitment of the fathers (an echo to Exod 24:7)⁶⁴ takes effect in the compliance of the sons, made possible by the mediation of Joshua and by Moses’ Deuteronomical Torah.

7. The Prophet like Moses – No Prophet like Moses⁶⁵

A last track is worth attention, which leads Deuteronomy’s reader from chapter 1 to chapter 34, with a significant stop in the exact middle of the book (lo-

62 Revisions of this kind, E. Segal explains, illustrate a fundamental narrative law: “As long as the end has not been reached, [our] judgements [about the nature and degree of the text’s closure] would always be open to readjustment (including a complete reversal), because what is left of the text may contain further developments: what appears open may yet be closed, and what appears closed may yet be reopened” (“Closure in Detective Fiction,” *Poetics Today* 31 [2010]: 153–215 [156]).

63 See in particular W. Groß, Richter (HTKAT; Freiburg im Breisgau: Herder, 2009), 208. The historical scenario in question is corroborated by the alternative set up by Joshua in his testament in Josh 23:14–16 (I thank K. Finsterbusch for this observation).

64 The commitment in Exod 24:7 was solemn for sure, but was not followed (within the limits of the book of Exodus) by a report by the narrator “they did and they listened.” The heeding and the compliance of the people in Deut 34:9 is therefore not only the reception of the act of communication that opened in Deut 1, it is also the conclusion of a more encompassing communicational venture, initiated in the first chapters of Exodus and crowned at Sinai; see Sonnet, *Book*, 244–46.

65 For more details, see J.-P. Sonnet, “La construction narrative de la figure de Moïse comme prophète dans le Deutéronome,” *Revue de Théologie et de Philosophie* 142 (2010): 1–20; see

cated in 18:10). In its central section, in 18:9–22 (within the regulations about the distribution of offices in the future Israel), Deuteronomy features the figure of the “prophet like Moses,” who will indeed mediate the resolution of the book’s overall narrative plot.

7.1. First Impressions

The incipit of Moses’ (first) speech (Deut 1:6–8) generates definite “first impressions,” which, like a compass, orient the reader throughout the book:⁶⁶

“YHWH our God spoke to us at Horeb, saying: ‘You have stayed long enough at this mountain. Resume your journey ... See, I have set the land before you; go in and take possession of the land that I swore to your fathers, to Abraham, to Isaac, and to Jacob, to give to them and to their descendants after them.’”

In every narrative, Sternberg writes, the first scene “naturally assumes a special conspicuousness and significance. The author’s finding it to be the first time-section that is ‘of consequence enough’ to deserve full scenic treatment turns it, implicitly but clearly into a conspicuous signpost.”⁶⁷ The same can be said about Moses’ incipit in his quality as internal narrator. Moses’ account opens with a divine quotation that dragged the people away from Horeb as from a completed act, and propelled Israel – as much as Deuteronomy’s action – toward the land. But the first regulation expounded by Moses no less holds the audience and the reader’s attention. It is dedicated to the appointment by Moses of “men wise, discerning, and reputable in your tribes” as leaders, officials and judges (11:11). In Exodus, the episode is told *before* the Sinai revelation (in 18:13–27), and the social organization in question originates as a proposal by Jethro, the Midianite father-in-law of Moses.

In his account in Deuteronomy, Moses narrates the episode *after* having mentioned the order of departure from Horeb (and before telling of the departure in question, in 1:19); it is Moses now who raises the issue – “how can I bear the heavy burden of your disputes all by myself?” (1:12) – and provides the solution. How is this double shift, temporal and causal, to be explained? A redactional and ideological rationale probably lies behind Deuteronomy’s reformulation, which enlists Jethro’s reform within the Horeb legacy.⁶⁸ The

also D. Markl’s perceptive developments in “Moses Prophetenrolle in Dtn 5; 18; 34. Strukturelle Wendepunkte von rechtshermeneutischem Gewicht,” in *Deuteronomium – Tora für eine neue Generation*, 51–68.

66 About the phenomenon of “first impressions” in the psychology of perception and in the act of reading, see M. Sternberg, *Expositional Modes and Temporal Ordering in Fiction* (Baltimore: Johns Hopkins University Press, 1978), 93–102, and Perry, “Literary Dynamics,” 54–58.

67 Sternberg, *Expositional Modes*, 20.

68 See in particular B. Levinson’s suggestion that “Deuteronomy’s authors have ‘re-chronologized’ the narrative sequence of Exodus in order to ensure the dignity and prestige of revelation itself ... The revised version of Deuteronomy 1 grants divine revelation of law its

craftiness of the shift, however, equally lies in its narrative formulation. The Deuteronomic Moses indeed makes the most of the formula that opens his retelling: “*At that time* (בעת ההוא) I said to you” (1:9). In Deuteronomy, the phrase functions as a rhetorical marker, pertaining to Moses’, or the narrator’s, art of retelling.⁶⁹ The fifteen instances (Deut 1:9, 16, 18; 2:34; 3:4, 8, 12, 18, 21, 23; 4:14; 5:5; 9,20; 10,1, 8) signal what could be termed “authoritative secondary disclosures”: Moses (or the narrator in 10:8) reveals what was not told in the preceding account of Exodus–Numbers, or what has not been told before *in the way* it is now presented. The formula could be paraphrased “It was (actually) at that time that...,” and signals the filling of gaps in the overall *fabula* of Israel’s journey in the desert.⁷⁰ It signals here an authorized clarification by Moses, who profits from the loose temporal reference of the phrase בעת ההוא: the expression “at that time” has no objective temporal limit and can refer to a restricted as well as to an extended stretch of time: “Rather than limiting itself to pinpoint linkage,” Sternberg writes apropos the expression, “the Bible typically exploits the flexibility of reference in either direction to vary the shape and sense of time, ambiguity included.”⁷¹ The loose time frame of the expression thus enables Moses to associate the social reorganization in question with the overall Sinai/Horeb experience and with its authority.

What should be observed in particular is the impression created by Moses’ rhetorical opening. By selecting this episode as the first mentioned regulation, Moses brings to the fore a theme associated with his own impending disappearance from the stage: the division and distribution of offices in the people’s leadership. Moses thus creates definite “first impressions,” which will impinge on the reader’s memory and expectations throughout the book. From its opening on, Deuteronomy is the story of a prophetic leader who is providing for his succession. Ensuing provisions (implying the father of family in Deut 6:4–9; 11: 18–21, and the Levites in 10:8–9) will further prepare the reader to the momentousness of Deuteronomy’s central section (16:18–18,22), a treatise on the matter, regulating the offices of judge, king, priest and Levite, and prophet in “landed” Israel.

proper chronological priority over the judicial apparatus... It should already be evident that the authors of Deuteronomy 1 have also taken it upon themselves to correct the second major difficulty raised by Exodus 18, whereby both the initiative and the inspiration for the system of judges had come from Jethro, the Midianite father-in-law of Moses. Deuteronomy rejects that foreign derivation” (“The First Constitution: Rethinking the Origins of Rule of Law and Separation of Powers in Light of Deuteronomy,” *Cardozo Law Review*, 27/4 [2006]: 1853–88 [1868]).

69 The formula בעת ההוא, “at that time,” has been explained as an editorial device. In S.E. Loewenstamm’s view (“The Formula *ba’et hahi’* in the Introductory Speeches in Deuteronomy,” in *idem, From Babylon to Canaan: Studies in the Bible and in Its Oriental Background* [Jerusalem: Magnes Press, 1992], 136–66), it marks instances where redactors supplied historical details passed over in a previous version of Deuteronomy’s account. This should not divert the interpreter from the narrative pertinence of the formula.

70 See Sonnet, *Book*, 66–67.

71 Sternberg, “Grand Chronology,” 144 n. 15 (see also 123–24 apropos Gen 38:1).

7.2. The Prophet like Moses

Deuteronomy's section on the distribution of offices ends on a figure, the "prophet like Moses," which has a definite relevance within the book's narrative plot. The regulation in Deut 18:15–22 is actually the second provision about prophecy in the law code, after the provision in 13:1–5 against the prophet whose call amounts to an invitation to apostasy: "Let us follow other gods ... and let us serve them" (13:2). Whereas the regulation in chapter 13 is a warning against a wrong figure ("You will not listen to the words of that prophet" [13:3]), the law in chapter 18 is focusing on a normative figure, the prophet like Moses: "to him you will listen" (18:15), God enjoins, for he "shall speak to [the people] everything that I command" (18:18). The announcement of the prophet in question is accompanied by the formulation of the criterion that will enable the people to recognize true and false prophecy: "If a prophet speaks in the name of YHWH but the thing does not take place or prove true, it is a word that YHWH has not spoken" (18:22). No less than the figure of the prophet like Moses, the criterion just mentioned will apply within Deuteronomy: the story it tells is the story of a prophetic communication, from its enunciation to its reception.

Exactly as Moses' status as mediator, God's promise of a prophet like Moses in Deut 18 originates in the request by the people at Horeb. So is it established by Moses:

Deut 5:23–28

"You approached me, all the heads of your tribes and your elders; and you said: '... Now therefore why should we die? For this great fire will consume us: if we continue (יִסְפִּיִם) to hear the voice of YHWH our God, we shall die.' ... YHWH heard your words when you spoke to me, and YHWH said to me: 'I have heard the words of this people, which they have spoken to you; they are right (הֵיטִיבוּ) in all that they have said (דִּבְרוּ).'"

Deut 18:16–17

"For this is what you asked of YHWH your God at Horeb on the day of the assembly when you said: 'I will not continue (אֲסָף) to hear the voice of YHWH my God nor see this great fire anymore, or I will die.' And YHWH replied to me: 'They are right (הֵיטִיבוּ) in what they have said (דִּבְרוּ).'"

At Horeb, Moses tells, the people made use of the verb יִסָּף, *hiphil*, "to add, to do again, to continue" (5:25). Their request of a prophetic mediator was the result of their fear of hearing God's voice again. In 18:16–17, God not only quotes their initial request, but expresses his assent the same way: "they are right (הֵיטִיבוּ) in [all] that they have said (דִּבְרוּ)" (cf. 5:28). The mediation of the prophet like Moses is thus a direct continuation of the mosaic mediation, in continuity with Deuteronomy's opening theme (the transmission of offices in the post-mosaic era).⁷²

⁷² It should be noted that the combination of the verbs יִסָּף and דָּבַר in Deut 5:28 and 18:17 echoes the people's answer to Moses' own move in favour of mediators (and successors) in

The contrasting figures of the false prophet in Deut 13 and the prophet like Moses in Deut 18 announce future participants in the people's history; yet Deuteronomy's main protagonists, Moses and Joshua, are themselves caught up by the figures in question. In the crisis of Deuteronomy 31, God's revelation of the people's future apostasy brings back on the stage the figure of the apostate prophet, and this in connection with Moses himself. "Behold," God says to his prophet, "you will lie down with your fathers; and this people will rise up, and prostitute themselves after the foreign gods of the land, into which they are going; they will forsake me, breaking my covenant that I have made with them" (31:16). *Post hoc, propter hoc*: the people's apostasy will follow Moses' withdrawal; will it, in a sense or in another, be caused by Moses? In other words: will Moses, acting as an avatar of the apostate prophet, catalyze the people's defection? It would be bitter irony for the prophet who has transmitted the warning in question. The narrator's statement in 34:9 will however establish the opposite outcome – in accordance with Moses' final fit of hope, at the end of his own catharsis (see 32:46–47).

On the other hand, the statement by the narrator in Deut 34:9, "the sons of Israel listened to him (וישמעו אליו) [Joshua], and did as YHWH had commanded Moses," echoes Moses' injunction about the prophet promised by God, "To him you will listen (18:15) (אליו תשמעון)," and prompts the identification of Joshua with the "prophet like Moses."⁷³ Yet the narrator's assertion represents also a surprise since Joshua has never been described as a (future) teaching prophet, but rather as a military leader (see 1:38; 3:21, 28; 31:7–8, 23). The rationale provided by the narrator in the first part of 34:9, "Joshua son of Nun was full of the spirit of wisdom, because Moses had laid his hands on him," is equally part of the surprise, for Joshua's appointment by Moses has been not been presented in Deuteronomy as a transmission of "the spirit of

1:14, which features the adjective טוב and the substantive דבר: "You answered me and said, 'The thing you have said is a good one (טוב־הדבר).'" For further correspondence between Deut 5:23–31 and 18:15–22, see Markl, "Moses Prophetenrolle," 56–57.

73 Abraham Ibn Ezra (1089–1164) observed the echoing effect between 18:15 and 34:9, and accordingly identified Joshua with the promised prophet (see his comment on Deut 18:15, taken up by Hizquni [Hezekiah b. Manoah – 13th century]); see also E. Otto, *Die Tora. Studien zum Pentateuch: Gesammelte Aufsätze* (BZAR 9; Wiesbaden: Harrassowitz, 2009), 209. Joshua turns out to be the first (and the exemplary) figure of a series of prophets sent by Yhwh – "my servants, the prophets" (2 Kgs 17:13.23; 21:10; 24:2) – in order to warn the people and avoid the catastrophe of the exile; the last representative of the series is apparently Jeremiah (see Jer 7:25; 25:4; 26:5; 29:19 MT; 35:15; 44:4). On this issue, see J. Blenkinsopp, *Prophecy and Canon: A Contribution to the Study of Jewish Origins* (South Bend: University of Notre Dame Press, 1977), 39–53; Sonnet, *Book*, 196–97; C. Nihan, "'Un prophète comme Moïse' (Deutéronome 18,15). Genèse et relectures d'une construction deutéronomiste," in *La construction de la figure de Moïse: The Construction of the Figure of Moses* (ed. T. Römer; *Transeuphratène*, Supplément 13; Paris: Gabalda, 2007), 43–76 (56–59); Markl, "Moses Prophetenrolle," 65. The narrator's summary in 2 Kgs 17 however reveals that the further prophets met a fate that contrasted with Joshua's: the people "did not listen" to them (v. 14). The contrast highlights the deliberate refusal of the people in their non-listening.

wisdom” (cf. 3:21; 31:7–8). An aspect of Joshua’s installation by Moses has been kept hidden, which now comes to the fore and matches God’s initiative to raise up a prophet like Moses (18:18). In his office as mediator of the law, Joshua thus embodies an unanticipated role,⁷⁴ yet it is the role that was left hanging in Moses’ announcements, the role of the prophet like Moses. The activation of Moses’ Torah, with all its objective mediations, required the subjective mediation of a Deuteronomic prophet,⁷⁵ as was, besides, announced by God. The pieces of the puzzle get assembled in their reflexive symmetry:

Deut 1:3	Deut 13,1–5 (the prophet apostate)	Deut 18:15–22 (the “prophet like Moses”)	Deut 34:9
	4 “You will not listen (לא תשמע) to the words of that prophet or dreamer of dreams”	15 “To him you will listen (אליו תשמעון)”	And the sons of Israel listened (וישמעו) to him [Joshua] and did as YHWH had commanded Moses (ויעשו כאשר צוה יהוה את־משה).
Moses spoke to the sons of Israel according to all that YHWH had commanded him unto them (ככל אשר צוה יהוה אתו אלהם).	5 “to his [YHWH] voice you shall listen (ובקלו תשמעו)”	20 “But the prophet who presumes to speak in my name a word that I have not commanded him (אשר לא־צויתיו) to speak [...] – that prophet shall die.”	

The sequence “To him you will listen” → “And the sons of Israel listened to him [Joshua]” has a decisive consequence for Moses’ status as well. The criterion given by Moses in Deut 18 about authentic prophecy was the criterion of fulfillment (expressed negatively): “If a prophet speaks in the name of YHWH but the thing does not take place or come true, it is a word that YHWH has not spoken” (v. 22). The heeding of Joshua by the sons of Israel recorded in 34:9 is actually nothing else than the accomplishment of Moses’ announcement (and exhortation): “To him you will listen.” Deuteronomy is thus the stage of an ef-

74 The reader will however recall previous hints: Joshua has been called in the Tent of meeting together with Moses in Deut 31:14–15, and the Tent is a place of oracular revelation; Joshua has been linked to Moses in the recitation of the song (see 32:44), and the song in question is a divine revelation to be taught (see 31:19). Here too, additional meaning is provided by the sequence Numbers–Deuteronomy since the narrator’s comment in Deut 34:9a refers to God’s injunction in Num 27:18–20: “And YHWH said to Moses: ‘Take Joshua son of Nun, a man in whom is the spirit, and lay your hand upon him; have him stand before Eleazar the priest and all the congregation, and commission him in their sight. You shall give him some of your authority, so that all the congregation of the sons of Israel may listen (ישמעו)’” (see the report of the carrying out in vv. 22–23).

75 The prophet in question necessarily distances himself from the apostate prophet, as is clear in the contrast between Deut 34:9b: “And the sons of Israel listened to him [Joshua] and did as YHWH had commanded Moses (באשר צוה יהוה)” (cf. 1:3) and 13:20: “But the prophet who presumes to speak in my name a word that I have not commanded him (אשר לא־צויתיו) to speak [...] – that prophet shall die.” I thank N. Lohfink for this observation; see also Markl, “Moses Prophetenrolle,” 60, apropos the relationship between 1:3 and 18:18, 20.

fective and literal fulfillment of a word formulated by Moses in God's name, and this confirms Moses' quality as a prophet – according to the criterion he has himself taught.

7.3. The Spirit of Wisdom

As in any narrative surprise, the characterization of Joshua in Deut 34:9 as “full of the spirit of wisdom” (מלא רוח חכמה) prompts the reader to reassess the narrative that has been read, and drives the reader back to antecedent significant clues. The first measure told by Moses was his appointment of “men wise (חכמים), discerning, and reputable in your tribes,” as leaders, officials, and judges (1:13; see also 1:15).⁷⁶ Wisdom was thus the chief quality expected by Moses in his lieutenants in the administration of the people. A significant arc is so created between the incipient mediation of Moses' “wise” attendants and the arch-mediation of Joshua, “full of the spirit of wisdom.” The word “wisdom” (חכמה) occurs just twice in Deuteronomy, and its use in 34:9 echoes its first occurrence in 4:6, where it qualifies the people in their faithful reception of Moses' Torah: “Keep therefore and *do* [these statutes and sentences]; for this is your wisdom and your understanding before the eyes of the nations, which shall hear all these statutes, and say: ‘Surely this great nation is a wise and understanding people.’” In 34:9, the mediation of Joshua “full of the spirit of wisdom” prompts the people to *do* the commandments in question. The surprise in the qualification of Joshua thus retrospectively activates signals posted in Deuteronomy's first chapters.

Does Joshua's characterization as “full of the spirit of wisdom” get further illumination when considered in the framework of the Pentateuch? The story told in Numbers provides a rationale for Joshua's endowment with (divine and mosaic) *spirit*. The episode in Num 11:4–30 – seventy elders have a share in Moses' prophetic spirit (see Num 11:25, 26, 29) – establishes a precedent, and in Num 27:18, Joshua is described as “a man in whom is spirit.” Yet in both cases, it is a matter of “spirit” *tout court*. Further illumination is however provided when the ending of Deuteronomy is considered within the Exodus–Deuteronomy sequence. Deuteronomy is in many ways a “cover version” (in form of resumption and supplementation) of the story told in Exodus, and this in relation to the legal revelation mediated by Moses. The mirroring of the action is at times efficiently reinforced by verbal echoing,⁷⁷ and this seems to be the case in the combination of “spirit” and “wisdom,” which associates Joshua with a definite figure in the book of Exodus.

76 Deuteronomy features three further uses of “wise”: in 16:19 about impartiality in justice, and 32:6, 29 about the people's lack of wisdom.

77 See, for instance, the correspondence between Deut 5:25–31 and Exod 20:19 about Moses' prophetic mandate, and the echoing of Exodus' closure, “before the eyes of all the house of Israel” (Exod 40:38), in the final words of Deuteronomy, “before the eyes of all Israel” (Deut 34:12).

The implementation of God's revelation to Moses about the sanctuary in Exod 25–31 implied the mediation of men whom God had filled with “spirit” and with “wisdom.” They first appeared in Exod 28:3 under the traits of the artisans “whom I filled with the spirit of wisdom (אשר מלאתינו רוח חכמה),” entrusted with the making of the sacerdotal vestments. Their function received its iconic figure in Bezalel of whom God said in Exod 31:3: “I have filled him with the spirit of God, in wisdom (ואמלא אתו רוח אלהים בחכמה), and in understanding, and in knowledge, and in all manner of workmanship” (see also Exod 31:6 and 35:31, 35; 36:1–2). Thanks to the wisdom of Bezalel and of his collaborators, the comprehensive artisanal realization of the portable sanctuary was brought to completion. The achievement is altogether credited to Moses,⁷⁸ and to the people as a whole: “the sons of Israel did according to all that YHWH had commanded Moses (ויעשו בני ישראל ככל אשר צוה יהוה את־משה), so did they” (Exod 39:32; see also 39:42); “they had done [the work] as YHWH had commanded (כאשר צוה יהוה)” (Exod 39:43). Interestingly enough, the theme repeated in the finale of Exodus is rehearsed at the closing of Deuteronomy: “the sons of Israel ... did as YHWH had commanded Moses (ויעשו כאשר צוה יהוה) (יהוה את־משה). No less than Exodus, Deuteronomy ends on the comprehensive implementation by the people of the divine injunctions mediated by Moses. The shift in matter is significant: whereas the people's dedication in Exodus was about the construction of the sanctuary, their obedience in Deuteronomy concerns the Deuteronomic Torah as such. It is now Joshua, filled with “the spirit of wisdom” no less than Bezalel, who brings about the completion of God's order (both of them are mediators of God's mediator, in a remarkable transitivity). In its wording, Deut 34:9 thus conflates in Joshua the figure of the prophet like Moses (“to him you will listen” [Deut 18:15]) and of Bezalel (thanks to whom “the sons of Israel did as / according to all that YHWH had commanded Moses” [Exod 39:32, 42, 43]). Yet what the sequence Exodus–Deuteronomy enhances is equally achieved within Deuteronomy: at the outset of his speech, Moses has provided for deputies filled with wisdom (see 1:13, 15); in his final portrait, Joshua, “full of the spirit of wisdom,” appears as the epitome of Deuteronomy's system of mediators.

8. Conclusions

Reaching Deut 34:9, the reader understands that Deuteronomy's essential design lies in the shift the ending tells: to the extent that Moses' Torah gets heeded and implemented, the agent of its effective reception is Joshua, not Moses. Deuteronomy is thus the story of a prophet who makes himself understood when he is no longer present on the stage and in history, and who does so through a second self (cf. Isa 8:6–20 and Jer 36). At the same time, the

⁷⁸ See in particular Exod 40:16, 19, 21, 23, 25, 27, 29, 32.

surprise created by 34:9b is not a surprise *ex nihilo*: Joshua's mediation is the epitome of all the expedients set up by Moses himself in his Torah. Deuteronomy is thus the story of the prophet who makes himself understood *in absentia* yet not without having taken all the *ad hoc* provisions – he has written “up to the end” (31:24), sung “up to the end” (31:30) and “finished” speaking (32:45). To the reader of Deuteronomy, the statement by the narrator in 34:10, “And there arose not a prophet since in Israel like unto Moses, whom YHWH knew face to face,” thus appears like the conclusion of a demonstration. The praise arises immediately after the report of 34:9: “the sons of Israel listened to [Joshua] and did as YHWH had commanded Moses.” The immediacy of God's relationship with Moses (“he knew him face to face”) goes along with the mediation of Joshua, the prophet like Moses and the first embodiment of the post-mosaic institutions set up by the matchless prophet – the mediation of the book included.

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