

“Then Moses Wrote This Torah” (Deut 31:9): The Relationship of Oral and Written Torah in Deuteronomy

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1. Introduction: Two Levels of Communication

Is Deuteronomy oral speech or written text? Obviously, it is both:

Almost all the book consists of reported speech, mostly in direct discourse and mostly of Moses, whereas only about fifty-six verses are reporting speech, the Deuteronomic narrator's, which form the context for Moses' utterances.¹

Robert Polzin, in his ground-breaking study *Moses and the Deuteronomist*, applied Bakhtin's dialogic model² with its distinction between “reported speech” and “reporting speech” to Deuteronomy. Polzin distinguished between the Mosaic voice (reported speech) and the voice of the narrator (reporting speech), whereby the latter is identified with the Deuteronomistic (which Polzin called “Deuteronomic”) narrator who presents himself as a “prophet like Moses.”³ According to Polzin, the “frame-breaks” of the narrator have the function to undermine the unique status of Moses:

The narrator's utterances are spoken in two ideological voices which interfere with one another: an overt, obvious voice that exalts Moses and plays down its own role, and a hidden voice that will soon exalt itself at the expense of Moses' uniqueness.⁴

Of course, the distinction of these two voices also includes a distinction of two different audiences: the audience of Moses, and the audience of the narrator.⁵

Jean-Pierre Sonnet picked up Polzin's observations but also modified them. Although the role of textualization is implied by the expression “reported speech,” textualization plays no explicit role in Polzin's theory:

¹ Robert Polzin, “Reporting Speech in the Book of Deuteronomy: Toward a Compositional Analysis of the Deuteronomic History,” in *Traditions in Transformation: Turning Points in Biblical Faith*, ed. Baruch Halpern and Jon D. Levenson (Winona Lake, IN: Eisenbrauns, 1981), 194.

² Mikhail Bakhtin, *Problems of Dostoevsky's Poetics* (Ann Arbor, MI: Ardis, 1973).

³ Robert Polzin, *Moses and the Deuteronomist: Deuteronomy, Joshua, Judges*, vol. 1 of *A Literary Study of the Deuteronomy History* (New York: Seabury, 1980), 61. Cf. Polzin, “Reporting Speech,” 200–211.

⁴ Polzin, *Moses*, 34.

⁵ Polzin, “Reporting Speech,” 207.

In his opinion Deuteronomy's poetics consists in a dialectic of "speeches." Moses' communication, however, actually eventuates in the writing of the Torah "book." In other words, Deuteronomy includes the theme and aspect of *written* communication.⁶

Despite this and other critical remarks, Sonnet built on Polzin's basic observations. The interpolated comments of the narrator, according to Sonnet, reveal "a double act of communication":

(1) from Moses to his addressees in the plains of Moab; (2) from the narrator to the readers. The starting point is that each group remains in its own sphere of communication (Moses never addresses the readers as such). The latter-day readers are in the position to receive information that is denied to Moses "historical" addressees.⁷

These two acts of communication are introduced in Sonnet's monograph on the first page:

In this study I intend to describe Deuteronomy's way of combining the 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.⁸

It becomes clear here that Moses' addressees are listeners to an oral Torah, while the book's addressees are readers of a written Torah. Indeed, Sonnet consistently refers to the addressees of the second level as "readers." In a later article he titles this as a process "From Oral to Written Communication":⁹ while the oral communication remains on the level of the narrative, the written communication bridges the gap between Moses and a later audience. Moses himself "is apparently entirely on the side of orality."¹⁰

This certainly raises questions about the effective transmission of the Torah from one bank of the Jordan to the other: what will assure the transmission and the reproduction of "all the words of this Torah" (Deut 27:3, 8) [...]? The enigma is solved in 31:9, when the narrator reports: "Moses wrote down this Torah" [...].¹¹

If I understand Sonnet correctly, the oral communication belongs mainly to the past of Mosaic time, while the written communication reaches the readers of the coming generations.

Taking these observations as a starting point, and including some recent insights on scribal culture and the interaction of oral and written tradition processes, I will outline here a more nuanced interpretation of the interaction between oral and written Torah in Deuteronomy.

⁶ Jean-Pierre Sonnet, *The Book within the Book: Writing in Deuteronomy* (Leiden: Brill, 1997), 2–3, emphasis original.

⁷ Sonnet, *Book*, 239.

⁸ Sonnet, *Book*, 1.

⁹ Jean-Pierre Sonnet, "The Fifth Book of the Pentateuch: Deuteronomy in Its Narrative Dynamic," *JAJ* 3 (2012): 207.

¹⁰ Sonnet, "Fifth Book," 209.

¹¹ Sonnet, "Fifth Book," 210.

2. The Interaction of Oral and Written Communication

While for Sonnet written communication seems to supersede and replace oral communication in Deuteronomy,¹² David Carr makes a strong case for a much closer interaction of oral and written communication in the ancient Near East:

One starting point for this alternative picture is the fact that many ancient texts were not written in such a way that they could be read easily by someone who did not already know them well. [...] Though someone might have such a text before him or her in order to dictate to others or even perform the text, it would function more the way a musical score does for a musician who already knows the piece than like a book the reader has never encountered before.¹³

This fits well with the observation that “the picture presented by Deuteronomy is not one of Moses writing the ‘book of the *torah*’ first, and then reading it to the people.”¹⁴ Rather, when Moses writes the Torah down, it is already orally known

¹² Similarly already Julius Wellhausen, *Prolegomena zur Geschichte Israels*, 6th ed. (Berlin: Reimer, 1905), 408: “Die Einführung des Gesetzes, zunächst des Deuteronomiums, sodann des ganzen Pentateuchs, war in der Tat der entscheidende Schritt, wodurch die Schrift an die Stelle der Rede trat und das Volk des Wortes ein Volk des Buches wurde.” Cf. also Karel van der Toorn, *Scribal Culture and the Making of the Hebrew Bible* (Cambridge, MA: Harvard University Press, 2007), 225: “The innovation of Deuteronomy lies not in the fact of its being written Torah, then, but in its claim to be a source of authority overruling the oral tradition.”

¹³ David M. Carr, *Writing on the Tablet of the Heart: Origins of Scripture and Literature* (New York: Oxford University Press, 2005), 4.

¹⁴ Geert J. Venema, *Reading Scripture in the Old Testament: Deuteronomy 9–10; 31; 2 Kings 22–23; Jeremiah 36; Nehemiah 8*, OS 48 (Leiden: Brill, 2004), 41. The picture, however, is a bit more complicated since a written document is already mentioned in Deut 17:18; 29:19, 20, 26; 30:10. I concur with Eckart Otto, *Deuteronomium 1,1–4,43*, HThKAT (Freiburg: Herder, 2012), 205–6, that this tension cannot be resolved unless Deuteronomy is integrated into the narrative of the whole Pentateuch: “In gesamt-pentateuchisch-synchroner Lektüre löst sich die [...] Aporie in Bezug auf die *spr*-Belege in Dtn 29–30, da in pentateuchischer Perspektive die Sinaiperikope und damit Ex 24,3–8 und Moses Schreiben eines *spr* im Rahmen des Sinai-bundesschlusses nicht nur als ‘Wissensstoff’, wie J.-P. Sonnet meint, sondern literarisch in der Leserichtung vorauszusetzen ist. [...] In Dtn 29,19.20.26 soll der Leser des Deuteronomiums wie bereits in Dtn 17,18 erkennen, dass er auf Moses Auslegung der am Sinai von Mose verschrifteten Bundesurkunde gewiesen ist. Die Frage, welcher Status der Auslegung im Verhältnis zur sinaitischen Bundesurkunde zukommen soll, wird mit der Verschriftung auch dieser Auslegung in Dtn 31,9,24 beantwortet. Sie erhält neben die Lade gelegt den Status einer Bundesurkunde des Moabbundes als Auslegung der Sinaitora. So soll einerseits die Identität von Sinai- und Moabtora unterstrichen werden, andererseits aber soll die Differenz zwischen der Moabtora als Auslegung und der Sinaitora als ausgelegter erkennbar bleiben.” Cf. Eckart Otto, “Mose, der erste Schriftgelehrte: Deuteronomium 1,5 in der Fabel des Pentateuch,” in *L’Ecrit et l’Esprit: Etudes d’histoire du texte et de théologie biblique en hommage a Adrian Schenker*, ed. Dieter Böhler, Innocent Himbaza and Philippe Hugo, OBO 214 (Fribourg: Academic Press; Göttingen: Vandenhoeck & Ruprecht, 2005); Benjamin Kilchör, *Mosetora und Jahwetora: Das Verhältnis von Deuteronomium 12–26 zu Exodus, Levitikus und Numeri*, BZABR 21 (Wiesbaden: Harrassowitz, 2015), 3–11.

to the audience.¹⁵ Written communication then does not replace oral communication; rather, the writing down of the oral Torah serves its ongoing oral performance.¹⁶ In the words of Geert Venema: “Moses writes down the words, in order that from now on the words he spoke may be spoken again in Israel.”¹⁷ This is what James Watts names “secondary orality based on written texts,” referring to Exod 24:3–7, Deut 31:9–11, Josh 8:30–35, 2 Kings 22–23//2 Chronicles 34, and Nehemiah 8:

This reminder that the interaction between oral and written compositions ran in both directions should warn interpreters against too sharp a distinction between the modes of presentation [...].¹⁸

Such an interaction between oral and written communication entails on the one hand that an oral knowledge of the text precedes its writing down, and on the other hand, that the writing down of the text does not stop its oral transmission. Both can be shown in Deuteronomy.

First, it is obvious that Moses performs his speech orally before he writes it down. This is indeed not just a narrative peculiarity in Deuteronomy but rather the natural sequence throughout the Old Testament (cf. Exod 24:3–7; Deut 31:1, 9–11; Jer 36:2; Ezek 43:10–11; Ezr 7:11;¹⁹ probably also Isa 30:8). Jeremiah 36:2 especially, but possibly also Ezek 43:11, presuppose a certain time period between the first oral performance and the writing down and therefore a memorization process already on an oral stage.

Second, as Karin Finsterbusch has shown,²⁰ Deuteronomy constitutes Israel as a community of teaching and learning, whereby telling (e.g. Deut 4:10) and learning by heart (Deut 5:1; 6:6; 30:14) – oral transmission – play a crucial role. Of course, there are also elements of written transmission on a smaller level than Deut 31:9 (namely Deut 6:6–9; 11:18–21²¹); yet these are also integrated into a primarily oral memorization process.²²

¹⁵ Dominik Markl, *Gottes Volk im Deuteronomium*, BZABR 18 (Wiesbaden: Harrassowitz, 2012), 165, has convincingly argued that “this Torah” refers to Deut 5–28 at the least, possibly to Deut 5–30.

¹⁶ Cf. Edgar W. Conrad, “Heard but not Seen: The Representation of ‘Books’ in the Old Testament,” *JOT* 54 (1992): 46–47.

¹⁷ Venema, *Reading Scripture*, 42.

¹⁸ James W. Watts, *Leviticus 1–10*, HCOT (Leuven: Peeters, 2013), 144.

¹⁹ According to Fried and Mills in this volume, the formulation “copy of an order” in Ezra 7:11 “suggest[s] that this letter is a written copy of an original oral command.”

²⁰ Karin Finsterbusch, *Weisung für Israel: Studien zu religiösem Lehren und Lernen im Deuteronomium und seinem Umfeld*, FAT 44 (Tübingen: Mohr Siebeck, 2005), 308–11.

²¹ See Sonnet, *Book*, 51–58, 69–71.

²² See also Jan Assmann, *Das kulturelle Gedächtnis: Schrift, Erinnerung und politische Identität in frühen Hochkulturen* (München: Beck, 1992), 219–21, who identifies eight different mnemonics in Deuteronomy.

These observations lead to the conclusion that it would be too narrowly considered to regard the Mosaic audience as the addressees of the Mosaic speech, and the later generations as the addressees of the written text. Rather, the written text becomes oral speech again when it is taught to the people. This introduces a third level of communication and raises the question anew: Who are the addressees of Deuteronomy?

3. Who are the Addressees of Deuteronomy?

According to Sonnet's comments on Deut 6:9, Moses' speech projects a covenantal world where "the people is capable of writing" (and reading).²³ With regard to Deut 31:9–11 he writes:

In distinction from the tablets 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). This solemn reading, every seven years, in front of the gathered population, will be nothing less than a new Horeb, eliciting the same effects.²⁴

While it is true that the public reading of the Torah every seven years is a realization of the Horeb event, Sonnet's formulation that Moses speaks "to all Israel" in 31:11 is not precisely correct. Rather, according to 31:9, Moses addresses here only the priests and elders, to whom he hands over the written document. This indeed calls to mind the Sinai event in Exod 24:1, 9, 14, where the priests and elders have their place between Moses and the people. They are those who shall read the Torah while Israel shall listen to the spoken word: "You shall read/shout" (31:11) has its counterpart in, "they shall hear and learn" (31:12).

Therefore, three levels of communication and three groups of addressees can in fact be distinguished:

1. Moses' speech as oral communication and Israel on the plains of Moab as the addressees of this speech (primary orality).
2. The written document and the priests and elders as recipients of this document.
3. The periodical public reading of the written document and the coming generations as addressees of these public readings (secondary orality).

Leaving the first level aside for the moment, it is worthwhile to think about the distinction between the rhetorical function of Deuteronomy for the other two levels.

²³ Sonnet, *Book*, 56.

²⁴ Sonnet, "Fifth Book," 211.

3.1 *The People as the Torah's Target Audience*

It is not possible here to present a thorough analysis of signals within Deuteronomy by which one can draw conclusions about Deuteronomy's target audience. However, I briefly point to four texts which show that the laypeople are the target audience of the Mosaic speech.²⁵

a. *Deuteronomy 24:8*. In this verse the target audience is explicitly distinguished from the Levitical priests who are the recipients of the written Torah in Deut 31:9:

Take care, in a case of leprous disease, to be very careful to do according to all that the Levitical priests shall direct you. As I commanded them, so you shall be careful to do. (ESV)

The addressee (2.P.Sg.) is informed what he has to do in case of leprous disease. More precisely, he is sent to the Levitical priests (3.P.Pl.) who will tell him what to do. The priests have already been instructed by the speaker of the oral speech (1.P.Sg.) who is Moses.²⁶ But they are not instructed *within* the oral speech of Moses. Rather, by the back reference "as I commanded them" the oral speech assumes an earlier instruction of the Levitical priests by Moses.²⁷ The layperson addressee of the current speech has not to know the content of this earlier instruction, he has just to know where to go in case of leprous disease. It is revealing to compare Deut 24:8 with Lev 13–14 where detailed instructions with regard to cases of leprous disease are given, to which Deut 24:8 refers.²⁸ While Deut 24:8 addresses the layperson directly in 2.P., according to Lev 13:2 and 14:2, a person

²⁵ See also Benjamin Kilchör, "The Reception of Priestly Laws in Deuteronomy and Deuteronomy's Target Audience," in *Exploring the Composition of the Pentateuch*, ed. L. S. Baker Jr. et al., BBRSup 27 (University Park, PA: Eisenbrauns, 2020).

²⁶ Thus also Jack R. Lundbom, *Deuteronomy: A Commentary* (Grand Rapids: Eerdmans, 2013), 685; cf. J. Gordon McConville, *Deuteronomy*, AOTC 5 (Downers Grove, IL: InterVarsity Press; Nottingham: Apollos, 2002), 361; Eckart Otto, *Deuteronomium 23,16–34,12*, HThKAT (Freiburg: Herder, 2017), 1837. That the "I" belongs to Moses and not to YHWH is supported by the reference to YHWH in 3.P.Sg. just in the following verse (24:9). As Eckart Otto notes with reference to Lev 10:10–11, the presupposed chain of revelation in Deut 24:8 goes from YHWH to Moses to the Levitical priests (Otto, *Deuteronomium 23,16–34,12*, 1837).

²⁷ In his contribution in this volume, Peter Altmann notes that in Chronicles the torah of YHWH is linked to the Zadokites, while the torah of Moses is relegated to the Levites. It might be worthwhile to think about the signals in the Pentateuch itself that trigger this hermeneutical distinction. On the one hand, the speaker of the laws in Exodus, Leviticus and Numbers is always YHWH, while the speaker of the laws in Deuteronomy is Moses; on the other hand, some of the laws in Exodus, Leviticus and Numbers are explicitly given to the priests, while others are designated for a larger audience. There is a certain tension on the storage of the torah in Deuteronomy: according to Deut 31:9, it is given to the Levitical priests and elders of Israel, while according to Deut 31:25, the Levites shall store the torah. As Altmann concludes, torah of YHWH in Chronicles refers to "pentateuchal cultic ordinances" which fits the observations here, that these cultic ordinances are presupposed in Deuteronomy as given to the priests.

²⁸ Cf. Moshe Weinfeld, *Deuteronomy 1–11*, AB 5 (New York: Doubleday, 1991), 30; Otto, *Deuteronomium 23,16–34,12*, 1837.

with leprous disease shall be brought (*hophal*) to Aaron and his sons. In both cases, the following verbs then have the priest as subject (13:3 and 14:3) and the instructions do not tell what the layperson has to do but rather what the priest has to do. In a synchronic reading of the Pentateuchal narrative we therefore find two different levels of addressees: While in Lev 13–14 the priests are instructed on their tasks in case of leprous disease, in the oral speech that includes Deut 24:8, the laypersons are simply informed that they have to go to the priests who have further instructions.

b. Deuteronomy 18:1–8. Another text within Deuteronomy’s Mosaic speech where people and Levitical priests are distinguished is Deut 18:1–8. While Deut 16:18 and 17:15 addresses the people (2.P.Sg.) with regard to the appointment of judges, officials, and a king, the priests are presupposed as appointed previously in Deut 18:1–8 what is best explained by the Pentateuchal narrative, where the appointment of the priests takes place in Lev 8 and the appointment of the Levites in Num 3.²⁹ Therefore, the main issue in Deut 18:1–8 is not the appointment of the priests but their right of charges by the people (משפט הכהנים מאת העם Deut 18:3). The people are addressed in vv. 4–6 in 2.P.Sg., while the priests and Levites are only referred in 3.P. Again, it is revealing to compare Deut 18:1–8 with Num 18:8–24: In the latter text, Aaron as priestly representative is directly addressed by YHWH with regard to the charges received by the priests in the first part (Num 18:8–19), while he shall instruct the Levites regarding the charges they receive in the second part (Num 18:20–24). While it is relevant for the priests and the Levites in Num 18:8–24, who and where they shall eat their share, this is not relevant for the laypeople addressed in Deut 18:1–8. In other words: While Num 18:8–24 instructs the priests and Levites what they may eat from the sacrifices and charges, Deut 18:1–8 informs the laypeople about what they are obliged to give to the priests (Deut 18:3–4).

c. Deuteronomy 12. Of course, it is not possible to discuss this chapter here in its complexity. For the present question a few hints shall suffice. First, the people are addressed in 2.P.Pl. in the first half of the chapter (Deut 12:2–12) while they are addressed in 2.P.Sg. in the second half (Deut 12:1, 13–31). Second, there are no instructions which are specifically relevant for the cultic personnel, unlike Exod 20:24–26 (building of the altar; sacral clothing) and also unlike Lev 17:2–9 where both the priests and the people are addressed and both are instructed about their respective tasks in sacrificing.³⁰ Third, while Deut 12:15–18 addresses the consumption of meat by the people, the consumption of meat by the priests is not addressed in Deuteronomy at all (unlike Num 18). Fourth, among the sacrifices, Deut 12 mentions the עולה (6, 11, 13, 14, 27) and the זבח (6, 11, 27) but not

²⁹ On the distinction between priests and Levites in Deut 18:1–8 see Kilchör, *Mosetora*, 215–20.

³⁰ The same applies to Lev 3; cf. Watts, *Leviticus 1–10*, 271.

the *חטאת* and the *אשם*, possibly because “the flesh of these two sacrifices was to be consumed by priests only.”³¹ In sum, both the formulations and the contents of Deut 12 are directed at the laypeople, not the cultic personnel.

d. Deuteronomy 14:1–20. Deuteronomy’s target audience can also be seen in a comparison between Lev 11:1–20 and Deut 14:1–20, according to Christophe Nihan “the most remarkable instance of legislation shared by Priestly and non-Priestly legal traditions within the Torah.”³² Without going into the details here, I agree with Reinhard Achenbach who interprets Deut 14:1–20 as a simplified food regulation for the common people while Lev 11 contains a more detailed version for priestly instructions.³³

In sum, if “this Torah” in Deut 31:9 refers to Deut 5–30, as Jean-Pierre Sonnet and Dominic Markl have convincingly argued,³⁴ we do not find one single instruction for priests within the oral Torah, spoken by Moses to the Israelites (Deut 4:44). Not only in the narrative logic of Deuteronomy is the Mosaic speech addressed to the laypeople, but also the contents of the Mosaic speech obviously have the aim to teach laypeople. David Carr speaks of a “Deuteronomistic utopia on education of *all*.”³⁵ However, the “textual-torah” – the written text – is not given to all male Israelites but to a smaller elite. The written text therefore is not given to the group to which its content is addressed.

3.2 *The Priests and Elders as Deuteronomy’s Target Audience*

While in Deut 5–30 the priests are never addressed, Deuteronomy contains two oral speeches where the priests (together with the elders of Israel) or the Levites, respectively, are addressed: Deut 31:10–13 and 31:26–29. Both of these two speeches are connected to the writing down of the oral Torah.

The only instructions for the priests and elders in Deuteronomy therefore have reference to the written Torah: they shall gather the Israelites (including men, women, children and sojourners) every seven years for a public reading of the

³¹ J. Gordon McConville, *Law and Theology in Deuteronomy*, JSOTSup 33 (Sheffield: JSOT Press, 1984), 54.

³² Christophe Nihan, “The Laws about Clean and Unclean Animals in Leviticus and Deuteronomy and Their Place in the Formation of the Pentateuch,” in *The Pentateuch: International Perspectives on Current Research*, ed. Thomas B. Dozeman, Konrad Schmid and Baruch J. Schwartz, FAT 78 (Tübingen: Mohr Siebeck, 2011), 401.

³³ Reinhard Achenbach, “Zur Systematik der Speisegebote in Leviticus 11 und in Deuteronomium 14,” *ZABR* 17 (2011): 173.

³⁴ Sonnet, *Book*, 248; Markl, *Gottes Volk*, 165.

³⁵ Carr, *Tablet*, 137. Cf. Seth L. Sanders, *The Invention of Hebrew* (Urbana, IL: University of Illinois Press, 2009), 170: “The Deuteronomistic covenant is not intended to constitute a state [...] but to imagine a people, constituted by their attention and response to a set of texts (both spoken and written); to the extent that the texts share a goal it is to elicit this attention and response: for addressees to imagine themselves as part of this people. The ideal reader it presupposes is not a member of an already constituted kingdom or polity, but a constituting member. This imagined people, mediated through Hebrew texts, constitutes Israel – the Bible’s public.”

written Torah (31:11–12) with the goal to transmit the Torah from generation to generation (31:13), and they shall store the written Torah in the sanctuary (31:26).

3.3 *The Addressees of the Written and the Oral Torah*

Taken these observations together, it becomes clear that “this Torah” in Deuteronomy addressees the common people. The priests and elders are addressed in two short speeches in Deut 31, both of which belong to Deuteronomy’s framework outside the body of “this Torah” (e. g. Deut 5–30) or, in the words of Sonnet, outside “the book within the book.”

To come back to the three suggested levels of communication: 1) the level of primary orality of the Mosaic speech in Deut 5–30 refers to the second generation of Israel after the Exodus; 2) this speech is written down and, accompanied by two short additional speeches, handed over to the responsibility of the priests as written text; 3) the contents of the written text, however, do not address those who administer the written Torah but the coming generations of the people.

This means that the addressees of the written Torah are not readers but listeners. Those who read the Torah are not addressed by the Torah; they just have the mandate to store and publicly read it. In addition, this means that the communication does not go from oral to written communication, but rather that the written texts serve an ongoing oral communication of the Torah. The written text therefore serves to bridge the gap of time. One of the main features of the oral performance of this text is the repetitive “today” throughout the book. As Dominik Markl and Georg Braulik have shown, the function of this “today” is that Deuteronomy’s addressees hear their own “today” and appropriate the Mosaic speech for themselves.³⁶ Therefore, the “today” also has the function to distinguish between the audience of the primary orality and the audience of the secondary orality (most explicit in Deut 29:13–14).

Yet again, the concept of “a book within a book,” whereby the smaller book (i. e. “this Torah,” Deut 5–30) addresses the people while the framing of the larger book (i. e. Deuteronomy) also contains addresses to the priests and elders, points towards something like a double audience: While in the *written Torah* the people are always addressed directly and the priests and elders (and other officials) are only mentioned as far as it concerns the people, *Deuteronomy* as a whole instructs those who store the written texts, i. e. the priests and elders. Perhaps it could be boiled down as follows: “Deuteronomy” is something like the teaching materials for the teachers, while “this Torah” is the teaching content, tidied up for (secondary) oral performance in a way that by verbal recitation the target audience is immediately addressed as if they would be part of the original audience of Moses’s (primary) oral performance.

³⁶ Cf. Markl, *Gottes Volk*, 70–79; Georg Braulik, “‘Heute’ im Buch Deuteronomium: Tora und Bundesschluss,” *BuL* 90 (2017).

4. Conclusion: “What was once thought can never be unthought” (Friedrich Dürrenmatt, *The Physicists*)

According to David Carr, the education of all Israelites – not just a smaller elite – is a utopia.³⁷ While “utopia” could be understood as pure fiction in a time when only specialists had access to this sort of education, one still might ask: Even if the education of all Israelites is merely an ideal, what then is the function and the impact of such an ideal? Will such a thought only remain on the level of unrealistic fiction? What is the role, also the political and social role, of literature addressed to the people?³⁸

The question is even more fundamental: If, as argued above (“The People as the Torah’s Target Audience”), the Mosaic speech indeed is directed at the common people, what is then the rhetorical strategy behind the text if we do not assume that at least a subset of the target audience is reached by it?³⁹ Seth Sanders has made a case that the invention of Hebrew and Ugaritic as “the first attempts by people in the ancient Near East to write in their own, local spoken languages” entailed “new possibilities of participation, reflected in rituals written in Ugaritic (KTU 1.40) and Hebrew (Leviticus 16) that assumed the people as a central protagonist.”⁴⁰ Of course, participation requires education. Consequently, Sanders assumes, based on the epigraphic evidence, a rather widespread access of the people to textual traditions: “What made the alphabet’s new uses in the Iron Age Levant so important was the new set of assumptions behind them – assumptions about *participation*.”⁴¹

Georg Fischer and Norbert Lohfink outlined with regard to Deut 6:7 a vivid picture of a meditative technique in Ancient Israel that might as a forerunner be in continuity with later monastic tradition (there, however, again limited to the clergy). According to them, this technique of reciting memorized texts would have been widespread at least in postexilic times.⁴²

³⁷ Carr, *Tablet*, 137.

³⁸ Cf. the subtitle of Seth L. Sanders, “What Was the Alphabet For? The Rise of Written Vernaculars and the Making of Israelite National Literature,” *Maarav* 11 (2004): 50: “The Political Role of a Literature Addressed to the Reader.”

³⁹ Cf. Braulik, “Heute,” 20: “Es gibt Phänomene im Deuteronomium, die zumindest auf der Ebene der Kompositionstechnik auch direkt auf den realen Leser zu zielen scheinen.”

⁴⁰ Sanders, *Invention*, 75.

⁴¹ Sanders, *Invention*, 169.

⁴² Georg Fischer and Norbert Lohfink, “‘Diese Worte sollst du summen:’ Dtn 6,7 *w^edibbartā bām* – ein verlorener Schlüssel zur meditativen Kultur in Israel,” *ThPh* 62 (1987): 71. The post-exilic dating of this technique is established by them on the basis of dating assumptions of the respective biblical texts rather than on the basis of extrabiblical evidence, cf. Fischer and Lohfink, “Worte,” n49. Seth Sanders, however, seems to have earlier times in mind when he speaks of “new possibilities in participation” with regard to the invention of Hebrew in the Iron Age (Sanders, *Invention*, 75).

A common insight of different studies is that cultic and ritual concerns might be of central importance for the spreading of textualization among the people. Seth Sanders, as previously quoted, speaks about “new possibilities of participation, reflected in rituals written in Ugaritic [...] and Hebrew [...]”.⁴³ William Schniedewind points to the fact that already in the cuneiform tradition liturgical texts were the main types of advanced curriculum⁴⁴ and he interprets also some of the Kuntillet ‘Ajrud inscriptions in this context.⁴⁵ He agrees with Seth Sanders’s “rule of popularity,” according to which “widely distributed material is more likely to be known,”⁴⁶ and concludes:

In the same way, it seems likely that some biblical texts that were repeated, widely cited, adapted, and interpreted inner-biblically or extra-biblically may have originally had a role in the advanced scribal curriculum of ancient Israel and Judah.⁴⁷

The combination of people’s participation in written texts with a liturgical and ritual context is in accord with the biblical text itself: according to Deut 31:10, the written Torah becomes oral Torah again in every year of release on occasion of the Feast of Booths by a public reading. Jean-Pierre Sonnet showed on the basis of the intertextual connections between Deut 5:22, 10:4, and 31:9 that the “solemn reading, every seven years, in front of the gathered population, will be nothing less than a new Horeb, eliciting the same effects.”⁴⁸ According to Georg Braulik, in this event the time difference between Moses and the audience is liturgically suspended. Yet, as he emphasizes, it is not the book of Deuteronomy, but the Torah written down by Moses (according to him Deut 5–28) that is recited.⁴⁹ Deut 31:12 describes the task of the people in this event: They shall listen, learning by heart, fear YHWH, their God, and be careful to do according to all words of this Torah. This is, in Deuteronomy’s conception, the precondition for religious education and participation in the families of Israel, where this Torah shall live in oral recitation (Deut 6:6–9).⁵⁰ The written Torah therefore is not the end of the oral Torah but rather the condition for a widespread life of the oral Torah among the people. Moreover, the addressees of the written Torah are not readers but listeners. To whatever extent one may reckon on the realization of this ideal: At least Deuteronomy plants the thought of an educational program for the common people and requests its realization. And, in the words

⁴³ Sanders, *Invention*, 75.

⁴⁴ William M. Schniedewind, *The Finger of the Scribe: How Scribes Learned to Write the Bible* (New York: Oxford University Press, 2019), 22.

⁴⁵ Schniedewind, *Finger*, 159.

⁴⁶ Seth L. Sanders, *From Adapa to Enoch: Scribal Culture and Religious Vision in Judea and Babylon*, TSAJ 167 (Tübingen: Mohr Siebeck, 2017), 233.

⁴⁷ Schniedewind, *Finger*, 169.

⁴⁸ Sonnet, “Fifth Book,” 211.

⁴⁹ Braulik, “Heute,” 20.

⁵⁰ Fischer and Lohfink, “Worte;” Finsterbusch, *Weisung*, 308–11.

of the physicist Möbius in Friedrich Dürrenmatt's drama *The Physicists* (1962): "What was once thought can never be unthought."

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