

ABSTRACT

I propose that Bernard Levinson's statement, "In its hermeneutics of innovation, Deuteronomy is more radical than most contemporary hermeneutical theory," needs reassessment through engagement with Paul Ricoeur's phenomenological hermeneutics, namely his thesis of *cultural imagination*. Ricoeur argues that the phenomena of ideology and utopia operate within the rhetoric of social action where one assesses the validity of the other within hermeneutical processes of narrative identity formation. Using Ricoeur as a theoretical foundation, I aver that the Deuteronomic/Deuteronomistic process of scribal revision is best contemplated within a broader stream of shared tradition and intentionality. Broadly defined, *D* phenomena represent innately connected social discourse upon corporate constative experiences. A phenomenology of *Deuteronomism* brackets out specific attempts at defining the "elusive Deuteronomists" arguing instead for a historical dialectic where successive/concurrent discernable voices interact within a stream of ideological competition, each voice providing competing visions of the best version of Israel.

Throughout the work, I engage in a progressive historical analysis. Northern priestly-prophetic voices project a choice between the utopia/dystopia (blessings/curses) inherent to covenant faithfulness. Subsequent socio-political challenges throughout the Levant during the Late Eighth Century prompt the Judean court to strike a "grand bargain" between Pre-D concerns and an ideology of Davidic sanction through the depiction of a utopian united monarchy. Correspondingly, the rhetorical geography of Deuteronomy 12-26 intimates a centripetal force that draws the reader from the periphery to a utopian center where the king is established as the ideal type for Israel, meditating on Torah and maintaining righteous justice.

Beyond engaging in a historical theology of ancient Israel, this study provides a model for appreciating the dialectical nature of both canon formation and reformation within confessional communities. Throughout Scripture, we find a dialog between two existential questions. The first is about identity, "Who is Israel (The Church)?" and the corresponding one is about praxis or mission "What does Israel (the Kingdom of God) look like?"

Chart 1: Rhetorical Geography of the Deuteronomic Legal Code (Chapters 12-26)

[12:1-14] Establishing the significance of the Central Sanctuary (*core*)

[12:15-16:17] Dialectic between *core* and *periphery*

Dietary restrictions: [12:15-28; 14:1-21] Focus on the local level.

What is acceptable to eat in the periphery? What must go to the center?

[12:15-28] Allowances regarding sacrificial foods (e.g., meat)

[12:29-13:18] (Interpolation) Threats of apostasy at the *local level*.

[14:1-21] General dietary restrictions (clean vs. unclean animals)

Financial concerns: [14:22-15:23] Geographical focus is on the local level.

What can be kept in the periphery? What must go to the center?

[14:22-26] General instructions on the relationship between individual

finances and the central sanctuary: Tithe/Firstborn

[14:27-15:18] Instructions on financial responsibility at the *local level*

Levites (14:27-29), Debtors (15:1-6), The Poor (15:7-11),

Those in Servitude (5:12-18)

[15:19-23] General instructions on the relationship between individual finances and the central sanctuary:

Pilgrimages: [16:1-17] Geographical focus is on the center.

What must go to the center? When must it go?

Bring your tithes/firstborn three times a year: Passover [16:1-8],

Weeks [16:9-12], Booths [16:13-15]

[16:18-18:22] Judicial and Administrative Officials (See Chart 2)

The Judicial System: [16:18-17:13] Geographic focus is moving toward
the center

Administrative officers: [17:14-18:22] The Center

[19:1-25:19] Explication of the Legal Code: Case Law in the Periphery

Corporate concerns: [19:1-20:20] Geographical focus regional/tribal level.

[19:1-13(14)] Cities of refuge -- regional judicial system

[19:15-21] General laws of innocence/guilt

[20:1-20] Laws concerning warfare– collective/tribal concern

Case law handled at the local level: [21:1-25:19] Geographical focus is the local level with the option of taking a case to the center.

[26:1-15(16-19)] Liturgy at the central sanctuary

Chart 2: Rhetorical Geography of Deuteronomy 16:18-18:22

A) [16:18-20] Institution of the judiciary

Focus on both general and specific concerns at the local level.

B) [16:21-17:7] Discussion of what constitutes a capital offense in cultic situations.

Focus is on the local level with a strong connection to case law Chapter 13.

C) [17:8-13] An upper-level judiciary: Levitical priests and the judge

Movement from the local level to the central sanctuary

D) [17: 14-20] The Law of the King

Location is center/palace (“when he sits on the throne”).

C’) [18:1-8] Provisions for the Levites: Levite traveling to the central sanctuary

Movement is from the local toward the center:

B’) [18:9-14] Abominable divinatory practices.

Location is not explicit, but the implication is within the local populace based on a strong association with the case-law of Chapter 13 (See B above).

A’, B’, C’ or D) [18:15-22] The institution of approved divinatory office: Prophet.

This section could represent A’, B’, C’, or even a D level structure.

If 18:9-14 and 18:15-22 are considered one section, the institution of the prophetic office continues to parallel B [16:21-17:7]. From a geographical perspective, the implied location is ambiguous, which could assume a multi-layered sphere of

influence. If the prophet is understood as a royal counselor, then the location could be aligned with either the Levites (C, C') or the king himself (D).

A') [19:1-25:19] Although expanding the limits of 16:18-18:22, this large section of general legislation could parallel the establishment of the judiciary in 16:18-20. The geographical location is at the local level with an implicit understanding of moving toward the center, if necessary.

Chart 3: Common lexical elements between 1 Samuel 8:1-3 and Deuteronomy 16:18-19.

1 Sam 8:1 וַיְהִי כַּאֲשֶׁר זָקַן שְׁמוּאֵל וַיִּשָּׂם אֶת־בְּנָיו שְׁפָטִים לְיִשְׂרָאֵל:

1 Sam 8:3 וְלֹא־הָלְכוּ בְנָיו בְּדַרְכּוֹ וַיִּטּוּ אַחֲרֵי הַבָּצַע וַיִּקְחוּ־שֹׁחַד וַיִּטּוּ מִשְׁפָּט:

Deut 16:18 שְׁפָטִים וְשֹׁטְרִים תִּתְּזוּ־לָךְ בְּכָל־שְׁעָרֶיךָ אֲשֶׁר יְהוָה אֱלֹהֶיךָ נָתַן לָךְ לְשִׁבְטֶיךָ

וְשָׁפְטוּ אֶת־הָעָם מִשְׁפָּט־צֶדֶק:

Deut 16:19 לֹא־תִטֶּה מִשְׁפָּט לֹא תִכִּיר פָּנִים וְלֹא־תִקַּח שֹׁחַד כִּי הַשֹּׁחַד יַעֲוֶר עֵינֵי חֲכָמִים וַיִּסְלַף דְּבָרֵי

צְדִיקִים:

Deut 16:20 צֶדֶק צֶדֶק תִּרְדּוּף לְמַעַן תַּחֲיֶה וַיִּרְשֶׁתָּ אֶת־הָאָרֶץ אֲשֶׁר־יְהוָה אֱלֹהֶיךָ נָתַן לָךְ:

Chart 4: Common lexical elements between 1 Samuel 8:4 and Deuteronomy 17:14.

1Sam 8:5

וַיֹּאמְרוּ אֵלָיו הֲנֵה אַתָּה זֹמַנְתָּ וּבָנִיךָ לֹא הָלְכוּ בְדַרְכֶיךָ עִתָּה שִׁימָה לָנוּ מֶלֶךְ לְשִׁפְטֵנוּ כְּכָל־הַגּוֹיִם:

Deut 17:14

¹⁴כִּי־תָבֹא אֶל־הָאָרֶץ אֲשֶׁר יְהוָה אֱלֹהֶיךָ נָתַן לָךְ וּירָשְׁתָּה וּישְׁבַתָּה בָּהּ וְאָמַרְתָּ אֲשִׁימָה עָלַי מֶלֶךְ כְּכָל־הַגּוֹיִם

אֲשֶׁר סְבִיבֹתָי: