

**DISCOURSE ANALYSIS OF DIRECTIVE TEXTS:
THE CASE OF BIBLICAL LAW**

A THESIS SUBMITTED IN PARTIAL FULFILLMENT OF THE REQUIREMENTS
FOR THE DEGREE OF MASTER OF ARTS IN THEOLOGICAL STUDIES

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Hebrew text in this thesis has been extracted from Bible Windows
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Dedicated with all my love,
to all of God's children
in Burkina Faso,
the land of those
who strive for integrity.

May God richly bless each and every one!

ABSTRACT

This thesis proposes a blue-print of a methodology for the linguistic analysis of Biblical Law from the perspective of discourse analysis. Since the discipline of discourse analysis as applied to Biblical literature is still in the early stages of development, the first chapter focuses on the definition and general theoretical orientation of discourse analysis for Biblical Hebrew, comparing it with other language-oriented approaches such as semantics, syntax, pragmatics, literary analysis, rhetorical analysis, and text-linguistics. I conclude with the proposal that discourse analysis includes aspects of all of these disciplines, but seeks first and foremost to understand the linguistic structure and content of texts.

The second chapter examines parameters needed to facilitate both classification strategies and analysis. First-level classification is based on the parameter of communicative purpose, which leads to the defining of the 'directive' text type. Directive texts, of which legal texts form a part, consist of discourse where the speaker speaks his/her will that a specific act be done by another person. This can include anything from prayer to requests, to advice, exhortation, decrees, and laws. Parameters are then examined with the goal of distinguishing legal texts from other types of directives. Finally, it is demonstrated how a variety of classification strategies based on differing parameters can be a useful tool for the analysis of legal texts.

The succeeding chapters then detail the steps required for a comprehensive discourse analysis of Biblical law. The corpus consists of the legal texts of Exodus, Leviticus, Numbers, and Deuteronomy. Chapter Three begins with an introduction to the basic aspects that need to be investigated – theme and topic, cohesion, continuity, discontinuity, progression, prominence, semantic roles and relations, and structural organisation. It then presents a procedural outline, techniques for the visual layout of the text, as well as a reminder that the analysis must take into account the textual context. Chapter Four provides guidelines for the identification of units, boundaries, and the cognitive structuring of a text, as well as for the analysis of the semantic relations between clauses and units. Chapter Five focuses on structural matters: linear and parallel structural arrangements, and patterns of regularity and prominence. Chapter Six discusses how to analyse thematic development in a text, specifically the matter of tracking participant reference, and the role and distribution of repetition, and lack thereof, in thematic continuity and progression. The proposed analysis addresses the challenge that word order in legal texts and other types of directives differs significantly from word order in narrative texts. Chapter Seven concludes the methodological outline with a reminder that it is important to be aware of the extra-linguistic factors that can influence analysis. It also provides a procedure for the analysis of the functions of specific linguistic structures found in legal texts, by way of comparative analysis of similar and different text types.

The final conclusion to this thesis offers some general reflections on how this analytic approach can contribute to the current research on Biblical Hebrew. While much work has been done on narrative texts, the discourse analysis of directive texts is still largely unexplored territory. It is my hope that this work may spur others to discover yet other aspects of this fascinating topic, giving them tools with which they can begin, and later build on, improve, and offer further fruitful insights.

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*The National Bible Translation and Literacy Association.

LIST OF ABBREVIATIONS AND SYMBOLS

BH Biblical Hebrew

JBL Journal of Biblical Literature

SBL Society of Biblical Literature

JOTT Journal of Textlinguistics and Translation

JSOT Journal of the Study of the Old Testament

NJPS New Jewish Publication Society Translation

NIB New International Version, British

Inf.Abs. Infinitive Absolute

Gen. Genesis

Ex. Exodus

Lev. Leviticus

Num. Numbers

Deut. Deuteronomy

vs. Verse

vss. Verses

vs. versus, as opposed to

NP Noun Phrase

V Verb

S Subject

O Object

|| is parallel to

INTRODUCTION

1.1 What is discourse analysis?

The term ‘discourse analysis’ is not generally well-known in the field of Biblical studies. For those who are somewhat familiar with the term, there can also be confusion as to what it means, since the term can be used in a variety of ways, depending on the goal of the research¹ and depending on the various regional schools of discourse research worldwide. To add further to the confusion, there are a number of related areas of linguistic research² that are so similar to what appears to be discourse analysis, that one wonders what, if any, differences there are between the different disciplines.

Before proposing a methodology for the discourse analysis of legal directives in the Hebrew Bible, I present here the definition and approach to discourse analysis that I plan to use.³ I make explicit some underlying premises, and include a brief survey of the related disciplines.

The subject of study for discourse analysis is *an utterance,⁴ or a text unit, or a communicative event that is generally perceived as having a unifying theme or topic or setting*. It can be a political speech, a TV advertisement, a written story, a news report, description of a medical procedure, a sermon, a conversation between two people... The list could go on and on. The utterances that make up a discourse unit are seen to have the quality of ‘coherence’; they are related both grammatically and semantically to each other.

Numerous disciplines undertake research in discourse analysis. Sociology focuses on social interaction in a discourse event, while ethnography is interested in types of communication events found in different cultures, and seeks to understand them within the context of their culture. The main concern of linguistics

¹ The term ‘discourse analysis’ is used by the disciplines of linguistics, communication sciences, ethnography, psychology, and sociology.

² Disciplines such as pragmatics, rhetorical analysis, literary analysis, text-linguistics, semantics, and syntax overlap with the discipline of discourse analysis.

³ The major sources that I draw on in this section are Schiffrin (1994), and van Dijk (1997). See also Bodine (1995) and van der Merwe (in Bergen, 1994: 13-49) for an introduction to discourse linguistics for Biblical literature. Lowery (in Bodine: 103-130), who outlines “Theoretical Foundations of Hebrew Discourse Grammar”, most closely corresponds to my approach.

⁴ The term ‘utterance’ is preferred over the term ‘sentence’ in the fields of discourse analysis and pragmatics. An utterance refers to a string of words spoken or written in a specific communicative situation. The same sentence spoken in different communicative situations becomes a separate utterance for each of those situations. See Schiffrin (1994: 39-41) or Verschueren (1999: 131-33) for more discussion on the use of this term.

is to analyze the linguistic structures of a discourse event.⁵ The scholars involved in the area of applied linguistics, specifically in translation and second language teaching, have been the most active in discourse analysis studies.

While my perspective for discourse analysis of Biblical Hebrew will necessarily be *linguistic*, it will become clear that social and cultural factors also contribute to the structure of Hebrew discourse and must be taken into account, for the speech event is an intricate network of linguistic structures set within a context of social expectations, within a particular cultural framework.⁶

Discourse analysis can be either descriptive, i.e. describing language as it is, or prescriptive, i.e. laying down a set of rules for good and proper writing. The latter is the domain of English teachers and journalism professors; the former is the focus of linguists of the 20th century, who sought not to judge grammatical correctness but simply to describe how any particular speech community structures its language.

Scholars looking at the Biblical text in the past have found structures that according to their prescriptive notions were not indicative of good written material. The theories that evolved in order to try to explain supposedly incorrect structures are quite well known.⁷

The descriptive approach will serve as a good starting point for the discourse analysis of the Biblical text.⁸ I will begin with the premise that the writers of the biblical texts sought to produce a coherent and well-articulated text. A sacred text would be the object of very careful composition.⁹ Therefore, I will propose to seek to understand the functions of the structures of these texts as they are, believing that this will lead to a clearer interpretation of the intended message.

Discourse analysts who choose a descriptive analytical approach to a discourse event may choose to analyze the spoken word, while others will analyze the written word. There has been discussion in the literature about whether portions of the biblical text were originally based on oral delivery, and thus likely to have aspects of oral speech. It is a fact that the Bible was meant to be read aloud; on the other hand, the

⁵ For an overview of approaches of discourse from the perspective of various disciplines, see van Dijk (1997) and Schiffirin (1994).

⁶ Valiquette (1999) proposes a global view of a discourse-oriented approach to the analysis of Exodus-Deuteronomy from the perspective of cognitive linguistics.

⁷ David Allen Dawson in *Text-Linguistics and Biblical Hebrew* (1994: 16) states: "... too many people engaged in analysis of this language come to it with inflexible theories and/or ideologies which they are unwilling to re-examine in light of the data." See also Lowery (1985: 3-6) and (1995: 105). Sternberg (1985: 22) expresses the same problem using different words: "The geneticist unwittingly crosses the line between source and discourse, imposing his reconstruction of the process on the structure of the product."

⁸ Lowery (in Bodine, 1995: 105) points out the value of the descriptive approach for the analysis of Biblical Hebrew texts.

⁹ This is not denying the occasional scribal errors that can sometimes cause bewildering spellings or constructions.

text we have before us is a written text, with no possible access to the actual oral speech of the ancient Hebrew. Conversations and speeches recorded in the biblical text cannot be analyzed as a piece of oral speech, but must be analyzed as the author's perception of the speech. Therefore, this analytical approach will be focused on analyzing *a written text*.

The primary goal of Biblical scholars and Bible translators is to better understand the message¹⁰ of the Biblical text. Discourse analysis contributes to this goal of interpretation by means of the '*functionalist*' approach. Schiffrin (1994: 32) aptly describes two types of functional analyses. The first delimits "the functions served by a system (such as language or communication) and matches particular units (such as utterances or actions) to those functions." Let us call this the 'function-to-form' approach. The linguist assumes a certain set of universal functions that are to be found in languages, and seeks to find their manifestations in a particular language.

The second type of functional analysis begins

"with how particular units (again, utterances, actions) are used and draws a conclusion about the broader functions of such units from that analysis. In other words, one would begin from observation and description of an utterance itself, and then try to infer from analysis of that utterance and its context what functions are being served. It is important to note that such inferences are not totally *ad hoc*: rather they can be firmly grounded in the principled schema as to what functions are available... they are not as wed to the notion of system [like the function-to-form approach] because they are more open to the discovery of unanticipated uses of language (see Hymes 1961)" (Schiffrin: 33).

I will call this type the form-to-function approach. Here the linguist identifies linguistic structures and seeks to understand their functions.

These two types of functional approaches¹¹ are actually reflected in two Biblical Hebrew grammars. In Waltke and O'Connor's *An Introduction to Biblical Hebrew Syntax* (1990), their chapter on subordination reflects the function-to-form approach. They have sections on conditional clauses, final and result clauses, causal clauses, etc. In each section the writers show the various ways that each clause type is realized in Biblical Hebrew. Merwe's grammar (2000), on the other hand, lists the numerous conjunctions found in the language and presents examples of the various functions of each of the conjunctions. Taking the conjunction *asher* as an example: since the material is organized according to clause type in the Waltke grammar, one has to go to the index where one finds no less than 27 references for *asher*. In the Merwe grammar, all the different functions of *asher* are found all in one section. Both types of approaches are useful and complement each other.

¹⁰ Lowery (in Bodine 1995: 120) also points to the goal of interpretation for the study of Biblical Hebrew discourse.

¹¹ These two types of functional approaches are mentioned by van der Merwe, 'Discourse Linguistics and Biblical Hebrew Grammar', in Bergen (1994: 16-21) with reference to the work of Robert Longacre. He notes that Longacre uses both functional approaches for his analyses.

In fact, both approaches are necessary for an adequate analysis. Initially, one must look at the raw data and begin to form hypotheses. Linguists who have looked at a large number of languages form hypotheses about the structure of language universally. As a result of these discoveries, certain language functions are identified. Then these hypotheses are tested and looked for in other languages. When approaching Biblical Hebrew, we do well to benefit from the insights gained from research in other languages by looking for these same functions in Biblical Hebrew, such as grammatical functions, as well as common textual features such as participant reference, topic and focus, connectivity, features of continuity and discontinuity, etc.

However, I feel it is very important not to stop at this because each language has its specific peculiarities. One linguistic structure may have a set of functions that do not match the functions of a corresponding linguistic structure in another language. There may be grammatical particles that do not quite 'fit' the functional categories proposed by linguists. Linguists have learned, for example, that trying to make the structure of African languages fit the mold of European traditional grammar categories is a hopeless enterprise. But even after collection of data from many languages, the linguist must not assume that the subject of his investigation will necessarily fit all the proposed functional categories. The methodology proposed here will seek to provide a way for examining how *meaning* and *structure* interconnect to produce a *coherent text*.

Discourse analysis as a tool of interpretation also is constrained to specify where it uncovers functions and meaning. How does one go about discerning the function of any particular linguistic structure? The examination of *context* is a fundamental principle for the accurate analysis of a text. The notion of the role of context in interpretative analysis originates in the realization that nothing can be understood without reference to things, ideas, events, culture, and the people that form the background for and/or are referred to in a discourse. Furthermore, what is said or written before and after the discourse under study will have a definite impact on the interpretation of a discourse. Likewise, the structures of a written text can best be understood with reference to the linguistic context within which it is found. Discourse analysis is the branch of linguistics that insists on seeing the larger picture before drawing a conclusion on the meaning and functions of linguistic structures.

One key tool for contextual analysis is the recognition of different types of texts and the different *parameters* that make up each *text type*. Biblical scholars have also used the tool of classification in their

quest to interpret the text.¹² Those studying law have grouped together laws according to theme in order to facilitate comparison. In discourse analysis, texts can be classified according to a variety of parameters; each classification strategy will yield its own set of valuable insights. Once the classification is made, the structures of the different types of texts are analyzed separately and then compared and contrasted with each other. Comparisons can often provide insights concerning the functions of specific linguistic structures within the variant and similar contexts.

One discovers that specific linguistic structures are typical for certain text types but not for others. For example, in Biblical Hebrew, *wayyiqtol* verb forms characterize narrative, while *weqatal* verb forms characterize certain types of non-narrative. Furthermore, certain grammatical words may have one function in one type of text, and a different function in a different type of text. For example, the French future tense form has a distinct past tense function in the context of a biographical sketch. Longacre (1996: 7) explains that if one compared the word order in narrative in one language with word order in expository discourse in another language, the results would be improperly skewed.¹³

Discourse analysis involves analyzing both the *organizational structure* of the text, and the *choice and distribution* of lexical items. Each text type has its own patterns for organizing information in the text: for example, how to begin a text, develop the theme, make a point, and conclude. Discourse analysis looks at how the information is packaged, chunked, and divided up into parts, and what those parts consist of. It also examines the techniques for holding the text together. Semantic relations between clauses and groups of clauses provides insight for the connectivity of the text. The pragmatic status of information, i.e. new, old, assumed, unexpected, important, etc. will have a profound impact on the structure and lexical patterns in the text. Furthermore, discourse analysis examines how referents in a text are introduced to and referred to throughout the text.

Research into these different aspects of discourse analysis will lead us to investigate the distribution and use of specific linguistic structures, such as pronouns versus noun phrase referents, changes in constituent order, and use of different verb forms.

¹² For example Eissfeldt (1974) classified what he considered to be the oral units that existed before the composition of Biblical texts, into four large groups: prose types, sayings, songs, and wisdom poems. Prose types he further divided into: speeches, sermons, and prayers, records, and narratives. More recently, Sandy and Giese (1999) present the primary literary genres of the Hebrew Bible: prose and poetry, each divided into subcategories.

¹³ For more discussion on text types and analysis, see Longacre (1996: 7-20) and Van Dijk (1997: 13).

A text is always spoken or written with a purpose in mind. The *speaker's purpose in communicating* is a major factor determining the structure and content of the discourse.¹⁴ Therefore, it is important to discern the various purposes for communication. However, what makes analysis complicated is that frequently, texts have multiple communicative purposes. As a result, researchers may choose to analyze a text from the perspective of one communicative purpose only. Our choice of communicative purpose will orient how we analyze the structure of the text unit.

If one takes a poll on the question – what is the purpose of communication? – the most frequent response will likely be: to communicate *information*. Indeed, one dominant current of research in discourse analysis today is research on information structure: that is, research in how a communicator packages the information he wishes to pass on to others.¹⁵ The *informative function* seeks to describe the world as it is.

However, a communication is rarely, if ever, only information. It almost always has a need to be *persuasive*. Kinneavy (1980: 212) and others¹⁶ have pointed out that much communication involves asking (or telling) someone to do something, and/or convincing someone of the veracity of a concept or of a piece of information. Researchers who orient their research in this direction will talk rather of rhetorical¹⁷ analysis, or *rhetorical function*¹⁸ of the text.

A third communicative purpose underlying much communication is *expressive*; that of expressing one's emotions and opinions, making judgments, giving one's own perception or evaluation of an event, or of a statement. The explicit form of expressive communication would be 'I' statements, but personal bias inevitably lies beneath of much of what is said and written.

¹⁴ Callow and Callow (1992: 7) state it even more strongly: "It is the speaker's purpose in communicating which determines both the structural form and the detailed expression." However, other factors also need to be taken into consideration such as the medium of communication and the receptor of the communication. Bhatia (1998: 13), while recognizing other factors, maintains that communicative purpose remains the primary factor for the structuring and shaping of a discourse event.

¹⁵ See Lambrecht (1994) for an extensive treatment of the topic of information structure. Shimasaki (2002) applies the notions of topic and focus in information structure to Biblical Hebrew.

¹⁶ Birch (1993: 43-56) cited by Ghadessy (1993: 2): "His firm conclusion is that all types of texts are 'distinctive imperative acts aimed at influencing the thoughts and actions of other people'. Our lexical and grammatical choices are not 'innocent choices'."

¹⁷ Note that the term 'rhetorical' can also have a broader meaning. See 1.2 for further discussion on rhetorical analysis.

¹⁸ For examples of research in rhetorical function (i.e. persuasive) in Biblical studies see Watts (1999), Sonsino (1980), and Eriksson, Olbricht, and Übelacker (2002). The latter also has an extensive bibliography on the topic.

A fourth communicative purpose may be termed *poetic*;¹⁹ that is, the goal to entertain, to make a discourse event enjoyable, interesting, even beautiful. Literary studies have focused on this aspect in poetry and narrative prose literature, often using the term ‘stylistics’²⁰ or ‘aesthetic qualities.’ Again, one can see that while some literary writing (romance novel, poetry, etc.) and performances (drama, comedy, etc.), are for the primary purpose of enjoyment, even then, there will likely be some informative or persuasive message embedded in the communication event. The expressive communicative purpose is also very closely associated with poetic functions.

Psalm 1 – *Happy is the man who walks not in the counsel of the wicked...* – is a simple example of the interaction of all the above-mentioned communicative purposes. It is presented as an informational statement – the reality of the world. At the same time it is expressive (expressing an opinion), persuasive (the author clearly wants his reader to ground himself in God’s law), and poetic. Legal literature has the explicit communicative purpose of telling others to do something (persuasive), but it also is informative (how to do things), expressive (God’s opinions about how things should be, including degrees of importance) and poetic (with parallelisms). A good methodology of discourse analysis will take into account all of these aspects of communicative purpose.

In summary, my orientation to discourse analysis will consist of the following:

- a. Analysis of a written text with a unifying theme, topic, or setting.
- b. A descriptive linguistic orientation.
- c. A functionalist approach, determining how meaning and structure interconnect to produce a coherent text through an examination of context.
- d. The notion that the speaker’s purpose is a major factor in determining the structure and content of the discourse.
- e. Identification of the parameters of a text for the purposes of text classification and analysis.
- f. Analysis of both the organizational structure of the text, and the choice and distribution of lexical items.

1.2 Discourse analysis and other related disciplines

When I embarked upon discourse analysis research of Biblical Hebrew, in particular, of Biblical Law, I could not find much published research on the topic. However, I did find research under other names, that seemed to be somewhat linked to discourse analysis. Thus one may wonder what is the difference between discourse analysis and semantics, syntax, pragmatics, literary analysis, rhetorical analysis, and

¹⁹ For example, Sternberg (1985) and Berlin (1985). It should be noted that literary studies also examine the reader’s perception of the poetic: that is, the discovery of beauty and literary structure in the text that may or may not have been intentional on the part of the author.

²⁰ Meltzer (in Bodine 1995: 140) states: “Ethnopoetic studies point out the special dangers of analyzing texts in terms of referential [i.e. informational] function only; equal attention must be paid to the expressive, poetic, and pragmatic functions of the language in its socio-cultural context.”

text-linguistics. A brief overview of each of these in comparison with discourse analysis will help to better situate and define my chosen approach to discourse analysis.²¹

Semantics is a branch of traditional linguistics that is concerned with meaning. Within Biblical studies the study of semantics of words and grammatical meanings has been of high importance throughout the ages, as manifested in Biblical Hebrew dictionaries and books on word studies. The field of semantics has known a variety of theoretical approaches especially in recent years,²² which help scholars to understand the meanings of linguistic structures from new perspectives. One insight mentioned above is the importance of examining the semantics of linguistic structures in the context of a text. The science of the study of meaning is not to be limited to the study of individual lexical items isolated from their context. It is the study of meaning of a linguistic element in relationship to other linguistic elements, in relation to the real world. My approach to discourse analysis connects with semantics, then, in the sense of looking for meanings of linguistic elements such as grammatical structures and particles within the context of the text.

Syntax is the study of sentence structure. It has been the subject of a multiplicity of theoretical approaches over the years. However, many of these theoretical approaches focus on the sentence in isolation of a context. Approaches to studying the grammar and syntax of Biblical Hebrew have also tended to be limited to the analysis of grammatical structures within the context of a sentence. It is a fact, though, that in some (if not all!) languages, certain particles and structures have eluded analysis at the syntactic level.

Like the term ‘discourse’, *pragmatics* is a term that has many and varied meanings. In general it refers to the question of language use, and of meaning in context; thus it is very closely related to my stated aims above. Cotterell and Turner (1989: 16), in citing Leech (*Principles of Pragmatics*) suggest that “the difference between semantics and pragmatics is that semantics answers questions of the form ‘What does X mean?’, while pragmatics answers questions of the form ‘What did you mean by X?’” Verschueren (1999: 11) explains that meaning within pragmatics “is not seen as a stable counterpart to linguistics form. Rather, it is dynamically generated in the process of using language.” Pragmatics focuses on the meaning the speaker intends to convey, knowing very well that messages may be expressed indirectly (for example, a rhetorical question may be used to express a request, or disapproval, depending on the social or cultural context). It is from those who have developed the study of pragmatics, that we have the

²¹ There are other names for very similar and overlapping areas of research which I will not be discussing here, but whose work I have consulted and occasionally cited: register analysis (Ghadessy, 1993), genre analysis (Bhatia, 1998) and narrative syntax (van Wolde, 2002).

²² One important innovation is the field of cognitive linguistics, which takes a look at meaning from the perspective of the mind processing data from multiple sources in order to establish or produce meaning. See Ungerer and Schmid (1996) for an introduction to cognitive linguistics.

distinction between ‘utterance’, a sequence of real language, and ‘sentence’, a metalinguistic conception.²³

The principles of pragmatics are very much used by discourse analysts, in the sense that they look to the matter of meaning in context, so much so, that Brown and Yule (1983: 26) state that “ ‘doing discourse analysis’ ... primarily consists of ‘doing pragmatics’”. A few Biblical Hebrew scholars have sought to explicitly explore pragmatic meaning in Biblical Hebrew texts.²⁴

Literary analysis is the study of the structure of literature. In the latter half of the 20th century, there was an explosion of research on the literary structure of the Biblical text. Most research has been focused on the Biblical narrative by authors such as Meir Sternberg, J.P. Fokkelman, Shimon Bar-Efrat, and Adele Berlin. Structural analysis of poetry has also been the subject of much research, with authors such as M. O’Connor, Watson, Adele Berlin, and others. The literary study of a text is based on the premise that the text is a carefully composed piece of writing. Biblical literary analysts have focused on identifying and analyzing literary techniques in narrative such as character, point of view, repetition, parallelism, and the representation of time and space, among others.²⁵

Literary analysis intersects with the field of discourse analysis. It may be suggested that the two are separate fields, but I am inclined to suggest that there is much overlap, especially in what constitutes the literary structure of the text. For example, Dorsey’s (1999) methodology for the analysis of literary structure includes looking for boundaries of literary units, and for linear and parallel structures; both aspects are a part of my proposed discourse analysis methodology. In fact, Sternberg (1987: 15) sees a ‘literary approach’ to the Biblical text as a discourse-oriented means of analysis: that is, an analysis based on what is found in the text. Lowery (in Bodine, 1995: 116) goes as far as saying that discourse analysis is the “linguistic specification of a literary concept.” I see literary analysis as simply an examination of the poetic purpose of discourse. From the perspective of a broad definition of discourse analysis, literary analysis may be seen as a sub-category of discourse analysis.

The term ‘rhetoric’ has a very long history of use. According to van Dijk (1997: 12), going as far back as Antiquity, “rhetoric may be considered as the forerunner of what we would now call discourse studies.” He defines the term: “*rhetorical analysis* will typically focus on such persuasive ‘devices’, that is, special structures at all discourse levels that attract attention, for example because of unexpected repetition, inverse order, incomplete structures or changes of meaning.” Muraoka further defines its as the

²³ See footnote #4.

²⁴ See Heimerdinger (1999) and Miller (1996). See also Hollenbach, Bruce, and Jim Watters (1998) “Study Guide on Pragmatics and Discourse,” Notes on Translation, Vol. 12.1, pp.13-35, for tools for research in Biblical studies.

²⁵ See Bar-Efrat (2000: 10) for his view of the literary study of the Biblical text. See also Dorsey (1999) for an excellent methodology for the analysis of literary structure.

expressive function of the text, as opposed to its informative function.²⁶ Watts (1999) explores the rhetorical function of Biblical law as a whole, as well as some techniques used for the goal of persuasion in the structure of the laws.

However, others have used the term rhetoric to refer to the analysis of structure and figures of speech, such as parallelisms, chiasmus, and other techniques that show the unity of the composition (Meynet, 1998: 38). This appears to be another way to label the analysis of literary structure. Meynet argues that this kind of rhetorical analysis “brings to light their inner logic.” The title of a book, *Literary Structure and Rhetorical Strategies in the Hebrew Bible* (by De Regt et al, 1996), reflects the notion that literary structure and rhetorical strategy are two separate ideas that are intertwined so much in a literary composition that they must be analyzed together.

Like literary analysis, rhetorical analysis and the analysis of rhetorical strategies could also be considered to be sub-category of discourse analysis.

The field of *text-linguistics* is the discourse analysis of a text from a linguistic perspective. Early work on texts defined texts as a “unit larger than a sentence”, consisting of a “sequence of well-formed sentences” (Beaugrande and Dressler, 1981: 28) based on the notion that one could develop a transformational grammar of texts, without reference to semantics or pragmatics in communication. However, as Beaugrande and Dressler note, the definition must be expanded in order to model “human communication in real interaction.” If this is the case, then a text unit and a discourse unit amount to about the same thing. In fact, Trosborg (1997: 4) says just that. She noted that what some authors call discourse, others call text. For instance, the subject of Longacre’s book (1996), called *The Grammar of Discourse*, is referred to by others²⁷ as text-linguistics.

For some, such as Longacre (1996) and Dawson (1994), the task of text-linguistics seems to be limited to an analysis of grammatical structures. Heimerdinger (1999: 11) considers this approach as too limited, because it does not take into account what are normally considered to be literary devices: “Even if one accepts that literary discourse has specific features, from a discourse point of view, stylistic or rhetorical evidence is no different from any other kind of linguistic evidence. As a result, it is to be expected that a discourse approach should be able to account at least for some of these features.” The Journal of Textlinguistics and Translation (JOTT) has articles which include the following in their titles: “A discourse reading of...”, “The Rhetoric of...”, “A Literary Theoretic Look at...” (JOTT 11, 1998); “Structure and Function of...” (JOTT 7, 1996); “The Poetics of...” (12, 1999); “From Literary Analysis to

²⁶ Cited in the forward in de Regt, de Waard, and Fokkelman (1996).

²⁷ Such as Heimerdinger (1999) and Dawson (1994).

...” (7, 1995). It appears that the editors use an all-inclusive notion for the definition of text-linguistics. This definition of text-linguistics would also include the type of analysis that I will present in this thesis.

Semantics (meaning), syntax (sentence structure) and pragmatics are essential ingredients of a discourse unit. In my opinion, literary analysis, rhetorical analysis, and text-linguistics represent research along the lines of three communicative purposes – poetic, rhetorical (as in persuasive) and informational, respectively. They constitute aspects of discourse analysis by coming from different starting points but converging on and providing an analysis of a discourse unit, often making the same discoveries, and even drawing the same conclusions. Thus, generally, I will be promoting a more inclusive approach to the study of discourse analysis of Biblical texts.

1.3 Discourse analysis of biblical law

1.3.1 Brief review of the literature

Lowery (in Bodine, 1995: 103-105) remarks that the latter half of the 20th century saw a new turn in the research on the Biblical text that came on the heels of the development of the descriptive approach to linguistic investigation of languages in the 1940’s. He cites the 1968 Muilenberg address to the Society of Biblical Literature, which opened up the world to the literary exploration of the Biblical Hebrew text. In other quarters, the evolving work on language description led to the inevitable realization that sentences and words in sentences could not be analyzed in a vacuum, that understanding the context in which they were spoken or written was fundamental for the comprehension of their functions.²⁸ The first Hebraist, to my knowledge, to address the question of syntactic functions within the context of a text was Francis Andersen, whose book *The Sentence in Biblical Hebrew* (1974), contains a wealth of information on relations between clauses.

Since Andersen’s seminal work, others have followed, proposing discourse theoretical approaches for the study of the Hebrew text,²⁹ and analyzing grammatical features within a discourse context.³⁰ A

²⁸ Linguists with the Summer Institute of Linguistics such as Pike, Grimes, Longacre, Callow and others working on Bible translations throughout the world were the first to recognize the need to consider the discourse context in their analysis of languages, and in the subsequent application of translation principles.

²⁹ For examples of theoretical approaches see: Lowery (1985), Longacre (1989), Cotterell and Turner (1989), Van der Merwe (in Bergen, 1994), Buth (in Bodine, 1995), Lowery (in Bodine, 1995), Longacre (1996), Rosenbaum (1997), Van Wolde (2002), Heimerdinger (1999), Shimasaki (2002), and Groom (2003).

³⁰ For examples of studies on specific features see: Lode (1989) on post-verbal word order, Buth (1990) on word order, Eskhult (1990) on verbal aspect, Bailey and Levinsohn (1992) on pre-verbal word order, Longacre (1992) on pre-verbal word order, de Regt (in Bergen, 1994) on rhetorical questions, Longacre (in Bergen, 1994) on the *weqatal* form, Gropp (in Bodine, 1995) on ke/be + the infinitive construct, Miller (1996) on conversational structure, Shulman (1996) on modal verb forms, Rosenbaum (1997) on word order, Goldfajn (1998) on word order and time, de Regt (1999) on participant reference, Revell (in Miller, 1999) and van Wolde (same volume) on the verbless clause, Shulman (1999) on the particle NA, Follingstad (2001) on the *ky* particle, Shimasaki (2002) on focus

number have focused on analyzing narrative texts³¹ in parallel to literary treatments of the Biblical narrative. Others have examined the discourse structure of Hebrew poetry,³² as well as prophetic literature.³³ A precious few have worked on instructional texts,³⁴ while texts on prayer³⁵ and Biblical law and other types of directives³⁶ have been all but neglected in the field of discourse analysis. To my knowledge, Dawson (1994) is the only author who has attempted a brief discourse analysis of legal texts - Lev. 6.1-7.37 and Lev. 14.1-32. For those who have included data from the legal corpus in their analysis of a particular feature, the analysis has not taken into consideration the distinct features of legal texts.³⁷

The same can be said of methodologies of the discourse analysis of different genres within the Hebrew Bible. The methodological guidelines for Biblical Hebrew literature have focused primarily on narrative.³⁸ There also exist guidelines for the analysis of conversation,³⁹ and poetry,⁴⁰ but only minimally on 'hortatory'.⁴¹ Until now there has been no methodology specifically oriented for the discourse analysis of Biblical law.

Therefore most of the information on discourse structure of the legal texts has been culled from discourse and literary research on other genres and from studies of specific linguistic features which are frequent in legal texts. Literary studies on legal texts are also a most valuable source of information. For example Sonsino (1980) and Elkin (2003) discuss motive clauses in legal texts; others such as Welch (1990), Sprinkle (1994), and Douglas (1993) and (1999) identify parallelisms and chiasmic structures.

structure and word order, and Fariss (2003) on word order. One should also mention Waltke and O'Connor (1990), and van der Merwe (2000), whose grammatical descriptions inevitably access text level parameters at certain points.

³¹ For examples of analyses focused on narrative texts see: Longacre (1979) on the flood narrative, Cotterell and Turner (1989) on the rape of Tamar, Eskhult (1990), Dawson (1994) on Jephthah (Judges 10-11) and on Ruth, Bergen (1994: Part II) along with Longacre and Hwang on Jonah, Groom (in Bodine, 1995), Longacre (1989, 2003) and Endo (1996) on the Joseph story, Heimerdinger (1999) and Groom (2003) on Judges 4, as well as numerous articles in JOTT, and its predecessor, OPTAT, Occasional Papers on Translation and Text-linguistics.

³² For examples on discourse studies of poetic literature see: Wendland (1994), JOTT 5.1 (1992), JOTT 6.3 (1993) on Proverbs, and other articles in JOTT.

³³ For examples on discourse studies of prophetic literature see: Wendland (1995) on Hosea and Joel, JOTT 5.1 (1992) on Haggai and Nehemiah, JOTT 6.3 on Obadiah, JOTT 6.4 (1993) on Isaiah and Malachi, and other articles in JOTT.

³⁴ Both Dawson (1994) and Longacre (in Bodine, 1995) examine the tabernacle instructions in Exodus.

³⁵ Nel (1982) takes a look at the structure of admonitions in Proverbs, and Miller (1994) outlines the structure of prose prayers in the Hebrew Bible. Crenshaw (1995) contrasts the form of prohibitions in legal texts and in wisdom literature.

³⁶ See Longacre (2003: Ch 5) for an analysis of 'hortatory' discourse in the Joseph narrative, as well as Shulman (1996) and (2001) on directive forms in the Pentateuch and the Former Prophets.

³⁷ For example, Shimasaki (2002) and Follingstad (2001).

³⁸ See Longacre (1996) for an introduction to a tagmemic approach.

³⁹ See Cotterell and Turner (1989, Ch.8) for an introduction to the principles of conversation analysis in Biblical texts and Miller (1996) for an analysis of reported speech in Biblical Hebrew.

⁴⁰ See Wendland (1994) and Wendland (1998).

⁴¹ Dawson (1994) uses Longacre's tagmemic approach and presents a methodology that he applies to several different genres including legal texts. Levinsohn (2002) has produced a set of lectures for the discourse analysis of hortatory texts, applying some of his insights to Biblical Hebrew.

Some of these latter (Sprinkle and Douglas) also examine the features of boundary markers that mark off units. Literary analysis of various texts (in addition to parallelism) have been done by Magonet (1983) on Lev. 19, Schwartz (1987) on Lev. 17-19, Knierim (1992) on Lev. 1.1-9, Hutton (2000) on Lev. 1-3, Morrow (1990) on Deut. 15.1-3, and Tigay (1994) on Ex. 20.22-26. Morrow (1990) examines in detail the literary structure of Deut. 15.1-3, noting the introductory formula, the parts of the text in comparison with similar types of texts, cohesive techniques, repetition, and chiasmic arrangement between two clauses.

1.3.2 Objective

As a result of the paucity of research on the topic, my objective in this thesis is to lay the groundwork for a discourse analysis of Biblical law by proposing a methodology which could inspire further research on specific features of legal discourse. Throughout this work I draw examples from the corpus of legal texts in the Torah.

1.3.3 Motivating factors

There a number of motivating factors for developing a methodology for the discourse analysis of Biblical law.

First, it is necessary to see the global picture and define what a discourse analysis of Biblical law can look like. This can best be done by spelling out the multiple aspects of discourse analysis as it applies to the legal text.

Secondly, before one can effectively analyze any one linguistic feature within the text, one must have a good sense of how each feature fits into an integrated, interrelated system of communication, where any one or more of numerous parameters may have a role in determining the function of that feature. Again, getting a global picture of how the different parts fit together to make a coherent text is a good place to start.

Thirdly, I choose Biblical law not only because no one else has applied an analytic discourse procedure to it, but also because research on other genres needs to be balanced by potential insights to be gained by discovering the structures of Biblical law. My claim is that looking at texts within the perspective of text types and genres will yield insights not otherwise available to the analyst. But it will also be hindered if hypotheses about any linguistic feature are based solely on what is found in other genres to the exclusion of legal texts. For that reason research on legal texts and other directives is an imperative for a better and more accurate analysis of specific linguistic features (e.g. word order).

Finally my motivation for working on discourse analysis comes from a deep interest in the subject particularly as it applies to the Hebrew Bible. It has been shown that Bible translations throughout the

world can be improved through a proper understanding of discourse functions in both the receptor language and the source language. My personal experience in supervising translation work confirms for me the necessity for this kind of research and my desire to serve Bible translation work is my underlying motivation.

1.3.4 Outline of the thesis

It is for the reasons presented above that I have elaborated my theoretical orientation in this introductory chapter. *Chapter two* will follow with a discussion of classification strategies and their value for analysis. I will identify Biblical law as a genre which finds its place within the set of directive text types, which includes anything from requests, to advice and instructions, to authoritative commands and regulations. The various parameters of a directive text will be explored, culminating in a proposed classification, along with a discussion of the parameters that distinguish legal texts from similar types of directive texts.

In preparation for analysis, *Chapter 3* will present some basic aspects of a discourse unit – theme and topic, cohesiveness and continuity, discontinuity and progression, prominence and regularity, semantic roles and relations, and the structural organization in a text. After explaining these preliminary notions, I will then propose a procedure for analysis including charting a text and examining it within its textual context.

Chapter 4 will focus on how to identify units and corresponding boundary markers. It will also look at the different parts of a legal text and introduce some semantic relations that can be found between clauses and groups of clauses which form sub-units in a text.

The two major topics of *Chapter 5* will consist of a sketch of the different types of structural arrangements that can be found in a legal text, as well as of various patterns of regularity and prominence.

Thematic development, as discussed in *Chapter 6*, will involve tracking participant reference, and examining the role of repetition, in particular lexical cohesion as a tool for thematic continuity and progression within the text.

Chapter 7 will then remind the reader that a linguistic analysis is always dependent on the observation of data above and beyond the text, as the reader and analyst attempt to find meaning based on their knowledge of the world. Furthermore it shall be pointed out that some of this knowledge comes from analysis of other texts in comparison with the text under examination.

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Each text is composed of its own unique set of features. In order to understand the reasons for the variation between texts, one seeks to identify the basic parameters which distinguish them. This examination of parameters can lead to grouping together texts with the same set of parameters, and contrasting them with those with a different set of parameters, providing a base for comparison and analysis. Our goal here is to identify the types of text with which legal texts share some parameters, as well as discovering those parameters which distinguish legal texts from other types. This type of discovery procedure can lead to fruitful insights concerning the functions of various linguistic structures in a text. I begin by presenting some basic parameters and classification strategies, and then move on to examine a number of parameters of directive texts, of which legal texts are a part. Then I will propose a general classification of directive texts with reference to the parameters of legal texts.

However, it must be understood that no text classification can be considered a definitive categorization. Categories may overlap with members sharing features of more than one category. Furthermore, the selection of one parameter over another for classification can bring a particular set of insights to the texts under consideration, while the selection of a yet a different parameter may yield a different set of insights, both of which are valid.¹ In linguistic analysis one often needs to look at data from several different angles, before all the pieces fit together. Parameter identification and text classification, therefore, serve primarily as an analytical tool for discourse analysis.

2.1 General parameters for text classification

In general, there are four basic parameters that work together to produce a communication event:

1. The *context* or environment in which the message was communicated:
 - *situational context* – participants, events, and a time frame and location for which the discourse may be concerned or within which the discourse was constructed. This context may be real or it may be imaginary.
 - *linguistic context* – what comes before and after in the stream of speech or written text.
 - the medium of communication – written, oral, etc.
2. *The purpose for the communication.*

¹ Without using the term ‘parameter’, Follingstad (2001: 360-406) takes a look at how the different types of text and genre classification can be used as an analytical tool in the examination of the particle *ky* in Biblical Hebrew.

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3. *The content of the message* – the information or message that the speaker wishes to convey.
4. The various *linguistic signals* which are used to communicate the context, purpose, and message of the communicator.

The most well-known classification of discourse types for analysis of Biblical texts is the approach used by Robert Longacre (1996). Longacre (9-10) lists three basic parameters for the categorization of discourse types:

1. +/- agent orientation (+ agent: narrative, behavioral; - agent: procedural, expository)
2. +/- succession (+ chronological succession means 'one action contingent on a preceding action': narrative, procedural; -succession: behavioral, expository)
3. +/- projection (+ projection or future: prophecy narrative, how-to-do-it procedural; -projection: story narrative, how-it-was-done procedural)

From the preceding parameters he extracts the following basic discourse types:

1. Narrative: + agent, + succession (which can be subdivided into two groups of +/- projection)
2. Procedural: - agent, + succession (+/- projection)
3. Behavioral: +agent, -succession (+/-projection)
4. Expository: -agent, -succession (+/-projection)

The *behavioral* discourse type is subdivided to include *hortatory*, characterized by imperative verb forms, and other verb forms which communicate the desire for the speaker to do a certain action.

For Biblical Hebrew, Longacre finds that the classificatory system he proposes above needs to be revised in order to accommodate for two more types (18-20):

5. Instructional: e.g. instructions to build ark, tabernacle
6. Juridical: law codes

He attempts to bring his discourse types in line with the parameters of Hebrew verb forms, thus contrasting narrative (using the *wayyiqtol*, and x *qatal* verb forms) with the predictive/ procedural/ instructional cluster (using *weqatal*, and x *yiqtol* verb forms).

For each category, he provides a sketch of linguistic features typical of each type, as well as a few examples. However, he is less clear about the definition of each of these discourse types. Neither does he show how these two new categories fit into his paradigm of parameters.

Many linguists working in a variety of languages have used Longacre's classification as a basis for categorization of texts for analysis. However, the parameters that he has chosen for classification and the binary +/- features present problems for a more global classification, particularly in his categorization of *hortatory*, *instructional* and *juridical* discourse. These three types all share in common an underlying communicative purpose: *X says A because X wants Y to do A*. This general category, which also includes prayer, orders, requests, commands, and advice, does not seem to be fully reflected in Longacre's hortatory classification. Another problem with Longacre's classification, especially for legal texts, is the

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category of procedural, which apparently groups together procedural types of legal texts (e.g. Lev. 1-7 on sacrifice procedures) along with any other how-to-do-it, how-it-was/is-done procedurals. This would effectively split legal texts into two separate basic categories – *juridical* and *procedural*.

Another solution is to classify texts according to communicative purpose. Linguists who developed and promoted *speech act theory*, sought to classify speech verbs of a language according to their communication functions. This type of categorization was carried into the field of pragmatics and discourse analysis. Schiffrin (1994: 7) points out how “speech act theory itself also provides a means by which to segment texts, and thus a framework for defining units that could then be combined into larger structures.” Speech act theory then is seen as a starting point for classifying communicative functions, and by extension, the texts that express these communicative functions.

Numerous discourse analysts do classify texts according to communicative purpose.² Callow and Callow (1992) propose to classify texts according to the parameters of communicative purpose for which they outline three broad categories: *informative* (communicating knowledge), *conative* (communicating desires, intentions, wills), and *expressive* (communicating emotions, values, judgments).

The *informative discourse type* can be subdivided according to further parameters such as tense (past – future), dynamic – static, event – topic progression, and truth value (fiction – non-fiction). Longacre’s classifications of narrative, predictive, descriptive, how-it-is-done procedural, and expository discourse types would be found in this category.

The *conative discourse type* most closely coincides with Longacre’s *hortatory* and *promissory* category. The term *volitive*³ can also be used. It concerns any action that involves the will of the speaker. The category is further subdivided according to the parameter of *orientation of the volitive focus* – either on the speaker or on another person. If the speaker wills to do something himself, the communicative function is called *commissive* (it can be promises, or simply an expression of an intention or desire to act). The prophetic genre, as well as covenantal texts in the Hebrew Bible includes major sections of the commissive discourse type. It is also often frequently embedded in narrative in the form of reported speech. If a speaker communicates his will that another person do something, then the speech event is *directive*. This includes Longacre’s *hortatory*, *instructional*, and *juridical*, as well as prayer, requests, advice, orders, commands, etc. More will be said about this directive category below.

² For example, see Callow and Callow (1992), Bhatia (1998: 13, 43,59), Kinneavy (1980: Chapter 2), and Trosborg (1997).

³ The term ‘volitional’ is used by Waltke and O’Connor (1990: 564ff) as a category grouping together the jussive, imperative, and cohortative verb forms.

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The *expressive discourse type* groups together discourse units in which persons give expression of their own feelings, attitudes, evaluations, and judgments. In the Hebrew Bible, God's judgments and praise and lament poetry are expressive text types. Confession would also belong in the expressive category.

A text generally consists of more than one discourse type, though there may be a single dominant text type accompanied by several supportive discourse types. The genre of *Biblical prophecy* is a combination of evaluative, predictive, and directive discourse types. Magisterial judgment is both evaluative and directive. In *narrative*, the dominant text type is narrative, while the supportive discourse types may consist of the informative functions of descriptive, background narrative, and expository (explanation), as well as the expressive function of evaluative, etc. *Directive* discourse is often accompanied by some kind of information as well as argumentation. *Argumentation* can consist of the communicative purposes of informing and expressing opinions which serve the purpose of convincing the recipient of the value of complying to the directive.

2.2 Parameters of a directive text

The use of the term 'directive' to designate the conative category of projecting one's will on another person originated in the speech act theory of authors such as Searle (1979: 13-14).⁴ It was subsequently picked up and used by those working on pragmatics,⁵ modality,⁶ and discourse analysis.⁷ Van der Merwe et al (1999) also use the term 'directive' to designate this same communicative category throughout their reference grammar of Biblical Hebrew.

Directives are plentiful in the Hebrew text. They are found embedded throughout the Hebrew narratives as orders, counsel, requests, prayers, decrees, and laws. They are also an integral part of the prophetic genre, and figure significantly in the wisdom genre, especially in the book of Proverbs. Even the Psalms has its own special way of communicating proper conduct befitting the follower of YHWH (e.g. Ps.1), as well as prayers to God in poetic form. But perhaps the most significant of all directives in the Hebrew Bible are the laws, or '*torah*', traditionally known as Mosaic law.

⁴ Concerning the directive category, Searle states: "The illocutionary point of these consists in the fact that they are attempts (of varying degrees, and hence, more precisely, they are determinates of the determinable which includes attempting) by the speaker to get the hearer to do something. They may be very modest "attempts" as when I invite you to do it or suggest that you do it, or they may be very fierce attempts as when I insist that you do it... The direction of fit is world-to-words and the sincerity condition is want (or wish or desire). The propositional content is always that the hearer H does some future action A. Verbs denoting members of this class are *ask, order, command, request, beg, plead, pray, entreat*, and also *invite, permit, and advise*... Questions are a subclass of directives, since they are attempts by S to get H to answer, i.e. to perform a speech act."

⁵ For example, Blakemore (1992).

⁶ For example, Palmer (1986).

⁷ For example, Callow and Callow (1992) and Schiffrin (1994).

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Different types of directive text are reflected in the terminology used in both English and Biblical Hebrew. In English, there are terms such as - commands, instructions, demands, warning, counsel, advice, exhortation, admonition, requests, prayer, petition, begging, pleading, etc. In Biblical Hebrew there are also a number of directive words: *tsiwah* (command, instruct), *yasar* (admonish, correct, discipline), *horah* (teach, instruct), *qara'* (call, invite), *tsa''aq* (cry out), *shalax* (send for), *ya''ats* (plan, counsel), *sha''al* (ask, request, inquire, beg), *biqesh* (seek), words for prayer, etc. Specific words used to refer to legal directives are *mishpat*, *xoq*, *xuqqah*, *mitswah*, and *torah* (which will be discussed below).

In order to illustrate the dynamics of different parameters in a directive text, let us first examine a variety of directives against smoking:

- Don't smoke
- No smoking
- Blessings to you for not smoking here
- Thank-you for not smoking
- Smoking is a sin
- I wouldn't smoke if I were you
- Smoking is hazardous for your health
- Excuse me, the smoke is bothering me
- Smoking is prohibited in the entire building
- A twenty-five dollar fine for smoking on the premises
- Since I have respiratory problem, I was wondering if you could refrain from smoking
- One more cigarette to smoke, one less day to live

All of these directives carry the same underlying message: the originator of the message does not want the recipient of the message to smoke. The variations are due to a combination of underlying parameters.

The recipient orientation can vary from a first to second to third person impersonal orientation. Verb forms vary from finite verb forms to infinitive gerund types found in nominal positions of the clause. Some of them are clear imperative forms; others are in a form of an assertion of fact, or an expression of opinion.

However, these rather superficial descriptions cannot fully explain the reasons for variation. One ingredient of a text is that of context. Even a bare directive statement, with little or no additional information, has a non-verbalized context. A simple example of this is the posted sign – 'no smoking', leaving the reader to understand that smoking is not allowed in proximity of the sign at any time. Others explicitly refer to the location (here, in the entire building, on the premises), leaving implicit the type of location it is – whether in a home, in a public building, or in a restaurant. The lack of temporal orientation gives the assumption that the directives are applicable at all times. The medium and occasion of

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communication will also affect the shape of the message – whether it is on a sign in a room, or a notice on a cigarette package, a personal bit of oral advice or a value judgment from a pulpit.

Another feature of directives is that the speaker of the directive has an underlying reason for wanting another person to comply to his wishes. This may be non-explicit, as in the case of the no-smoking sign, or the reason may be put forward as a mitigated directive in, expressed in the form of an informative/evaluative statement: *Smoking is bad for your health*. The sign – *blessings to you for not smoking here* – has a slightly more obscure reasoning. It brings the underlying message of – *I do not want you to smoke here, because if you do I will be unhappy, but if you do not I will be happy, and as a result wish for God's blessings on you, and we will have a happy time together*. On the other hand, the fine notice for being caught smoking presents a law in the form of a threat, in order to deter the would-be smoker. This latter is not an expression of a reason for the law, but rather a reason for obeying the law. It is an argumentation strategy underscoring the amount of volitive force behind the directive.

If one were asked to classify the 'no smoking' directives given above, one would intuitively choose one or two parameters and put the directives into different groups. It could be according to verb form: smoke vs. smoking. It could be according to perceived volitive force: regulation vs. advice vs. request. It could be according to communication medium: oral vs. written. And so on.

Various authors have proposed some distinctive parameters for directive categorization. Waltke and O'Connor (1990), Blakemore (1992), Shulman (1996) and others have recognized the importance of the *social status between the speaker and the recipient* of the directive. Directives associated with the words 'command' and 'plead for mercy' are generally seen to correlate with the parameters of social or political status. Waltke and O'Connor (565) speak also of the *force of the imposition of the will* of the speaker on the recipient. Blakemore (110) proposes the parameter of the relative *strength* of the directive: "Thus for example, an order is a stronger type of directive than a request." She also introduces the parameter of *desirability* on the part of the recipient or on the part of the speaker. "If the hearer understands the speaker to be indicating that the state of affairs is desirable from the hearer's point of view, then the utterance will be understood as permission or advice." (113). Finley (1989: 3-4) distinguishes commands and prohibitions from request, exhortation, and entreaty with the parameters of authority and reliance on the willingness of the listener to carry out the directive for the benefit of the speaker.

The search for parameters not only helps provide for a better informed categorization of texts; it is also a tool for unearthing the underlying functions of various linguistic structures. For instance, those examining the functions of directive verb forms as well as the meanings of various directive verbs

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invariably seek out the parameters that distinguish the different forms.⁸ Frequently one gets the impression, however, that the various parameters are simply pulled out of the hat to be tried on for size, while other significant parameters are not even thought of. In order to combat this seemingly ad hoc selection of parameters, I attempt below, to identify in more detail a preliminary list of parameters that must be taken into consideration for both the classification and for the functional analysis of the linguistic structures in directive texts.

2.2.1 Situational context

2.2.1.1 The setting

In directive discourse, there are actually two types of setting:

1. **The speech event setting:** when, where, and under what circumstances the directive was issued, who issued the directive to whom, etc.
2. **The directive setting:** the setting in which the directive is applicable.

This distinction is especially valid for legal texts of the Torah, in particular, casuistic laws. The *speech event setting* of the laws of Exodus and Leviticus, according to the Biblical record, is Mount Sinai, during the travel of the Israelites from Egypt to Canaan. The agent is YHWH; Moses is the conveyor of the directive; the Israelites sitting at the foot of the mountain are the recipients. However the *directive setting* of the casuistic laws is different from the speech event setting. The law about an ox falling into a pit was not made at the point that the ox may have been actually falling into a pit; the law's speech event setting is Mt. Sinai, while the directive setting for this particular law is the potential event that the ox falls into a pit.

If the speech event setting is the same as the directive setting, then the applicability of the directive is immediate. This is the case for many orders given by God for the different movements and activities in the desert, as well as for the multiple requests, prayers, advice, and commands found throughout the Hebrew Bible.

There are some orders and requests, however, which concern actions to be taken at a different time and setting than the speech event setting. These type of delayed action directives can be found especially in Numbers and Deuteronomy, where God prepares the Israelites with instructions that will be applicable upon arrival in Canaan. In these cases the speech event setting is different from the directive setting.

⁸ For example, Longacre (1994), Shulman, Finley, and others.

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The information concerning the speech event setting is frequently given in the narrative margin of the directive;⁹ for example, Lev. 1.1. *The LORD called to Moses and spoke to him from the Tent of Meeting, saying...* NJPS.

The directive setting involves all conditions under which the directive is applicable. The setting may involve the actions of certain individuals which calls for a particular type of punishment, reparation or obligation; it may concern a time frame in which a particular directive is to be applied, as well as identification of the participants of the directive.

A directive setting with complex information is usually presented in the form of conditional clauses, using the conjunctions *ky* (1) and *'im* (2):

- 1) Ex. 21.2 כִּי תִקְנֶה עֶבֶד עִבְרִי *If you buy a Hebrew servant*
2) Ex. 21.3 אִם-בִּגְפוֹ יָבֵא *If he enters (bondage) as a single*

Presentational structures, using the demonstrative pronouns *zot*, *zeh*, and *elleh* are another way of providing setting information especially for a long list of directives which are relate to a single theme:

- 3) Lev. 14.2 זֹאת תְּהִיָּה תּוֹרַת הַמִּצְוֹעַ בְּיוֹם טְהוֹרָתוֹ
This is the instruction for skin diseases at the time of purification.

Setting information can also be packaged within the initial position of a sentence, either as a participial construction (see (4) and (5)), or as a relative clause (6):

- 4) Lev. 19.6b וְהִנּוֹתָר עַד-יָנוּם הַשְּׁלִישִׁי בְּאֵשׁ יִשְׂרָף: *The left-over one until the third day, is to be burned in the fire*
5) Ex. 21.15 וּמַכֶּה וְאָבִיו וְאִמּוֹ מוֹת יוּמָת: *The one hitting his mother and father must die*
6) Lev. 20.9 כִּי-אִישׁ אִישׁ אָשָׁח יִקְלֹל אֶת-אָבִיו וְאֶת-אִמּוֹ מוֹת יוּמָת
If there is anyone who insults his mother and his father, he must die

Prepositional phrases beginning with *be-* preposition frequently introduce setting information related to the circumstance or the timing of the directive setting.

- 7) Lev. 19.9 וּבִקְצֹרְכֶם אֶת-קְצִיר אֲרָצְכֶם *In your harvesting the harvest of your land...*
8) Num.15.18b-19a בְּבֹאֲכֶם אֶל-הָאָרֶץ אֲשֶׁר אָנֹכִי מְבִיא אֲתֶכֶם שָׁמָּה: וְהָיָה בְּאֲכֹלְכֶם מִלֶּחֶם הָאָרֶץ *Upon your entering the land which I am bringing you to there; and it happens in your eating of the bread of the land...*

Setting information generally precedes the set of directives to which it applies. However, it can also be syntactically located after the directive, as in (9):

- 9) Lev. 19.15 לֹא-תַעֲשׂוּ עוֹל בְּמִשְׁפָּט *Do not do evil in judgment*

⁹ See sections 3.4 and 4.1.2.3 for more on the functions of quotative frames.

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Explicit directive setting information can be totally absent as in the absolute laws of the Ten Commandments; it can be embedded within the clause after the directive as in (9); or it can be a long series of clauses preceding the directive as in Num. 5.11-14:

Table 1. Numbers 5.11-14: Directive Setting

<i>Said YHWH to Moses saying, Speak to the sons of Israel And say to them</i>	וַיִּדְבֹר יְהוָה אֶל-מֹשֶׁה לֵאמֹר: 5:11 דַּבֵּר אֶל-בְּנֵי יִשְׂרָאֵל וְאָמַרְתָּ אֲלֵהֶם 5:12
<i>Any man if (ky) goes(yiqtol) astray his-wife,</i>	אִישׁ אִישׁ כִּי-תִשְׁטֶה אִשְׁתּוֹ
<i>And-breaks-faith(weqatal) with-him faith,</i>	וּמַעַלָּה בּוֹ מַעַל:
<i>And-lies(weqatal) a man with her with-an-emission-of-seed</i>	וְשָׁכַב אִישׁ אֶת־הָאִשָּׁה שֶׁכַּבְתָּ-זָרַע 5:13
<i>And-it-is-hidden(weqatal) from the eyes of-her-husband</i>	וְנִעְלַם מֵעֵינֵי אִשְׁהָ
<i>And-she-concealed-herself (weqatal)</i>	וְנִסְתָּרָה
<i>And she made-herself-unclean (qatal)</i>	וְהָיָא נְטִמָּאָה
<i>And witness was-not against-her</i>	וְעַד אֵין בָּהּ
<i>And she not was-apprehended (qatal)</i>	וְהוּא לֹא נִתְפָּשָׁה:
<i>And-crosses-over-him (weqatal) a-spirit-of-jealousy</i>	וְעֵבֶר עָלָיו רוּחַ-קִנְאָה 5:14
<i>And-is-jealous(weqatal) toward-his-wife</i>	וְקִנְאָ אֶת-אִשְׁתּוֹ
<i>And-she made-herself-unclean (qatal)</i>	וְהָיָא נְטִמָּאָה
<i>Or-crosses over-him(owqatal) spirit-of-jealousy</i>	אוּ-עֵבֶר עָלָיו רוּחַ-קִנְאָה
<i>And-is-jealous(weqatal) toward-his-wife</i>	וְקִנְאָ אֶת-אִשְׁתּוֹ
<i>And-she not had-made-herself-unclean (qatal),</i>	וְהָיָא לֹא נְטִמָּאָה:

2.2.1.2 Participants

The participants involved in every directive are:

- **The speaker**, i.e. the source of the directive
- **The recipient** of the directive, i.e. the person receiving the directive
- **The potential actor** (agent) of the directive

Within the directive itself, there may also be a patient or a beneficiary of the action directed by the speaker. In Biblical law the recipient of the laws, Moses, acts as an intermediary in passing the laws on to the Israelites.

The identification of the *speaker* is often given in the narrative margin of the directive (e.g. *And YHWH said to Moses...*), but it is frequently given within the speech event of the directive itself. For instance in God's call to Moses to go and liberate his people, one major ingredient is God's identification of himself as speaker of the directive (e.g. *I am YHWH*).

The *recipient* of the directive is also usually identified within the narrative margin of a directive text, especially in the case of Biblical law. In prayers, forms of address are regularly serve to identify the recipient. The parameters, connected with the reference to the recipient of a directive are the following:

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- Orientation: second person, third person (Rules will tend to be in third person; exhortations and one time directive in second person)
- specified, unspecified: (Rules which are applicable for an indefinite time period will be more likely to have unspecified recipients, whereas one time instructions will have highly specified recipients)
- singular, multiple

Longacre's 'agent orientation' parameter corresponds to recipient orientation.

Social relationships between the speaker and recipient of the directive

Superiority in the following areas on the part of either the speaker or recipient will strongly impact how the directive is worded:

- Power
- Authority (political, social, spiritual, or otherwise)
- Eldership
- Knowledge and wisdom superiority

When the speaker has power and authority over the recipient of the directive, we often speak of *commands, prescriptions, decrees, permission, prohibition, commissioning*, etc. In Hebrew, the parameter of authority is an inherent meaning component of the verb *tsiwah*: It is used only in cases where the speaker has authority and power over the recipient. Authority directive nominals in Hebrew include: *mitswah, xoq, xuqqah, mishpat, 'edut*, words that most commonly refer to Biblical law. When knowledge and wisdom superiority are more in focus, *advice, counsel, exhortation, instruction, warn*, etc. (in Hebrew, *'etsah*) come to mind. The verb *horah*, and its nominal *torah*, can be found in both authority and superior wisdom directive categories. Biblical Law clearly fits into the parameter of ***authority directive***, as well as any command that God or a king gives his people. Moses' exhortation to the Israelites in the early chapters of Deuteronomy, as well as the wisdom directives of the proverbs, psalms, and the prophets are seen more as ***superior wisdom directives***.

On the other hand, when the agent of the directive is, or puts himself in a socially inferior position in relation to the recipient, the words *request, prayer, plea, beg, and demand* (in Hebrew: *sha'al, darash, hitxanan, hitpolel*, etc.) are used. Note however, that for a few words such as *call, invite* and *threaten*, the social relationship parameter is not pertinent.

In an interesting study, Shulman (1996) examines the use of various Biblical Hebrew directive verb forms (imperative, jussive, cohortative) in the light of this single parameter.

Action for the benefit of the speaker/recipient of the directive

Directives can be classified according to who is meant to benefit from the action desired:

- the speaker (requests, prayer, begging, demands)
- the recipient (rules, advice, counsel, warning)
- third party
- not pertinent (commands)

Superior wisdom directives claim to be for the benefit of the recipient. Requesting types of directives as well as demands focus on the benefit for the speaker. This parameter, however, is not a meaning component of the word *tsiwah* (*command*). It is only the content of the *mitswah* that will reveal whether the directive is for the benefit of the speaker or the recipient, or for both. There are a few cases where God, clearly the ultimate authority figure, requests (*sha''al*) actions of his people (e.g. Deut. 10.12, Micah 6.8). In these cases requesting verbs turn the focus more on God's benefit or delight when the directives are obeyed.

2.2.1.3 The parameters of tense and aspect functions in directives

The parameters expressing tense and aspect functions indicate when a directive is to be applied, within what time frame, and whether or not it is to be a repeatable action subject to specified conditions. These parameters are frequently but not always indicated through verb forms, and are usually accompanied by information (such as conditional clauses) which provide further clarification.

Tense/mode of the directive

Each directive has a way of expressing how far into the future the directive is to be applied, whether

- imminent,
- non-imminent, future,
- potential (casuistic law: in the case that...), or
- at any time (certain types of apodictic law: Honor your father and mother, proverbial exhortations).

The imperative verb form as well as the negative '*al + yiqtol* (jussive) forms tend to signal directives for immediate action, while the *yiqtol* (imperfect) form, the infinitive absolute functioning as a directive, and the negative *low + yiqtol* tend to be used in the case of future, non-imminent, any time, and potential directives.¹⁰ The exhortations of Proverbs, however, tend to use the first set of verb forms, those generally associated with immediate action directives, giving the directives a ring of urgency.¹¹

¹⁰ See Shulman (1996: 28, and 131ff) for discussion of the imperative form and the infinitive absolute with a directive function. However, she does not take into consideration the directive verb forms used in wisdom literature.

¹¹ Crenshaw (1995) uses the term 'urgent advice'.

Aspectual: Time frame

The time frame in which the directive will apply may be

- punctual,
- for a limited time period (e.g. procedures for setting up camp while in the wilderness), or
- for an indefinite time period (e.g. Biblical law).

Directives for a punctual time period can be calls for immediate, future, or potential action. However, directives for an indefinite time period, such as law, tend to be restricted to potential and any time of the tense/mode parameter indicated above, though there are a number of laws in Numbers which are to apply at a future time: *when you enter the land that God will give you...* There is one authority directive term in Hebrew for which the parameter of indefinite time period is an inherent meaning component: *xoq*. The term *xoq...* ‘*olam* (a law forever), reinforces the notion of permanency of the law over the generations.

Aspectual: Iterativity

Iterativity refers to the number of times that the directive is applicable:

- one time, limited to one specific setting, either immediate (e.g. Tabernacle building instructions), or some specified setting in the future (e.g. temple building instructions by David to Solomon).
- repeatable (iterative), subject to certain conditions (festivals, observance of religious rituals, case law, etc.)
- always or never, no conditions (e.g. honor parents, do not kill)

Biblical law has either iterative, or, always or never, applicability. Within the context of law and customs mentioned in the Bible, the word *mishpat* seems to yield a sense of iterative application.¹²

2.2.2 Modal and communicative purpose parameters

In Ch. 1.1, it was mentioned that a text may have more than one communicative purpose. In addition to the directive communicative purpose, directive texts also have varying degrees of volitive weight, evaluative, informative, and even poetic functions.

2.2.2.1 Directive parameters: speaker/recipient volitive weight

One major directive parameter concerns the interplay of the relative weight of the will of the speaker on the recipient of the directive with the potential receptivity and will of the recipient to comply to the directive. Volitive weight can be classed into three broad categories:

- Imposition, requirement: the speaker seeks to impose his will on the recipient (e.g. prescriptive, commands, demands, threat). The will of the recipient is not pertinent.

¹² The word *mishpat*, derived from the verb *shaphat* (judge), carries a number of varied meanings depending on its context. It can mean ‘judgment’ or ‘decision’. The term is also used for both God’s laws and for customs and laws established by people.

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- Persuasive: the speaker appeals to the reasoning logic of the recipient, seeks to convince. (e.g. exhortation, counsel, warning, TV ads, evangelism, etc.). The good will of the recipient is not certain.
- Appeal: appeal to the volition of the recipient: the speaker subjects himself to the good will of the recipient to fulfill the request (e.g. begging, prayer, invitation).

Along the lines of this parameter, the exhortation/counsel types of texts are similar to the requesting types of texts in that both types seek to *persuade* by appealing to logic and good will through various types of argumentation. The *impositional* types of texts will have a different type of argumentation, if any: it will focus more on imposing power and authority on the recipient. These three types may vary significantly in the use of verb forms, from verbs with a strong imperative mood to mitigated forms, using indicative clauses, or rhetorical questions. In Biblical Hebrew, however, the imperative verb form can be used for all types, in which case, the accompanying lexical indicators will show the distinction (e.g. particle *na'* (please)).

Authority directives tend to fall into the impositional category, but so can directives given by people not in authority but who impose their will through means of coercion, threat of violence, mass revolt or protest marches (!). There are some very clear examples of these kinds of demands in Numbers when the Israelites revolt against Moses and against God.

Likewise there are directives given by persons in authority where the authority appeals to reasoning logic rather than impositional means. In such cases, instead of the verb *tsiwah* (command), the Hebrew words *ya''ats* (counsel), *sha''al* (ask) Deut 10.12 and *darash* (seek) Micah 6.8, may be used to refer to wisdom directives given by God. In Isaiah 9.6 the coming Messiah is called a Wonderful Counselor (not a Mighty Commander!). In the directive text of Deut. 10.12 Moses emphasizes that YHWH 'asks' for complete devotion to God:

10) Deut. 10.12

And now, O Israel, what does the LORD your God ask [sha''al] of you but to fear the LORD your God, to walk in all his ways, to love him, to serve the LORD your God with all your heart and with all your soul, and to observe the LORD's commands and decrees that I am giving you today for your own good? NIB

2.2.2.2 Evaluative parameters

Listed below are two parameters which measure a kind of value judgment implicit in the directive:

Evaluative: Perception of Directive validity¹³

- directive is presented as incontestable (e.g. prescriptions, decrees, laws)
- directive may be interpreted as being potentially open to challenge, and thus may require convincing argument (e.g. exhortation, advice, counsel)

¹³ See Palmer (1986: 51, citing Givón 1984: 24) for a similar type of classification of epistemic modality. In fact the modal 'must' in English can be used for both the epistemic level of incontestability as well as for the deontic (directive) level of incontestability. Compare: 'It must be true' and 'One must not kill'. But as Bhat (1999: 75) points out, this correspondence does not necessarily hold in other languages.

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- directive presents information that is left open to judgment by the recipient (e.g. request, prayer, suggestion)

Evaluative: Perceived importance of the Directive

- vital – potentially a matter of life or death, or extreme urgency
- highly important
- reparable if directive not followed
- less important

This parameter is not easily classifiable into categories. It is more a matter of degree of intensity of the directive. Both vocabulary and linguistic structure can be used to communicate the importance of the directives, by arrangement of the order of the presentation of the directives, the use of superlative words, types of verb forms (e.g. infinitive absolute + *yiqtol*), or by poetic structure, etc.

2.2.2.3 Degree of informativity

Directives frequently serve as a vehicle of information, providing tips on *how* to do something. Some directives are less informative, in that the recipient may have already heard the directive; rather he needs to be reminded. There are two parameters associated with informativity:

- New information versus old information in directives
- degrees of informativity versus volitivity

Prescriptive texts (*mitswot*) and certain types of wisdom directives (*'etsah*) consist of directives which are new to the recipient, and thus tend to be highly informative. I consider exhortation, on the other hand, to consist of old directives, but which may need further argumentation, including information that the recipient may or may not be aware of, in order to convince the recipient of the value of following the directive. Such is the case for Moses' exhortations, as well as proverbial wisdom. *Mitswot* (commands) are both highly impositional directives as well as informative. *Torot* (instructions) tend to be more informative.

2.2.2.4 Poetic parameters

Poetic and prose texts have identifiable structural differences, though there is a large grey area between the two. Directives can also be more or less poetic. They can be

- part of a poem,
- directive prose, with embedded poetry,
- directive prose, with poetic devices, or
- directive prose with no poetic devices.

Directives with a poetic flair will be different from directives written in prosaic style. They can have the form of expressive directives such as *Happy is the man who...* found in the more poetic wisdom

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literature (e.g. Psalm 1), and *Woe is he who...* (e.g. Isa. 5) of prophetic literature.¹⁴ Alternatively, ‘I’ statements can be made, expressing one’s opinion of right conduct (e.g. Psalm 119: 13 *With my lips I rehearse all the rules You proclaimed* NJPS). On the other hand, it is clear that certain directives within prose, especially decree and implementation texts, certain prayers, requests, and proposals,¹⁵ as well as Biblical law¹⁶ can make use of parallelisms. We will look at parallelism in more detail in Chapter 5.1.

2.2.2.5 Argumentation

Argumentation is a special category that uses a combination of discourse types in order to fulfill a rhetorical function for the text. The goal of argumentation in the context of a directive is to convince the recipient of the value of complying to the directive. Argumentation can be implicit, found between the lines so to speak, of a series of directives,¹⁷ or in repetition techniques such as parallelisms or key word repetitions. In other cases, argumentation can be found in the surrounding narrative context of the directives.¹⁸ Frequently argumentation accompanies directives in the form of separate motive clauses coming before or after the directives. They may or may not be linked to adjacent sentences by means of a conjunction. Here are a few examples (motive clauses are underlined):

11) Lev. 19.2 : כִּי קָדוֹשׁ אֲנִי יְהוָה אֱלֹהֵיכֶם : קְדוּשִׁים תִּהְיוּ *Holy you must be For(ky) I am holy*

12) Ex. 20.2 : אֲנֹכִי יְהוָה אֱלֹהֶיךָ אֲשֶׁר הוֹצֵאתִיךָ מֵאֶרֶץ מִצְרַיִם מִבְּיַת עַבְדִּים

I am YHWH your God, who brought you out of the land of Egypt, the house of slaves. There must be no other gods for you before Me.

¹⁴ See Sawyer (1993: 32-33) for a brief discussion of *woe* statements.

¹⁵ Klaus (1999) describes the pivotal structures (i.e. *abcba*) for a number of decree and implementation texts, and request types of texts embedded in the narrative of the former prophets.

¹⁶ Brichto (1998: 302) states: “I have long argued that “biblical law” is not to be (mis)taken for the legal code of ancient Israel’s society, and that such legal formulations are to be interpreted in terms of their formulaic patterns as kerygmatic vectors, and not in comparison and contrast with similar formulations in neighboring cuneiform societies. It is on the basis then of such poetical thinking and poetic analysis that I have felt free to include examples of poetic expression – narrative and lyrical – and of legal(istic) formulations to support the plausibility of a kerygmatic conception or line of thought as it emerges from my reading of narrative texts and related structures.” Other authors such as Douglas (1999), and Sprinkle (1994) also promote the notion of Biblical law texts as being a piece of well crafted literature.

¹⁷ Douglas (1999: 18) states: “Leviticus’ literary style is correlative, it works through analogies. Instead of explaining why an instruction has been given, or even what it means, it adds another similar instruction, and another and another, thus producing its highly schematized effect. The series of analyses locate a particular instance in a context. They expand the meaning. Sometimes the analogies are hierarchized, one within another making inclusive sets, or sometimes they stand in opposed pairs or contrast sets. They serve in place of causal explanations.... Instead of argument there is analogy.”

¹⁸ For example, Watts (1999) points out the rhetorical strategies in placing Biblical law within the context of narrative. For instance, in each of the law books, there are narratives of a law being broken and the punishment that was applied. Clearly this is to impress upon the reader the importance of following the laws. The Mt. Sinai theatrics described in Exodus 19 and at the end of Exodus 20 thus framing the Ten Commandments prove to be a very strong rhetorical device, as well as the narrative of the covenant ceremony in Exodus 24. Weinfeld (2000: 246) demonstrates that narrative was necessary to show God as creator, God promising a homeland for Abraham, Isaac, and Jacob, God rescuing his people from Egypt, to prove that the God merited the loyalty of the Israelites, and to prove that God had the power and authority to reign over them and impose rules on them.

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13) Lev. 18.7 **עֲרוֹת אָבִיךָ וְעֲרוֹת אִמְךָ לֹא תִגְלֶה אִמְךָ הִוא**

The nakedness of your father and the nakedness of your mother you must not uncover. Your mother she is.

14) Deut. 5.33 **בְּכָל-הַדְרֹךְ אֲשֶׁר צִוָּה יְהוָה אֱלֹהֵיכֶם אֶתְכֶם תֵּלְכוּ**

לְמַעַן תַּחְיֶוּ וְטוֹב לָכֶם וְהֶאֱרַכְתֶּם יָמִים בְּאֶרֶץ אֲשֶׁר תִּירְשׁוּן:

In all the ways that YHWH your God commanded you, you must walk, so that (lem''an,) you may live, and that it may be good and that your days may lengthen in the land that you will possess.

15) Deut. 7.25 **פְּסִילֵי אֱלֹהֵיהֶם תִּשְׂרֹפוּן בְּאֵשׁ לֹא-תַחַמְדוּ כֶסֶף וְזָהָב עֲלֵיהֶם וְלִקְחַתְּ לָךְ פָּזָן תִּוַּקֵּשׁ בּוֹ**

Carved images of gods you must burn in the fire; do not covet the silver and gold on them and take them for yourselves lest (pen) you be ensnared.

16) Lev. 19.8 **וְאִכְלֶיךָ עֹנֵנוּ יִשָּׂא** *The one eating it, guilt he carries*

17) Lev. 19.12 **וְלֹא-תִשָּׁבְעוּ בְשֵׁמִי לִשְׁקֵר וְחָלַלְתָּ אֶת-שְׁמִי אֱלֹהֶיךָ**

You must not swear by my name falsely, and (waw) profane the name of your God.

18) Lev. 19.10 **וּפְרֹט כְּרֶמֶךָ לֹא תִלְקֹט לְעֵנִי וְלִגְר תַּעֲזֹב אֹתָם**

And your fallen fruit of your vineyard you are not to gather: To the afflicted and the alien you are to leave them

The various forms of argumentation will necessarily have to be studied in correlation with other parameters, such as:

- Position in relation to directives
- Volume of argumentation
- Types of argumentation

The position of argumentation in relation to the directives tends to line up with the parameter of social relationships between the speaker and the recipient, and volitive weight. Highly impositional types of directive texts tend to begin with the directive and follow with argumentation if there is any, while argumentation may precede polite requests or advice to an authority (e.g. Num. 27.1-4, Num. 32.3-5, Num. 14.13-19). On the other hand, argumentation in prayers to God frequently follows the prayer request¹⁹ and there are some cases where impositional directives are preceded by argumentation, as can be seen in Ex. 20.2 (12) above.

Exhortation and polite requests generally have more argumentation than laws and demands. However, it must be borne in mind that exhortations may also consist of a bare directive, without any accompanying argumentation. Sonsino (1980: 66-69) has identified the exhortation type of directives (which he calls paranetic clauses) accompanying legal directives. This has led to the sticky question of how to distinguish legal material from exhortation.

Types of argumentation will also vary. Elkins (2003: 5), using Sonsino (1980) as a primary source, lists six types of motive clauses found in Biblical law: “1) expressions of God’s authority, 2) recollection of Israel’s past [see (12) above], 3) punishment for disobedience [16], 4) blessing for obedience ...[14]”

¹⁹ See Miller (1994: 337-357) for structural outlines of 48 prayers in the Hebrew prose texts.

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5) common sense or “natural law”[13]), and 6) imitation of God [11]).” Argumentation in prescriptive types of texts and demands will more likely include focus on the authority or power of the speaker, by giving credentials or exerting threats. Moses’ exhortation in Deut. 1-11 tended to argue for the validity of the directive through appeal to recall of Israel’s past, and by underscoring the benefits of compliance through promised blessing, and common sense motivational clauses. The instructive directives in the proverbs are composed of a distinctly different set of motive clauses, focusing more on reasoning based on experience, common sense, and observation.²⁰ Requests, on the other hand, will have argumentation which will seek in all ways possible to solicit the compassion of the recipient.²¹ The nuances of argument types and patterns merits a detailed study that includes much more than just the motive clauses mentioned above. Unfortunately the limits of this thesis do not allow for further discussion.²²

2.2.3 Content of the directives

Directive texts can also be classified according to the type of action solicited or required:

- Movement
- Task oriented
- Divine intervention
- Religious ritual and worship
- Punishment, reparation of sin
- Actions concerning relationships between persons:
 - Moral behavior
 - Social order
 - Conflict resolution

This category can be much more detailed, and is especially used by Bible scholars in order to further explore and understand the different types of laws, for both their content and their linguistic structure. For example, one could collect all the laws concerning the Sabbath and compare their linguistic structures.

2.2.4 Linguistic signals of a text

The linguistic signals of a text consist of:

- the use of grammatical features,
- semantic relations between clauses,
- different kinds of structural arrangements, and
- the use and distribution of lexical items in the text.

²⁰ See Nel (1982) for an extensive discussion of expressed motivations of admonitions in Proverbs.

²¹ See Aejmelaes (1986: 59-84) for a discussion of the structure of motive clauses in psalmic prayers, and Miller (1994: 114-126) for types of motive clauses in prayers throughout the Hebrew Bible.

²² An excellent book on *Rhetorical Argumentation in Biblical Texts* (Eriksson et al: 2002) presents more complex models for describing argumentation than can be discussed here.

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These latter three parameters are discussed more fully in the following chapters. Grouping together texts according to selected grammatical features is an excellent way for examining the possible functions of those forms. Listed here are a *summary* of some of the main grammatical parameters found in directive texts.²³

Directive verb forms:

- Imperative²⁴
- Long form *yiqtol* (imperfect)
- Short form *yiqtol* (jussive)²⁵
- *Weyiqtol* (waw conjunctive + imperfect)
- *Weqatal* (waw consecutive + perfect)
- Infinitive absolute

Longacre (1994) has used the this parameter in his discourse analysis of the *weqatal* verb form. In the case of directive text, the *weqatal* tends to be found in legal texts which prescribe a procedure, and in one-time instructions of sequential actions. It appears to be less frequent in requests or exhortation, though Moses' exhortation in Deuteronomy does make extensive use of the *weqatal* verb form, in both listing exhortations (see especially Deut. 6.4-9) and in making a logical connection with preceding argumentation (e.g. Deut. 5.9, 6.3).

The imperative form, while predominant in texts calling for immediate action – in both requests and commands, but also in proverbial wisdom and exhortations – is noticeably missing in legal texts, and in directives concerning actions of non-immediate application. On the other hand, the infinitive absolute functions as a rare sentence-initial directive verb within the legal corpora (e.g. Ex. 20.8,12, Num 6.23)²⁶ but also in few non-legal settings (e.g. 2 Sam. 24.12 (van der Merwe 1999: 161)). Again, Deuteronomy exhortations seem to be an exception, where Moses' speech seems to lean more towards the 'legal', non-immediate types of forms. Clearly, Deuteronomy merits a closer analysis and comparison with both legal and exhortation type of texts.

²³ Shulman (1996), (1999), (2000) and (2001) examines the pragmatic functions of various verb forms used to express the directive in Biblical Hebrew. For an overview see van der Merwe (1999: 141-173) and Waltke and O'Connor (1990: 509-510, 529-530, 564-579, 593-594). Also Fassberg (2002) on commands. From the perspective of different kinds of directive forms see Finley (1989), who uses the term 'proposal' rather than 'directive'.

²⁴ See Fassberg (1999) for discussion on the lengthened imperative.

²⁵ While the jussive and the imperfect are considered to be two separate verb forms, in reality there is very little surface distinction. See Shulman (2000) for a discussion of the parameters that possibly distinguish the two. In my opinion, more work needs to be done by considering further data not mentioned by Shulman, and refining the parameters.

²⁶ See Hospers (1991) for a proposal for the discourse function of the use of the infinitive absolute as an imperative form. He argues that their imperative use is not arbitrary and suggests that it is used to begin a new section of laws. If this is the case, then it would still remain to be explained why a new section rarely begins with an infinitive absolute.

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The *yiqtol* verb form is present in all forms of directives, most frequently in cases where the directive verb is in non-sentence initial position. It is also used with all negative directives, with the long form (imperfect) used with the *low* negative particle, and the short form with '*al*.

Constituent order

The function of variant constituent order, or word order, continues to be a topic of debate in the past 30 years. While much work has been done on word order of narrative texts, very little research has focused on the nature and function of word order in directive texts. An observation that I will be discussing further in later chapters is that many legal texts have a very high frequency of non verb-initial clauses, in contrast with the dominant verb-initial order of narrative texts. This pattern is also quite frequent in other types of directive texts. Therefore grouping together text portions with similar patterns of word order can help in the analysis of word order functions.

Conjunctions

Conjunctions are especially used to introduce setting material, as well as argumentation within the directive text. Each one of these conjunctions merits a study within the context of directive texts, in connection with the study of semantic relations between clauses:²⁷

- *ky*: Used for a variety of functions, particularly as a conditional marker, as well as a conjunction introducing reason clauses in legal texts.²⁸
- *asher*: The function and content of the *asher* relative clause within directive texts needs to be closely monitored.²⁹
- '*im*: This conditional marker has been widely seen to be a feature of legal literature, introducing sub-conditions after the introduction of a major case by means of the *ky* conjunction.
- *pen*: Introduces motive clauses expressing the negative consequence of not following the directive.
- *lema'an*: Introduces motive clauses expressing the positive consequence of following the directive.
- *waw*: The coordinating conjunction links clauses with a variety of semantic relations. Study of its uses within the context of directive texts could shed further light on its functions.
- Other conjunctions such as *raq*, and *ak* are quite rare in legal texts, but their presence and function are to be monitored in other types of directives.

Particles

- *na'*: A particle that accompanies many polite requests, but which is not present in legal texts.³⁰
- *low*: Negative particle used especially in legal texts, and non-immediate orders

²⁷ See Chapter 4.3 for more on semantic relations.

²⁸ Follingstad (2001) focuses on *ky* in narrative and direct speech texts of the Hebrew Bible.

²⁹ In unpublished papers, both Stephen Levinsohn and myself have noted that the clustering of a number *asher* clauses functions as a prominence marker in narrative texts.

³⁰ Authors such as Shulman (1996) and (1999) have examined the use of *na'* in directives.

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- ‘*al*: Negative particle used especially in immediate orders, requests, prayers, and the wisdom directives of Proverbs and Qoheleth.³¹

2.3 Proposed classification of directive text types

I have tentatively classified directive texts into six categories – *authority directives*, *wisdom directives*, *requests*, *demands*, *invitations*, and *wishes*³² - using a combination of the following parameters:

- Social relationships between the speaker and recipient of the directive
- Speaker/recipient volitive weight and informative function
- Perceived beneficiary
- Perception of directive validity

In the accompanying table (see Table 2 at the end of the chapter), you will note these classifications, along with their criterial parameters. They are tentative, and classification based on other parameters will yield yet another arrangement of types. Some of these classifications can be further subdivided along further parameters. Those directives in which a superior gives a directive to an inferior fall into two major groups: *authority directives*, and *wisdom directives*, though there is a certain amount of overlap between the two, as is shown in the discussion that follows.

2.3.1 Authority directives

Authority categories can be divided into two general categories, *permission* and *prescription*, both of which make use of the verb *tsiwah*. The *prescriptive* category is represented both by the verb *tsiwah* (496x), and its nominal form, *mitswah*. When the recipient of the verb *tsiwah* is a human being,³³ the verb *tsiwah* means:

The act of speaking as a result of the desire and will of the speaker for the recipient to carry out a particular action. The words spoken have an imperative, or impositional force. The speaker is in the position of authority and power over the recipient of the directive.

Within the Hebrew Bible the word *tsiwah* is used to refer to prescriptive directives issued by those in authority, authority being defined by varying parameters:

- Family relationship: parent – child, older brother – younger brother, uncle – niece.
- Divine superiority over all creation: God – humans, God – nature, angel – humans.
- Religious authority delegated by God on humans: prophets, priests.
- Political authority over a population: king – subjects, elders – people
- Religious/political authority over a population: Moses, Joshua.

³¹ Crenshaw (1995: 417-425) briefly contrasts the use of the negative particles in legal versus wisdom literature.

³² Both Waltke and O'Connor (1990: 509-510,568) and van der Merwe (1999: 151) use similar category terms. They do not use the term prescriptive, which includes both commands and legislation. See below for a more detailed sub-categorization of authority directives.

³³ There are other meanings of *tsiwah* (about 27x), where *tsiwah* takes a direct object which carries the semantic role of patient. In these cases *tsiwah* refers to a speech act meaning – to ordain (blessing, power, salvation, etc.) or appoint (a person), etc.

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- Social position: master – servant, employer – employee

In certain cases, participants can have reciprocal authority, as in the case of Esther and Mordecai:

- as uncle, Mordecai *tsiwahs* Esther (Est. 2.10)
- as queen, Esther *tsiwahs* Mordecai (Est. 4.10)

The types of actions that are *tsiwahed* cover a larger range than can be accommodated by a single English word (though the word ‘command’ most frequently serves to represent the sense in English) A person in authority (most frequently God) can *tsiwah* someone to do, or not to do, any kind of action or behavior, either punctually or indefinitely. For example, he can *tsiwah* someone to build something, move from one location to the next, live according to moral, ritual, or social rules and regulations, etc. The response line for many of the prescriptive texts terminates with – *And... did all that God tsiwahed him/her to do*. In the historical books, kings were measured according to whether they obeyed all the *mitswot* of God or not, these including both the laws of the Torah and any divine commands directed individually to the king.

The most suitable categorization of prescriptions is according to the aspectual parameter of the time frame applicability. It separates out those prescriptions which are for a punctual or limited time period from those which are for an indefinite time period. I propose the following tentative labels:

- **Orders:** any prescriptive directive whose applicability is limited to a punctual time period, or involving a single end goal (e.g. movement orders, building instructions, command to Moses to deliver the Israelites from Israel, orders to speak, etc.).
- **Limited time regulations:** Any prescriptive directive whose applicability is limited to a defined time period, usually involving the aspectual parameter of repeatable actions (e.g. regulations for set up, dismantling, and traveling with the tabernacle).
- **Indefinite time regulations:** any prescriptive directive whose applicability is for an indefinite time period (e.g. Noachite covenantal law, Abrahamic law of circumcision, the entire body of Mosaic law in the Torah).

Limited time regulations and *Indefinite time regulations* are very similar structurally, and for that reason, they can be compared for analytical purposes. Biblical Law, coming from a divine source, is a subset of indefinite time regulations. Kings’ decrees and laws may also be indefinite time regulations (at least for the life the king!) of which there are a few examples in the Bible. These two types of regulations are likely to have very similar linguistic structure.

In the Bible, we find that some orders (e.g. the Passover) evolve into regulations which become a law of permanent applicability, called *xoq* in Biblical Hebrew. Conversely, there are also cases of orders which are based on the application of a law (as in the case of breaking a Sabbath law – Num. 15.32-36). It will be of value to compare and contrast the linguistic structures of orders versus regulations. I have already noted the use of imperatives and ‘*al*’ negative forms for orders in contrast to the use of infinitive

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absolute and *low* negative forms for regulatory directives. The *yiqtol* and the *weqatal* forms can be found in both types of prescriptions.

There are many ways to categorize the legal texts of the Torah. Each type of sub-categorization can bring valuable insights. For the purposes of analysis, a researcher should avail oneself of several categorization techniques in order to facilitate comparison.

First of all, texts can be grouped together in the collection in which they are already found, using the parameter of *linguistic context*, in order to identify any possible similarities of structure within that collection. For instance, the Covenant code of Exodus 21-23, called the *mishpatim*, is characterized by frequent use of *ky* and *'im* conditional clauses, a mixture of relational and ritual laws, and minimal use of motive clauses. Leviticus 1-7 and 11-15 are a collection of *torot*, or procedural instructions, for sacrifices to YHWH, and concerning matters of impurity. They are characterized by the extensive use of *weqatal* verb forms. Leviticus 16-25, most frequently referred to as *xuqot*, meaning 'laws', contains a high number of apodictic types of laws. Deuteronomy 12-25 is a collection of *xuqim and mishpatim*, consisting of a variety of laws accompanied by a liberal amount of argumentation.³⁴

Biblical scholars have also been interested in *content classification* of Biblical Law.³⁵ I identify two broad categories of action types: religious ritual and relational - laws that govern worship to God and laws that govern relationships between people. For the purposes of linguistic analysis, it is useful to group together the laws dealing with the same theme in order to compare their structure.³⁶ One can compare for instance, the structure of the two slave release laws, Ex. 21.2-11 and Deut. 15.12-18, and observe the similarities and differences in structure.

Alternatively, one can class texts (or portions thereof) according to *linguistic structure*. The distinction of *casuistic and apodictic clauses* was first introduced by Alt in 1934 and subsequently used by numerous authors. Casuistic law is seen to be any law that is introduced by a conditional clause (using the conjunctions *ky* or *'im*), while apodictic laws are seen to "unconditionally and categorically assert right and wrong" (Averbeck, 1995: 120). However, as Lasserre (1994: XXI) has pointed out, this latter category grouped together too many linguistic types, including prohibitions, positive commands,

³⁴ See Appendix I for a more extensive survey of legal texts in the Torah.

³⁵ Kent (1916) rearranged all the laws of Israel according to the topics: criminal laws, private laws, civil laws, military laws, humanitarian laws, religious laws, ceremonial laws. Levine (1963, 1965) revised by Rainey (1970) identifies the ritual text which he divides into two types: Prescriptive (legislative, prophetic) and Descriptive (narrative, formulaic). Averbeck (1995: 115) identifies three subgenres of legal literature of the Bible, "covenant, law, and ritual legislation: Mosaic law is embedded within the Mosaic covenant... and ritual legislation... is an integral part of Mosaic law."

³⁶ Lasserre (1994) provides a synopsis of the laws of the Pentateuch, which facilitates this task.

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participial laws, relative clause laws, and curses.³⁷ Sonsino (1980: 13-17) proposed an alternative classification in which he distinguishes “Laws in conditional form” (“when/if” clauses, relative clauses, and participial forms) and “laws in the unconditional form.”

Additionally, Longacre (1994: 50-98) and elsewhere, uses both *the parameter of semantic relations* and *the parameter of verb forms* to distinguish the temporal succession of procedural types of laws from those directives which do not contain a series of successive instructions. This has been helpful for the discourse analysis of the *weqatal* verb form.

Legal terminology has also been examined in order to discern whether the Hebrew terms refer to any specific type of text. The word *torah* has been found to refer to certain types of instructional texts, but also to the entire body of legal literature. The words *xoq* and *xuqqah* carry the basic sense of ‘law’, i.e. a regulation of indefinite period. *Mishpatim* in the context of legal literature, seems to mean ‘decisions (perhaps for a particular occasion) of authority figures converted into legislation’. On the other hand, *mitswot*, found throughout the legal texts, seems to carry a more generic sense referring to both laws and other types of prescriptions.

However, not one classification strategy serves to unambiguously classify entire text units into one category or another. Civil laws and religious laws can be found in the same text unit, as can laws with and without the conditional form. In the case of legal terminology, four separate terms have been found referring to laws concerning one single event – the Passover: *torah* (Exod.13.9), *xuqot* (Num. 9.3), *xoq* (Exod.12.24), and *mishpatim* (Num.9.3). If all terms can be used to refer to laws for a single event, then it is likely that these terms refer to different aspects, or meaning components of a law, rather than to different types of laws. Because of the mixture of legal discourse types within texts, classification must be done according to the most dominant features of the text.

2.3.2 Wisdom directives

Before concluding this section on classification, we must take a look at a very closely related type of directive text. Several scholars have compared the form and content of wisdom and legal literature, and finding numerous similarities, have even contemplated the possibility of a same original life setting for both.³⁸ Not wanting to speculate on this issue, I will nonetheless discuss here the overlapping aspects of wisdom and authority directives, distinguishing three rough categories of wisdom directives, including some comparisons with legal texts.

³⁷ See also Sonsino for a critique of Alt’s classification and an alternative classification based on linguistic features.

³⁸ See for example, Blenkinsopp (1995: 151), and Jackson (2000: 31-51) for more discussion.

2.3.2.1 Knowledge directives (or instruction)

The verb *horah*, and its accompanying nominal, *torah*, are so closely linked to Biblical law that it is necessary to make at least a few comments. The word *torah* refers to Biblical law, but also to wisdom directives given by parents to young adult children, especially advice that mothers give to their sons (Prov.1.8). *Horah* is also the verb of preference referring to the activity assigned to priests: Priests are to *horah* the *torah* of Moses (e.g. Deut. 33.10); that is they are to transmit the knowledge of the Biblical Law, and to show people how they are to live according to God's rules.

Furthermore, beginning in Deuteronomy, the term *torah* refers to the entire body of Biblical law, which is of course, quite prescriptive. But only God could *tsivah* the *torah* (along with his intermediary, Moses); priests were limited to the activity of *horah* in relation to the body of Biblical Law.

As mentioned above, there are also a number of regulatory prescriptions within Biblical law which are specifically labeled *torah*; these are the *torah* for certain types of offerings (Lev. 6.2,7; 7.1,3,11,37; Num. 15.29), and concerning bodily conditions leading to impurity (Lev. 12.7; 13.59; 14.2,32,54,57, etc.), as well as particular cases concerning the Passover, animals, Nazerites (Num. 5.29,30) and jealousy (Num. 6.13,21). In all cases, the prescriptions involve a set of directions for how to deal with each case.³⁹ This specific application of the term *torah* is not limited to indefinite regulatory prescriptions. We also find it in limited time regulations such as the manna preparation instructions (Ex. 16.4).

Thus the primary sense of the word *torah* involves two communicative purposes: informative and directive. The notion of authority imposition resides in the nature of the speaker giving the *torah* directive. In the case of God, therefore, it becomes prescriptive, but it maintains the salient component of informativity.

It is quite interesting then, that the word *torah*, rather than *mitswah*, be adopted to refer to the totality of Biblical Law. In fact, the word 'law' very imperfectly translates the word *torah*. Rather the word evokes the sense of a parent, especially a mother, lovingly instructing her son in the way he should go in life. Likewise the label of *torah* for God's law highlights the sense of God's instruction to the Israelites. It is packed full of information about how the Israelites were to live and act in conformity with God's will. It is God's instruction manual to His people. The term *torah*, therefore, focuses more on the informational teaching function rather than the impositional directive function of the Biblical law directives.

³⁹ This original meaning of *torah* most closely corresponds to Longacre's procedural category, though it also includes texts that would not be procedural. Cooking recipes, instruction manuals, and directions would probably also be called *torot* in Hebrew.

2.3.2.2 Counsel and exhortation

Counsel and exhortation texts in the Hebrew Bible carry such a breadth of variety that it is difficult to establish neat categories. This is evidenced by the highly complex categorization of paranetic literature attempted by Gammie (1990). For the purposes of this thesis, it will suffice to make just a few comments.

The category of exhortation can best be characterized by the earnest rhetoric of Moses, in Deuteronomy 1-11. The exhortations of the prophets could also be put into this category. These types of exhortations borderline with the prescriptive category in that they have a shade of imposition, but have a much stronger persuasive factor. This is often evidenced by the copious amount of argumentation that often accompanies these types of texts. Another distinctive feature of exhortation is that the speakers tend to be humans with spiritual authority, but not possessing political power, whereas prescriptions tend to be issued by those who assume both power and authority (such as God, kings, etc.). The paranetic (or exhortation) directives that Sonsino (1980) and others have identified interspersed with legal literature are generally not accompanied by argumentation, but serve simply to underline the importance of following the laws. Exhortation appears to be different than legal directives in that the directives do not carry new information, but rather are a re-iteration of previously stated directives, including especially the call to obey all God's laws. There appears to be no Hebrew lexical item that unambiguously delineates an exhortation category. In Deuteronomy both the words *tsiwah* and *sha''al* (ask) are used to refer to exhortation types of directives.

Counsel directives, on the other hand, have a category label in Hebrew: *ya''ats* (nominal '*etsah*). *Ya''ats* is clearly distinguished by *tsiwah*, as being less impositional. It is quite frequently used to refer to counsel given by officials to their kings, whether good or bad. '*etsah* has no inherent authority meaning component (as does *tsiwah*); the recipient is left to be the judge of the value of the counsel. The speaker of '*etsah* claims to be the carrier of a wise directive, which would be of benefit to the recipient should the latter choose to follow his advice. It is the word used to describe the advice that Jethro gave to his son-in-law Moses (Ex. 18.19).

I will leave it to the reader to decide whether proverbial wisdom is instruction (*torah*), exhortation, or counsel ('*etsah*)! Take also into consideration that the son prophesied about in Isaiah (Isa. 9.6) is a Wonderful *Counsellor* and a Mighty God!

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Table 2. Directive Types in the Hebrew Bible

	PARAMETERS	Speaker-Recipient relationship	Volitive Weight + Informative Function	For benefit of..	Directive validity	Examples
	TYPES					
Authority directives	Permission (<i>tsiwah</i>)	Authority -> Inferior	Good will of speaker	Recipient	incontestable	Gen 2.16; 9.1-3
	Prescription (<i>tsiwah</i>)	Authority -> Inferior	Impositional, new info	N/A	incontestable	Ex. 3 God to Moses: deliver my people! 20-23: Ten commandments and covenant code
Wisdom directives	Knowledge directive (<i>horah</i>)	Knowledge superior, based on authority	+ Informative, may have persuasive or impositional elements	Recipient	incontestable	Priests (God's law) to people Parents to children (Proverbs) Jdg. 13.8-14 Man of God to Samson's father
	Counsel (<i>ya'ats, mashal</i>)	Wisdom superior but not necessarily authority superior	Persuasive, new or old info	Recipient	contestable	Ex. 18.13-26 Father-in-law to Moses Counselors to kings Directives in Wisdom literature
	Exhortation (<i>sha'al, tsiwah, be'er?</i>)	Wisdom superior, human spiritual authority	Persuasive – Impositional the directive usu. consists of given info	Recipient	contestable	Deut. 1-11 Moses exhortations to Israel Prophetic directives
	Request (<i>sha'al</i>) (includes prayer)	Inferior -> Authority	Persuasive	Speaker	open to judgment	Num. 27.1-11 daughters request inheritance
	Demand	Inferior -> Authority	Impositional	Speaker	contestable	Num. 11.4-15 Israelites complain about food
	Invitation	Any	Persuasive	Recipient	open to judgment	Gen. 18.3-5 Abraham to 3 visitors Evangelism?
	Wishes for Blessing or curse	Inferior > Divine	Expressive, neither persuasive nor impositional	Patient	Open to judgment	Num. 6.22-26

BEGINNING ANALYSIS

This chapter will survey the basic aspects of a discourse unit and present an outline for analytic procedure (which will be given in more detail in the following chapters). Then it will show how to visually prepare the text for a more efficient analysis. It will end with guidelines on reading and observing the characteristics of the texts preceding and following the text unit under study, an essential part of the analysis.

3.1 Basic aspects of a discourse unit

When examining a discourse unit, one looks not only for thematicity, cohesiveness, continuity, and regularity; one also looks for the boundaries, the discontinuities, and the structures that display some kind of prominence. The analyst will want to discover the structural organization of the text and then understand the functional relatedness between the structures, and how they work together to provide thematic progression.¹ This section provides an explanation for each of these notions before applying them for analysis in the following chapters.

3.1.1 Theme and topic

The terms ‘theme’ and ‘topic’ have varied and overlapping definitions in the linguistic literature. Therefore it is necessary to define what these terms mean in this study. Tomlin et al (in van Dijk 1997: 85) state that the terms ‘theme’ and ‘topic’ identify “three basic ideas of what constitutes a clause level theme or topic: (1) the theme is what the sentence is *about*, (2) the theme is the *starting point* of the sentence, and (3) the theme is the *center of attention* for the sentence.” They mention that global level theme will be reflected in some way at the clause level (p.89). The two terms are used interchangeably in some schools of research, while other scholars distinguish the two. For the purposes of this study, both

¹ For help in developing a methodology of discourse analysis of Biblical law, I have drawn on general methodologies of discourse analysis (For example, Dooley and Levinsohn (2000), Dorsey (1999), and Van Dijk (1997)), as well as documentation on discourse analysis of various other genre of Biblical Hebrew. One particularly useful source is Bhatia (1998), as he deals with both methodology of ‘genre analysis’ (as he calls it) and with the specifics of persuasive and legal discourse.

terms will be considered quite similar in meaning. In contrast to some studies on topic,² ‘topic’ will refer not only to nominal elements of a clause but also to verbal elements. The value of considering verbal information as potentially topical is especially significant for directives, where the focus of attention is on *specific activities*.³

In this thesis, the term ‘theme’ will refer to the ‘aboutness’ of a text. A text may be about a particular person (e.g. story of Joseph), or about an object or thing (e.g. about computer hardware), or place (e.g. the location of the garden of Eden), but in directive discourse the theme is focused on a particular activity (e.g. constructing an ark, Gen. 6.14). Therefore verbs are often a primary source of thematic information. While the term ‘topic’ will also be used in reference to the aboutness of a text, its main sense will be ‘focus of attention’ within small clause groupings.

In Biblical Hebrew, I have discovered a fair amount of lexical repetition of verbal elements, which point to the theme of a text. For example, in Ex. 21.2-6, the topic of release from slavery is a primary focus of attention of the section, but this ‘topic’ is never expressed nominally. Rather it is expressed with the use of the finite verb *yatsa*’ in every single sub-unit of the text. It clearly maintains topic continuity at the discourse level.

As will be seen below, the notion of theme and topic plays an important role in the delimitation of text units. Lexical cohesion will be closely examined as a major indicator of theme and thematic development in the text.

² See Givón (1984: 137) and Lambrecht (1994: 75). For Givón, activities can be part of the theme but not part of the topic: “While human discourse may have loftier, more abstract **themes**, we would consider it as being prototypically about the fate, affairs, doings, trials and tribulations of individual – most commonly nominal – **topics**.” According to Lambrecht, only nominalized predicates can acquire an “argument role in a sentence;” that is, be in a position to serve as a topic. But in Downing and Noonan (1995), several authors expressed frustration with the vagueness of the terms such as topic and theme. Tomlin and Payne, in separate articles, referred to literature on cognitive research, and along with other authors, have begun using the term “focus of attention”, or “focally attended elements” instead of the word theme or topic - that which is the focus of attention at a particular point in the discourse.

³ For example, in the analysis of texts that have to do with rules and instructions for procedures, playing games, rules of the road, etc., more than one clause may have the same *focus of attention* on a particular kind of action, which may be expressed as a finite verb or as a nominal element.

3.1.2 Cohesiveness and continuity

Cohesion is that which provides thematic, semantic, and syntactic unity in a text. *Continuity* refers to the manifestation of grammatical, semantic or lexical sameness in a contiguous string of clauses, such as same agent, same patient, same action,⁴ same location, same time, same syntactic structure, etc. Continuity is organized according to pre-established rules of the language and contributes to the cohesion of the discourse.

Cohesion is achieved through the implementation of three basic processes:⁵ that of collocation, repetition, and boundary markers. *Collocation* refers to the rules of a language that prescribe what belongs together. There is lexical collocation, where certain words are expected to be used together or in the close proximity to each other within a text. Syntactic collocation indicates the proper arrangement of constituents in a sentence, and of clauses within a text. Conjunctions and simple juxtaposition of clauses are ways of signaling different types of grammatical and semantic collocations. *Repetition* is more than simple identical repetition of lexical items. It concerns the repetition of concepts and referents within a text, through the use of identical lexical items, synonyms, or substitutions such as pronouns and general words. Repetition can involve not only lexical items but also grammatical markers such as those referring to tense, aspect, and mode. *Boundary markers* can be special lexical, grammatical, or intonational elements that signal the beginning and ending of an utterance or a text. It is a way to communicate that all that is found between the boundary markers belongs together and is distinctive in some way from that which precedes and follows.

*Lexical cohesion*⁶ is a term which refers to both the repetitive and the collocational processes of lexical items.⁷ It is a crucial component for providing unity and coherence in a text. In fact it is so important that computational linguists have been using computer analyses of lexical cohesion in order to develop programs for text summarization;⁸ and language teachers have identified comprehension of the use of lexical cohesion in a language as primary for the development of quality language production. In discourse analysis it can be seen as an essential building block for thematic continuity and development.

⁴ It is important to note that I distinguish verbal continuity, meaning the thematic maintenance of the same action, from temporal continuity and chronological continuity, which refers to maintenance of the same tense orientation and to sequential continuity respectively. This is slightly different than Dooley and Levinsohn (2000: 28, based on Givón 1984: 245) who use the term 'continuity of time' in a narrative to refer to short sequential temporal progression from one event to the next, involving sameness of location, and continuation of past tense perspective.

⁵ I have used Dooley and Levinsohn's (2000: 21-24) list of cohesive devices as a guide, though with a somewhat different categorization and presentation.

⁶ The topic of lexical cohesion in a text was introduced by Halliday and Hassan (1976) and elaborated upon by Hoey (1991).

⁷ According to Barzilay and Elhadad (1999) citing Halliday and Hassan (1976).

⁸ For example, Sardinha (1999), and Barzilay and Elhadad (1999).

The following chapters will focus on the role of cohesion in delimiting and holding together a text unit, and more specifically on the role of lexical cohesion in thematic development.

3.1.3 Discontinuity and progression

Discontinuity is the opposite of continuity. It is a process by which there is a change of one or more parameters from one clause to the next, whether it be a participant, action, time, location, or other parameter. In language production, the concept of *progression*⁹ goes hand in hand with discontinuity. It is the sense of leaving something behind and moving forward towards to the goal of completion of the utterance. The term *shifting*¹⁰ is also a term used to describe the change of one or more parameters to others, while at the same time retaining continuity in other parameters. *Switching* is a term used to refer to a change in all or almost all parameters. In the context of Biblical law, there is never complete switching since the source of the legal directives, God, remains consistent.

In a sense there is always some discontinuity from one sentence to the next, except in the case of identical repetition. However, there are instances where discontinuity constitutes a distinctive shift from one thematic grouping of clauses to the next. This can be signaled by a break in lexical cohesiveness, as well as special grammatical, semantic, or syntactic markers to inform the reader that a shift significant to the thematic development of the text is about to take place.

As an example, consider the text of Ex. 21.2-11, in which the theme is the conditions of release for Hebrew slaves. It is composed of two thematic groupings. The first speaks of a male Hebrew slave (vs. 2-6), while the second outlines conditions for a female slave (vs. 7-11). The topic shift of male to female takes place in vs. 7. This shift is signaled by the introduction of the *ky* conditional conjunction (which signals a significant topic shift in casuistic law) and by a statement introducing a comparative/contrasting relation between the two groups: *If a man sells his daughter as a maid, she is not to be released like a male slave*. At the same time this phrase signals thematic cohesion and continuity between the two groups. The theme of conditions of slave release is maintained through the words ‘*sell*’, ‘*maid*’ (*almah*), and ‘*release*’ (*yatsa*’ – go out), as well as the comparative conjunction *ke-*, linking the two groups together. So while there is a distinctive shift supported by linguistic signals, there is also enough thematic continuity to maintain textual unity.

Signals of discontinuity and progression, in conjunction with lexical cohesion, are a major focus of the discourse methodology presented here.

⁹ Topic progression in descriptive and expository texts is discussed by Connor (1996), and Brown and Yule (1983).

¹⁰ Topic shifting is a term used by computational linguists such as Berber-Sardinha (1999) and Hearst, M (1997), *TextTiling: Segmenting Text into Multi-Paragraph Subtopic Passages*, *Computational Linguistics*, 23 (1), pp. 33-64, March 1997.

3.1.4 Prominence and regularity

While the analyst must look for the overall patterns of a text, he/she must look also for features that stand out in some way. My research on prominence has revealed that there are two basic ways to mark prominence:¹¹

1. by breaking up the pattern of the text, through the use of a structure not part of the pattern
2. by assigning certain linguistic structures a value of prominence.

There are various terms used in literature to indicate prominence versus regularity. The first is the notion of unmarked and marked structure. *Unmarked structure* refers to structures that are considered to be the usual, normal or ordinary - what might be considered the default structure. *Marked structure* refers to the less usual structure. The notion of markedness is widespread in linguistic literature, applying also the disciplines of phonology and syntax. For instance, since Verb – Subject – Object is considered to be the ‘unmarked’ or basic word order of Biblical Hebrew, any other word order is considered marked, or prominent. The validity of this notion will be examined below, for Biblical Hebrew legal texts.

Several terms have been used to refer to prominence in a text: *salience, highlighting, and emphasis*. Other notions often linked to the idea of prominence are *focus*, and the *presentation of new or unexpected information*. In English, focus is marked by stress, making the focused element stand out among the unstressed elements of the sentence. In Biblical Hebrew, the first position of the clause is a primary position for focused and new information.

Information in the text has different weights. Some of it is highly important, around which other information is structured in order to point to this important concept. Prominence has been seen to be the way of marking the high point, the climactic point, or the key point of the text, as well as marking turning points, shifts in topic, and discontinuities. It can take place at a very local level, through a position of prominence in a sentence or through the use of special vocabulary, or it can represent prominence for an entire text unit. Examining the functions of prominence in a text is essential for the comprehension of thematic development.

3.1.5 Semantic roles and relations

While the study of cohesion, discontinuity, and progression help in identifying shifts and continuity in a text, there remains the need to understand the means and functions of cohesive connectivity. This is done by first identifying the linguistic devices that signal connectivity, such as conjunctions, juxtaposition, and, to a limited extent, word order, and by analysing the semantic relations between constituents in a clause, and between clauses and units within a text.

¹¹ See also Wendland (1994: 15-16) for a discussion of prominence in poetry. Longacre (1996: 35-48) provides a good list of the type of prominent features to look for in a narrative, especially as it relates to the climactic peak.

At the clausal level, the terms *subject*, *object*, *predicate*, *adverbial*, etc. express what kind of syntactic position each constituent has in relation to the others. But there are also semantic roles between arguments of a clause: *patient*, *agent*, *event*, *benefactive*, *locative*, etc.

The numerous types of semantic relationships linking clauses are identified and categorized differently by various authors.¹² Some relations are well-known and well-described in the literature, such as temporal, implicative, additive, coordination, adversative, etc. Others such as listing types of relationships frequently found in Biblical law, are less well-known.

3.1.6 Structural organization of a text

There are two types of structuring in a Biblical law text. The first concerns the *cognitive structure* of different information/discourse types¹³ found in a text. The second is what is commonly called *literary structure*, based on *symmetry* or the lack thereof.

Each text is composed of different types of discourse arranged in such a way as to communicate the global goal of the text. Discourse analysts have noticed that each genre has its own set of conventions for organizing the discourse of a text. Certain types of information are likely to come first, such as introductory statements or setting material. Some types of information can be seen to follow or precede others. For example, in legal material, argumentation which supports the directives tends to follow rather than precede the directives. In order to discover the conventionalized cognitive structuring for Biblical texts, one must examine the *schematics* of a number of text units. This consists of understanding first the semantic relations between clauses, which leads to identifying the relations between groups of clauses. These groups of clauses are then analyzed for their communicative function in the text, as well as their organization within the text.

The second type of structuring is well-studied in other Biblical genre, but less so in Biblical law. Biblical literature has long been recognized for organizing its material according to symmetrical patterns of linear parallelisms (*aabbcc*), chiasms (*abccba*), pivotal structures (*abcba*), and inclusios (*axxxa*), first in the area of poetry,¹⁴ but also in narrative,¹⁵ and in Biblical law.¹⁶ While symmetrical structure has been

¹² Hollenbach and Watters (1998), Dooley and Levinsohn (2000), Cotterell and Turner (1989: Ch.6), Longacre (1996) and others provide a list and more details of different relations between clauses.

¹³ See Bhatia (1993: 29-34), van Dijk (1997: 12-13), and Dooley and Levinsohn (2000: 66) for an introduction to the concept of structural organization within a text. It should be noted the authors use slightly different terminology – cognitive, schema – to refer to basically the same concept. Dooley and Levinsohn focus only on narrative, but the van Dijk volume presents cognitive/schematic structure for both argumentation (Ch. 8) and narrative (Ch. 7); Bhatia presents cognitive structures for research articles (Ch. 4), legislative writing (Ch. 5), and promotion letters (Ch. 3); Miller (1994) presents structural outlines for prose prayers in the Hebrew Bible.

¹⁴ For example Berlin (1985), and Watson (1986) among others.

¹⁵ See for example, Walsh (2001).

¹⁶ For example, Welch (1990).

studied across groups of texts,¹⁷ this thesis will focus on the symmetrical structures of clauses found within the text unit.

An examination of both cognitive structure and symmetrical structure is important for the understanding of the discourse structure of a Biblical law text.

3.2 Procedure for analysis

An efficient analytic procedure is essential for the discovery of discourse structure and function in a text. Since discourse analysis is highly complex, what I propose here is only one of numerous possible approaches. It includes procedures that other authors have used for the analysis of other text types, but it also includes approaches especially tailored for the needs of the analysis of Biblical law.

I propose the following 12 steps in analysis, which will be elaborated upon in the sections below (given in parentheses). It must be borne in mind, however, that analysis is rarely a linear procedure. It often requires looking at a number of features simultaneously; or, a discovery at a later stage may prompt one to go back and examine again some earlier hypotheses.

1. **Organization of the data for analysis:** layout, charting, statistics. (3.3)
2. **Identifying the textual context:** narrative setting, legal text setting. (3.4)
3. **Identifying units and boundaries:** cohesiveness, boundary markers. (4.1)
4. **Cognitive Structuring of the unit:** introduction, setting, directives, exhortation, argumentation, conclusion. (4.2)
5. **Semantic relations between clauses:** temporal, listing, paraphrase, relational, implication. (4.3)
6. **Linear and parallel arrangements:** linear, chiasmic, parallel, functions. (5.1)
7. **Patterns of regularity and prominence:** patterns, breaks in patterns, special prominence markers, positions of prominence, functions. (5.2)
8. **Participant reference:** speaker, recipient, agent, patient; forms of reference and function, tracking, subject/object assignment, syntactic position. (6.1)
9. **Thematic development:** lexical cohesion, tracking new/old information, constituent order, clause relations, climax/key point, syntactic category, progression. (Chapter 6)
10. **Extra-linguistic information:** cultural, universal knowledge, historical, geographical, worldview, etc. (7.1)
11. **Functions of linguistic structures:** constituent order, repetition, verb forms, negative particles, conjunctions, variation in presentation of the setting, *asher* clauses, participant reference patterns, clause arrangement patterns, marked structures, lexical repetition, etc. (7.2)
12. **Synthesis of the Analysis:** argumentation of hypotheses, summary of findings, leaving the way open for new ideas, further research.

¹⁷ Dorsey (1999) presents his perception of the literary structure of the entire Hebrew Bible. See also Sprinkle (1994), Douglas (1993) and (1999) and others.

3.3 Data organisation for analysis

Data organisation refers to the visual presentation of the text, and the charting of data in order to take stock of the identity, position, and frequency of linguistic structures in the text. The manner in which the text is presented visually is a very important tool for analysis. So important, that without it, insightful analysis is very difficult if not virtually impossible.

I have found the computer to be a very useful tool for analysis. With the help of Bible software which includes the Hebrew text, I paste the Hebrew text into a word processor, which then I prepare for visual layout and analysis.

3.3.1 Preliminary steps

There could be various ways to lay out a text. The method I present here has been helpful for the type of analysis that I propose.

1. Read the entire body of law in which the designated text is located.
2. Read any surrounding narrative material.
3. With the help of the computer, select the text along with the texts that precede and follow, and paste them into a word processor.
4. Lay out the texts one line per clause, including separate lines for subordinate clauses.¹⁸
5. Highlight (with colours or other means) verb types, conjunctions, fronting, significant word repetitions, and any other grammatical or lexical structure that you suspect may be significant for analysis. Make notes of anything that catches your eye.
6. Translate only if you need to for your own comprehension.

3.3.2 Charting the text

The more detailed charting of the text under consideration will need to be done *after*, or in conjunction with, the steps mentioned throughout the thesis. What I propose here is only a guideline. Frequently variant ways to chart a text and compile the data can lead to new insights.¹⁹ A highly detailed analysis may be best served by photocopying the basic charted data, and then using a separate copy for a specific type of analysis. This will help to avoid the confusing clutter of too much detail on one chart. For examples of charting, see Tables 3 and 4 below, as well as examples which highlight specific features within the appropriate sections.

1. Place the text in a table, one clause per row.
2. Insert several columns on the edges in which you will enter pertinent information, as follows:
 - a. Number the sentences, using letters for each clause in a sentence: 1a, 1b, 2a, etc.

¹⁸ One alternative is to put parallel clauses on the same line especially if the text has a lot of parallelisms. But usually in the case of law, it is only in the process of analysis that one discovers the extent of parallel lines.

¹⁹ For similar suggestions for charting and text presentation see Schertz and Yoder (2001: Chs. 2,3,4) and Dooley and Levinsohn (2000: Ch. 8).

- b. Show any patterns (linear, chiasmic, parallel) by means of letters: *abab*, *abba*, etc.(5.1)
 - c. Indicate clause relations: General, specific, purpose, contrast, etc. (4.3)
 - d. Identify information/discourse types (setting, directives, argumentation, etc.) (Tables 3 and 4 for setting and directive only; see also 4.2)
3. Constituent order can be highlighted in one of several ways: Color-highlight fronted and post-posed constituents (Table 4, 13) and/or align constituents such that the same constituents are aligned vertically (Table 3), i.e. verbs are found in the same position on each line.
 4. Highlight separately each verb form (Table 3).
 5. Highlight in some way any other features that stand out, i.e. lexical repetitions, unusual words, structures, etc. (Table 3; also 5.2)
 6. Thematic groups can be divided by drawing a line across the page between the groups.
 7. Thematic development and repetition can be marked by highlighting, underlining and line drawing between the repeated items (6.1, 6.2).
 8. Insert a word by word gloss under each Hebrew word, or a very literal translation in the same line beside the text, for aid in comprehension for analysis. A free translation into English is not as helpful for analysis, because the eye needs to be focused on the linguistic structures of Hebrew, not on their representation in English.

3.3.3 Statistics and initial observations

The first task is to make a *tally* of all the types of grammatical and lexical structures in a text. Note any lexical repetition. For each structure and lexical keyword, examine the following:

1. Its *distribution* in the text
 - the discourse type in which it is found
 - its relation to other structures
2. Note frequency, rarity, or even absence of structures.

Look especially for:

1. *Regular patterns* of structural arrangement (unmarked structures)
2. *Structures that stand out* in some way (marked structures, prominence)
 - by not following the regular pattern of the text
 - by occurring rarely, or only once in the text
 - by expressions that carry a meaning of emphasis
3. *Variation*: use of various expressions and structures that mean almost the same thing.

Table 3. Charting of Exodus 21.1-6: Alignment according to syntactic categories

Key: Single line box - conjunctions; Multiple line boxes and dotted lines - lexical repetition;
yiqtol forms - shaded; *weqatal* forms - underlined.

		21:1	וְאֵלֶּה הַמִּשְׁפָּטִים אֲשֶׁר תִּשִׂים לְפָנֶיהֶם:	
1	Unit 1	21:2	תִּקְנֶה עֶבֶד עִבְרִי כִּי Hebrew servant you-buy if	Setting
2			וְשֵׁשׁ שָׁנִים יַעֲבֹד he-is-to-serve years six	Directive
3			וּבְשִׁבְעַת יֵצֵא לְחֻפְשֵׁי חָנָם: for-no-pay to-freedom he-is-to-go-out and-in-the-seventh	Directive
4	Unit 2	21:3	יָבֹא בְּגִפְנוֹ אִם- he-enters in-his-singleness if	Setting
5			יֵצֵא בְּגִפְנוֹ he is-to-go-out in-his-singleness	Directive
6	Unit 3		אִם- בְּעַל אִשָּׁה הוּא he is of-woman husband if	Setting
7			וַיֵּצֵא אִשְׁתּוֹ עִמּוֹ: with-him his-wife then-she-is-to-go-out	Directive
8	Unit 4	21:4	אִשָּׁה יִתֶּן-לּוֹ אִם- אֲדֹנָיו a-wife to-him gives his-master if	Setting
9			וַיִּלְדֶּה-לּוֹ בָנִים אִנּוּ בָנוֹת daughters or sons to-him and-she-gives-birth	
10			הָאִשָּׁה וְיִלְדֶיהָ תִּהְיֶה לְאֲדֹנֶיהָ for-the-master are-to-be..and-her-children the-woman	Directive
11			וְהוּא יֵצֵא בְּגִפְנוֹ: in-his-singleness he-is-to-go-out and-he	Directive
12	Unit 5	21:5	אָמַר יְאֹמַר הָעֶבֶד וְאִם- the-servant says say (inf.abs.) and-if	Setting
13			אֶהְבֶּתְּ אֶת-אֲדֹנִי אֶת-אִשְׁתִּי וְאֶת-בְּנָי and-my-sons my-wife my-master I-love	
14			לֹא אֵצֵא חֻפְשִׁי: free I-will-go-out not	
15		21:6	וְהֵגִישׁוּ אֶל-הָאֱלֹהִים אֲדֹנָיו his-master then-is-to-bring-him to-God	Directive
16			וְהֵגִישׁוּ אֶל-הַדֶּלֶת אוֹ אֶל-הַמְּזוּזָה and-he-is-to-bring-him to-the-doorpost or to-the-door	Directive
17			וְרָצַע אֶת-אָזְנוֹ בְּמַרְצֵעַ his-ear his-master and-he-is-to-pierce with-an-awl	Directive
18			וְעָבַד וְעַלְמָס: forever and-he-is-to-serve-him	Directive

Table 4. Charting of Exodus 21.7-11: Highlighted fronting

19	21:7 אִתְּ-בִתּוֹ יִמְכַר אִישׁ וְכִי- as-a-maid his-daughter a-man sells and-if	Setting
20	כָּצֵאתָ הָעֶבְדִּים: לֹא תֵצֵא the-male-servants as-goes-out she-is-to-go-out not	Directive
21	21:8 בְּעֵינֵי אֲדֹנָיהָ אִם- her-master in-the-eyes-of is-bad if	Setting
22	אֲשֶׁר לֹא-לָו יֵעָרְהָ designates for-himself which	
23	וְהִפְדָּהּ he-is-to-let-her-be-redeemed	Directive
24	לֹא-יִמְשַׁל לְמַכְרָהּ בְּכַגְדוֹ-בָּהּ: לְעַם זָכָר to-her in-breaking-faith to-sell-her hand-over not to-outsiders	Directive
25	21:9 יִיעָדְנָה לְבָנוֹ וְאִם- he-designated-her for-his-son and-if	Setting
26	כַּמִּשְׁפַּט הַבָּנוֹת יַעֲשֶׂה-לָּהּ: he-must-treat-her as-custom for-daughters	Directive
27	21:10 יִקַּח-לָו אַחֶרֶת אִם- he-takes-for himself another (wife) if	Setting
28	שְׂאֵרָהּ כְּסוּתָהּ וְעִנְתָּהּ: לֹא יִגְרַע: he-is-not-to-diminish not and-marital-rights, clothing, food	Directive
29	21:11 לֹא יַעֲשֶׂה לָּהּ וְאִם-שְׁלֹשׁ-אֵלֶּה to-her he-does not these three and-if	Setting
30	וַיֵּצֵאָהּ חֲנֹם אֵין כֶּסֶף ס: money without for-free then-she-is-to-go-out	Directive

3.4 Textual context (or cotext)

The textual context, or cotext, of a text is all that is written before and after the text in question. For a number of reasons, the analysis of a Biblical law text requires an examination of the textual context.

First of all, information about the *situational context*²⁰ as presented by the author of a legal text is frequently found in surrounding narrative material. For example, the quotative frame is frequently used to introduce not only the speaker but also the recipient of the directive, as well as the location and time in relation to the events of the narrative, as can be seen in the examples below:

1) *Lev. 1.1 He called to Moses, and YHWH spoke to him from the tent of meeting saying:*

Speak to the children of Israel and say to them

2) *Deut. 1.1-4*

These are the words that Moses spoke to all Israel in the desert in the plains near Suf between...

Eleven days from Horeb by route of Mount Seir to Kadesh Barnea

It was the fortieth year...

Moses spoke to the sons of Israel all that YHWH commanded to him

After striking down Sihon king of the Amorites.... Deut. 1.1-4

These two examples introduce the bodies of law in Leviticus-Numbers and in Deuteronomy.

In addition to giving information about the setting, the content and length of the quotative frames can also signal *prominence*²¹ or the lack thereof in a series of legal texts.²² Generally an extra long quotative frame and/or the use of special words can be used to indicate prominence for the legal text that follows. The quotative frame and the introductory command in Lev. 19.1-2 precedes what is considered a key text in the legal literature of the Torah. Compare the ‘speak’ commands which mark the beginning of the preceding and following chapters:

3) <i>Lev. 16.1-2</i>	<i>Speak to Aaron your brother</i>	<i>a</i>
<i>Lev. 17.1-2</i>	<i>Speak to Aaron and his sons and to all the children of Israel</i>	<i>b</i>
<i>Lev. 18.1</i>	<i>Speak to the children of Israel;</i>	<i>c</i>
<i>Lev. 19.1-2</i>	<i>Speak to the entire congregation (‘edat) of the children of Israel</i>	<i>X</i>
<i>Lev. 20.1</i>	<i>Speak to the children of Israel.</i>	<i>c</i>
<i>Lev. 21.1</i>	<i>Speak to the priests, the sons of Aaron</i>	<i>b</i>

Of all the initial commands in Leviticus, this is the only one that uses the word ‘*edat* (*congregation*). Furthermore, it appears to be in the centre of a semi-chiastic arrangement of the recipients of the directives. While ‘children of Israel’ could possibly refer to primarily men, Leviticus 19 leaves no doubt

²⁰ For more information on linguistic parameters of the situational context, see 2.2.1.

²¹ See 5.2 for a discussion of the notion of prominence in texts.

²² See Miller (1996) for an detailed study of pragmatic functions of quotative frames.

that the laws applies to all descendants regardless of gender, age or position, thus strengthening the highlighting focus on this key passage.²³

Prominence is also displayed in the stories in Exodus 19 - of the arrival of the Israelites at Mount Sinai, and of God's manifestation of power and holiness - preparing the reader to take very seriously not only the ten commandments but also the entire collection of Biblical law.

A third reason for examining the literary context of a law is for the purpose of *determining the boundaries* of the text under analysis.

Fourth, the *argumentation* and rhetorical support for legal material can be found prior to and following the major bodies of legal material; for example, the covenantal promises and mountain top events of Exodus 19, and the blessings and curses which follow at the end of Exodus, Leviticus, and Deuteronomy. *Rhetorical* support can also be detected in the stories of Genesis, as well as in the rebel narratives scattered throughout the legal material.

Finally the *position of the legal text, and its function within the larger discourse* unit within which it is placed will have an impact on its structure and focus. For example, the matter of Hebrew slave release is presented in Ex. 21.2-11 and in Deut. 15.12-18. While the basic theme of slave release remains intact, including some of the same laws, the focus is quite different. The Exodus account is placed within a body of *mishpatim*. Accompanied by very little argumentation, the Exodus *mishpatim* have a very solemn focus of prohibitions, capital punishment laws, and reparation for loss and injury. The Deuteronomic slave law on the other hand is placed in the context of *exhortation*. The content of first 12 chapters of the book is an earnest exhortation on the part of Moses to the Israelites just before his death. The legal context of the slave law in Chapter 15 is the matter of the seven year release of debt payment, with a special focus on the poor of the land, and the exhortation for compassion to the poor. Without an understanding of the textual context of both the laws, the differing structure would be difficult to explain.

²³ Milgrom (2000: 1602) also points out the uniqueness of this quotative frame, used "to communicate the notion that this chapter is central to the entire book."

SEPARATING AND CONNECTING: UNITS, BOUNDARIES, AND RELATIONS

4.1 Identifying units

Identifying multiple levels of units within the larger body of Biblical law is the first task of the discourse analyst. This task of delineating units within Biblical law has long been the focus of scholars studying interpretation and source criticism. Bible translators concerned with the readability of the Biblical text in translation also seek to correctly identify units within the larger text. In more recent years literary analysts have sought to understand how these large bodies of law are organized thematically and structurally.¹ This is also the concern of the discourse linguist. However, our primary concern here is to identify the boundaries of a text unit so as not to skew the analysis of the text.

At the highest level, the legal literature of the Torah constitutes a large collection of laws, interspersed with narrative, which is prefaced, in Exodus 19, by the account of the spectacular manifestation of YHWH on Mount Sinai, along with solemn covenantal promise; it concludes, in the latter chapters of Deuteronomy, with an extended set of blessings and curses, ending with the account of the death of Moses.

Within this large body are identified several large and smaller bodies of laws separated out by narrative. Within these groupings, certain collections of laws have been identified by discovering either a common thematic thread (e.g. sacrifice laws, purity laws, etc) or repeated formulaic expressions (e.g. Holiness Code). Within these collections there are smaller units, which I shall call *text units*, carrying more specific themes or marked out by specific structural boundaries. Within these thematic units are sub-units or sections which may present variations or development of the theme. Finally there is the smallest unit, composed of a single directive along with any accompanying information associated with that directive. While a text unit can theoretically consist of a single directive along with support material (this is sometimes the case for exhortation text types), most text units in Biblical law are composed of a series of laws which exhibit *cohesion* at various levels generally related to a common *theme*, and bounded by specific *structural markers*. This section takes a look at the ways of identifying units at various levels.

¹ For example, Dorsey (1999), Douglas (1993), Douglas (1999), and Sprinkle (1994).

4.1.1 Identifying cohesive units

Units are identified by first looking for internal cohesion of the text in contrast to the lack of cohesion with material preceding and following the text. There are three broad categories of cohesion within a text unit: Theme, genre/text type/discourse type, and structure.

4.1.1.1 Theme

Theme is the first indicator to look for in unit identification. Some types of themes which constitute certain text units of Biblical law are:

- Acceptable and forbidden animals for food
- Conditions for the release of Hebrew slaves
- Crimes punishable by death
- Sacrifice location and consumption laws
- Atonement law
- The stipulations of a Nazerite vow
- What to do when a man suspects his wife of unfaithfulness

Theme is generally considered to be an intuitive judgment, but in actuality there are a number of linguistic indicators for theme. In a few cases the *theme is actually presented in the beginning line of the text and/or in the concluding line*. Take for example, Leviticus 11 with the introductory presentation of the theme: *These (zot) are the living things which you are to eat of all the animals of the earth*. Further subsections spell out variations of this theme: what one must not eat, forbidden and permissible water creatures, forbidden and permissible flying creatures, a guide for distinguishing clean and unclean animals, etc. concluding with a final *zot* clause which mentions all the cases discussed in the text. Each of the variations of theme within the text are also presented with a demonstrative pronoun – *zot, zeh, ‘elleh*.²

However, the first line of a text is not always a clear indicator of the theme of the text. Even in the example above, the first thematic presentation deals only with a specific case of land animals, whereas it becomes clear with further reading, and with the repetition of key words such as ‘eat’ and ‘unclean’, and the listing of other types of animals such as birds and water animals, that the theme is broader than the case of land animals. This underlying theme is revealed through lexical cohesion.

In fact, *lexical cohesion is a strong indicator of thematic continuity*. A clear example of lexical cohesion is found in Ex. 21.2-11 (See 3.3, Tables 3 and 4), where the topic of servitude is mentioned in the beginning and middle of the unit, and the topic of release is emphasized with the repeating of the word *yatsa*’ (go out) throughout the first section of this unit, as well as in the first and final lines of the second section.

² See 4.1.2.2 for more details on *zot* clauses.

Conversely, a *thematic break* and thus a unit division *is signaled by a break in lexical cohesion*. In fact some topic unit switches in Deuteronomy are marked only by breaks in lexical cohesion. Deut. 14.22-29 begins a simple command to tithe, and then the theme develops into what to do with the tithe. Deut. 16.1, 9,13, 16, and 18 also begin new topics with simple commands:

- 1) *Deut. 16.1 You are to keep the month of Aviv*
- 2) *Deut. 16.9 Seven weeks you are to count off*
- 3) *Deut. 16.13 Feast of the Booths you are to do...*
- 4) *Deut. 16.16 Three times a year all males are to appear ...(for all three feasts)*
- 5) *Deut. 16.18 Judges and officials you must appoint*

In each of these cases it is the content of the first and following clauses that show a break in theme from the previous clauses. Because of the frequency of this type of topic switching in Deuteronomy, it is sometimes not clear where one unit ends and another starts.

4.1.1.2 Genre/text type/discourse type

A second fairly strong indicator of text unity is the continuity or break in genre or text type. A switch from narrative to legal text most often signals a unit break, though there are exceptions where law is embedded within a narrative unit (e.g. Lev. 24). In this case, thematic unity is of higher priority than text type continuity.

That said, there are cases of a series of laws which do not seem to have a clear thematic unity, which gain the status of a text unit by the very fact of being embedded in narrative material. A famous example of this are the Ten Commandments in Ex. 20.1-14.

4.1.1.3 Structure

Another indicator of text unity is structure. Structural unity is indicated by a sameness of syntax, or grammar, or by a specific patterning of grammatical and lexical elements. Generally structure works closely with thematic cohesiveness. Ex. 21.2-11 is divided into two structural and thematic units (Tables 3 and 4) both of which begin with a *ky* conditional clause and are each followed by three *'im* clauses, outlining the variant sub-conditions for each of the cases. While the second *ky* clause signals a topic shift from male Hebrew slave to female Hebrew slave, the parallel structure is evidence that the two parts belong together.³

Another way to identify textual unity is to find structural features which distinguish the unit in question from the preceding and following units. An examination of the material surrounding Ex. 21.2-11

³ Averbeck (1995: 131) and Sprinkle (1994: 52) propose a thematic chiasmic structure where directives for freedom are stated in the beginning and end, while directives for slavery are found in the middle - at the end of the first section and the beginning of the second: free – conditions – slave | slave – conditions – free. See Ch. 5.1 on parallelisms for more discussion.

shows that the previous text has only one *'im* clause and no *ky* conditional clauses while the following text has a series of directives beginning with participial clauses and ending with a directive marked with an infinitive absolute.

While structural continuity and discontinuity do not always signal text unit divisions, such a parameter can be helpful in the case where a series of seemingly unrelated laws are grouped together using the same structure. For example, Ex. 22.27-30 (see Table 5 and discussion in 4.1.3, below) are a group of ten laws every one of which has fronted elements. The groups of laws on each side of the text both have more cohesive themes, and more verb initial clauses.

Finally, a brief remark should be made of the Masorettes markers for unit division, the *pe* and *samekh*. In some cases, the Masorettes indicators do not quite match the guidelines given above. However, their presence can be used as supportive evidence in combination with other indicators.

4.1.2 Boundary markers

Boundary markers are words or structures that signal a change, alerting the reader of a coming switch in topic or of the close of a topic. It does not so much define the borders of a unit in the text - in fact there are texts which have no clear boundary markers (e.g. (1)-(5) above) - as it is to help the reader or the listener be alerted to expect a new topic, or a closing of a current topic. To use an analogy, it is like a road sign warning of a dangerous curve ahead. The curve exists whether or not the sign is there, but the sign prepares the driver with information he needs which will enable him to negotiate the curve.

A few Biblical law texts which are not tied together by a clear thematic thread are identified then, as textual units through the help of these boundary markers and/or structural cohesion (see above).

The researcher will discover that there are boundary markers at various levels of legal literature. Some introduce and close large bodies of law, others, sections within a law code, still others, 'chapter' length texts, as well as numerous minor topic and thematic variations. Minor thematic variations may have an introductory but not a closing marker, reflecting the sense that the topic is not yet closed.⁴

There are essentially two kinds of markers, those which open and close a topic, and those which facilitate topic shift and development of theme within a text. There a number, also, which serve both functions. Here I will be focusing mainly on the open-close type of boundary markers.⁵

⁴ This is a little like holding up the intonation when talking, to show that the speaker has not yet completed his thought. Hutton (2000) shows that the summary formula at the end of Lev.7 is not found in earlier chapters, precisely because the topic of sacrifice instructions had not yet been completed. See both Hutton and Baker (1978) for discussions of the division markers of Leviticus 1-7.

⁵ See Chapter 6 on the Thematic Development for more on development markers.

4.1.2.1 Inclusio

The inclusio consists of words, expressions, and/or themes which begin a unit and are repeated again at the end of a unit. This process actually takes place at all levels of a Hebrew text, from the ‘chiastic’ sentence (which will be discussed later in 6.2.2) to large bodies of laws. Here are several examples.⁶

- 6) Ex. 21.2-11 Repetition of key verb, יצא ‘go out’, meaning liberation, in the first and last directives
- 7) Ex. 22.4-5 Repetition of the verb root בער ‘to raze, burn down’ at the beginning and end of the section
- 8) Ex. 22.20, 23.9 Repetition of the command and motive clause:

22:20 וְגַר לֹא-תוֹנֶה וְלֹא תִלְחָצְנוּ כִּי-גֵרִים הָיִיתֶם בְּאֶרֶץ מִצְרָיִם: *Aliens you must not wrong nor oppress, for aliens you were in the land of Egypt* ||

23:9 וְגַר לֹא תִלְחָצוּ וְאַתֶּם יְדַעְתֶּם אֶת-נַפְשׁ הַגֵּר שֶׁכִּי-גֵרִים הָיִיתֶם בְּאֶרֶץ מִצְרָיִם: *Aliens you must not oppress; you know the feelings of an alien, for aliens you were in the land of Egypt.*⁷

- 9) Lev. 19.17a-18c Repetition of theme:

19:17 לֹא-תִשְׂנֵא אֶת-אָחִיךָ בְּלִבְכָּךָ *You are not hate your brother in your heart* ||

19:18 וְאַהֲבַת לְרֵעִיךָ כָמוֹךָ *But love your neighbor as your self.*

4.1.2.2 zot clauses

Presentational clauses (with demonstrative pronouns, *zot, zeh, ‘elleh*) that begin and/or end thematic groupings are quite frequent especially in Leviticus. They can *begin groups of legal texts* (e.g. Ex. 21.1 (10); Deut. 12.1) or *conclude* them (e.g. Lev. 7.37 (11); 27.37); They can also do the same for a legal text unit (Num. 19.2; Lev. 14.1 (12); Lev. 11.46), as well as for smaller thematic groupings within a text unit (Lev. 11.2,9,13,21,24,29 (13)). Sometimes a unit begins with a general command, followed by a *zot* clause, introducing how the command is to be followed (Deut. 14.3,4, 15.1-2). Here are a few examples:

- 10) Ex. 21.1 וְאֵלֶּה הַמִּשְׁפָּטִים אֲשֶׁר תָּשִׂים לִפְנֵיהֶם:

These are the mishpatim which you are to set down before them

- 11) Lev. 7.37-38

7:37 וְזֹאת הַתּוֹרָה לְעֹלֹה לְמִנְחָה וְלִחֻטָּאת וְלְאֲשָׁם וְלְמִלּוּאִים וְלִזְבַּח הַשְּׁלָמִים:

7:38 אֲשֶׁר צִוָּה יְהוָה אֶת-מֹשֶׁה בְּהַר סִינַי

בְּיוֹם צִוְתוֹ אֶת-בְּנֵי יִשְׂרָאֵל לְהִקְרִיב אֶת-קֶרְבָּנֵיהֶם לַיהוָה בְּמִדְבַּר סִינַי פ:

7.37 *This is the torah (instruction) for raising up the grain offerings and for the sin offering and the guilt offering, the ordination offering, and the sacrifice for well-being. 7.38 which YHWH commanded Moses at Mount Sinai in the day of his commanding the children of Israel to offer their offerings in the wilderness of Sinai*

- 12) Lev. 14.1 וְזֹאת תְּהִיָּה תוֹרַת הַמִּצְוֶה בְּיוֹם טְהָרָתוֹ

This is-to be the torah(instruction) for the skin-diseased person on the day of his cleansing.

⁶ Rendsburg (1993) gives another example from Leviticus 11. He also refers to Paran (1989) who provided examples of numerous inclusios in the legal literature of the Hebrew Bible. See also Milgrom (2000: 1323) for a list of inclusios in Leviticus.

⁷ Mentioned by Sprinkle (1993: 173).

13) Lev. 11.29 וְזֵה לְכֶם הַטְּמֵא בְּשָׂרָן הַשָּׂרֵץ עַל-הָאָרֶץ

And this is for you the unclean of those that swarm the earth

14) Deut. 14.3-4 וְזֵאת הַבְּהֵמָה אֲשֶׁר תֹּאכְלוּ

You are not to eat any abominable thing. These (zot) are the animals that you may eat.

15) Deut. 14.7 אַךְ אֶת-זֵה לֹא תֹאכְלוּ *Only this you are not to eat*

4.1.2.3 Speaker/recipient identification

In Biblical law texts, identification notices also double to show division in units. Quotative frames resurface at the junctures of major units and minor units, especially in the book of Leviticus:⁸

16) Lev. 4.1 וַיְדַבֵּר יְהוָה אֶל-מֹשֶׁה לֵאמֹר: *YHWH spoke to Moses saying:*

דַּבֵּר אֶל-בְּנֵי יִשְׂרָאֵל לֵאמֹר *Speak to the sons of Israel saying:*

These quotative frames sometimes frame text units that contain a group of laws for which there is limited or no thematic continuity, as in the case of Leviticus 19⁹ (See more on this in 5.2.3.1).

Within certain legal texts, however, there are also self-declarations of speaker identification – *I am YHWH* – which, in some cases, serve to mark the beginning a text unit (Ex. 20.1), or the boundaries between smaller units (Lev. 19).

One unique case of recipient identification at the beginning of a text also doubles as a motive clause:

17) Deut. 14.1 בְּנִים אַתֶּם לַיהוָה אֱלֹהֵיכֶם *Children you are to YHWH your God!*

4.1.2.4 Establishing the setting

Perhaps the most frequent way of marking smaller units of legal text (and sometimes larger units) is by beginning with information about the setting of the directive(s). This information is usually packaged as conditional clauses or circumstantial clauses.¹⁰

In much of Exodus, and parts of Leviticus and Numbers, *ky* conditional clauses can begin topic units of case law, while *'im* conditional clauses present variations of the same theme. Deuteronomy as a rule does not use *'im*; if more than one condition is presented for a topic, they both use *ky*. Sometimes other subunit markers are used such as *raq* (except, only; Deut. 12 5x), and *wehayah ky*, (and if it happens that; Deut. 12.11).

Some especially prominent markers introducing topic units are *ky* conditionals with fronted subjects: *adam ky*, *nephesh ky*, *ish ish ky* (if any one; e.g. Lev. 1.2; 2.1;13.2; Num. 5.12; 6.2). More rarely found is the expression *ish ish...asher* (anyone who; Lev. 17.3).

⁸ See 2.2.1.1 for the role of quotative frames providing contextual information for the text, and also 3.4. (1)-(3).

⁹ Leviticus 19 is composed of a highly complex literary structure, for which space limitations do not allow further elaboration. See Milgrom (2000) for a comprehensive treatment.

¹⁰ For more information on 'setting', see 2.2.1.1.

Occasionally one finds infinitival circumstantial clauses at the beginning of a topical unit, introducing a temporal setting. These clauses begin with a preposition *be-* (in, when):

18) Lev. 19.9 וּבְקַצְרְכֶם אֶת־קִצִּיר אֲרָצְכֶם. *In harvesting the harvest of your land, do not*

19) Num. 15.17 בְּבֹאֲכֶם אֶל־הָאָרֶץ אֲשֶׁר אָנֹכִי מְבִיא אֲתֶכֶם שָׁמָּה:

In entering the land which I am bringing you to there

4.1.3 Challenges and guiding principles

A look at studies of literary structure of legal texts shows that Biblical scholars can have different opinions as to where unit divisions occur within the large bodies of law, particularly in the case of the covenant code.¹¹ The laws of the covenant code have very few true text boundary markers. The *ky* conditional marker which indicates a significant topic shift can be found both at thematic text boundaries and within the text unit. In some cases, thematic cohesion is quite difficult to detect within a long list of various laws.

Questions concerning text unit division arise as a result of some of the following problems.¹²

- Transition material that could potentially belong to either the preceding or following unit.
- Postscripts which retain a thematic link with the previous text but which seem to be outside the structural indicators for the text unit (e.g. Lev. 12.8 – after a concluding clause, Ex. 21.26 – after the climactic talionic clause).¹³
- Collections of laws that seem to fit together structurally but which have a variety of themes (e.g. Lev. 19)
- No clear boundary markers. (e.g. numerous legal texts in Deuteronomy, see (1)-(5) above.)
- Many of the structures that can indicate boundaries but can also function for other purposes of thematic development within a unit.

One cannot simply assume that any of the markers above will automatically indicate a boundary. Likewise, one cannot assume that a lack of a marker means there is no text unit boundary. One must also be careful to identify a boundary marker at its appropriate level. For instance the *zot* clause in Ex. 21.1 does not present simply the following unit but rather a large body of laws and instructions. At the micro-level, not every *ky* clause necessarily introduces a new textual unit.

Perhaps the first and key indicator of textual units is thematic unity as manifested through lexical cohesion, either of the text in question or of the materials preceding and following the unit. The combination of multiple indicators strengthen evidence for textual unity. Generally if there is no thematic unity, then structural cohesion and boundary markers must be strong enough to justify the delimitation of

¹¹ See Dorsey (1999) and Sprinkle (1994), for example.

¹² See Dooley and Levinsohn (2000) and Dorsey (1999: 24-24) for further discussion on the problems of identifying literary units, and useful guidelines, also outlined here.

¹³ Both of these postscript cases introduce exception cases to the general rule given in the preceding lines. See more discussion on this in the section on contrast (4.3.4.2).

a text unit. In the case of transitional material, it may be wise not to force a clear dividing line between texts but to simply allow the fact that transition material is just that – material that comes between two text units.

To conclude, let us examine one boundary identification problem in the covenant code (see Table 5 below). Ex. 22.27 has been considered to be part of the preceding text, verses 24-26, by Sprinkle (1993: 173), while Houtman (2000: 230) points out that the Masoretic indicators give the traditional understanding that it is part of the unit comprising verses 28-30.

At first glance, verse 27 does not seem to cohere with either the preceding or the following section. However with an exegetical explanation, Sprinkle argues that this verse is a summary conclusion of the preceding verses; according to him, it means that we are to respect both God and our leaders by doing what is required of us in our dealings with poor people. However, there are no cohesion markers (no lexical repetition nor any conjunction) nor any structural indication that this might be the case. One also might raise the question about whether there is any such type of summary attested elsewhere in Biblical law. In a few other instances, a similar type of directive provides a concluding line in a series of directives, as in Lev. 19.14 – *And fear your God* – which is connected with the preceding clause by a *waw*.

Thematically, this verse does seem to be slightly more in line with the theme of the following verses: Verses 27-30 consist of laws about what one must do for God, whereas the preceding verses focus on what one must do for others, especially the poor. Finally, as mentioned earlier, *structurally*, all the directives of 27-30 have pre-verbal fronting. Furthermore, this collection of laws consists of a series of exactly ten directives, found smack in the middle of the textual unit Ex. 22.20-23.9 (which is enclosed by the *inclusio* mentioned above (8)), and flanked on both sides by directives concerning justice and kindness towards others, in particular the poor and needy, the alien, and the enemy. This leads one to the suggestion that 27-30 form a pivotal centre for reverse symmetry (see 5.1.3.2). All of these structural and thematic markers converge to strongly support the thesis that verse 27 is a part of the following unit.

One distinctiveness about verse 27 though, is that God is referred to as a third person referent, whereas the passages before and after use the first person pronouns to refer to God. This may be the means to highlight the topic switch which takes place here, functioning as a transitional phrase (see 5.2.3 for more about prominence).

Table 5. Exodus 22.24-30: Unit division problem

Key: Box – <i>yiqtol</i> verb forms;		underline – reference to God
22:24	אִם־כִּסֹּף תִּלְוֶהָ אֶת־עַמִּי אֶת־הָעֲנִי עִמָּךְ	If you lend money to <u>my</u> people, the afflicted one beside you
	לֹא־תִהְיֶה לּוֹ כְּנֹשֶׂה	You are not to be to him like a creditor
	לֹא־תִשְׂיִמוֹן עָלָיו נִשְׂךְ:	You are not to place on him interest
22:25	אִם־חָבַל תִּחַבֵּל שְׁלֵמַת רֵעֶךָ	If you do (inf.abs.) take in pledge the cloak of your neighbor
	עַד־בֹּא הַשֶּׁמֶשׁ תִּשְׁיָבֵנוּ לּוֹ:	Before the sun enters (sets) you are to return it to him
22:26	כִּי הוּא כְּסוּתוֹ *כְּסוּתוֹ *לְבִדָּה	Because it is his only clothing
	הוּא שְׁמַלְתּוֹ לְעֵרוֹ	It is the cloak for his skin
	בַּמָּה יִשְׁכַּב	In what is to he lie down?
	וְהָיָה כִּי־יִצְעַק אֵלַי	And it will be (weqatal), when he cries out to <u>me</u>
	וְשָׁמַעְתִּי כִּי־חַנּוּן אֲנִי ס:	I will hear (weqatal), because a compassionate one <u>I am</u>
22:27	אֱלֹהִים לֹא תִקְלַל	<u>God</u> you are not to curse
	וְנָשִׂיא בְעַמֶּךָ לֹא תֵאָר:	And the leader among your people you are not to damn
22:28	מִלְּאֲתָךְ וּדְמָעָךְ לֹא תֵאָחֵר	Your fullness and your yield you are not to hold back.
	בְּכוֹר בְּנֶיךָ תִתֵּן לִי:	The first-born of your sons you are to give to <u>me</u>
22:29	כֵּן תַעֲשֶׂה לְשֹׂרֶךְ לְצֹאֲנֶךָ	Thus you are to do for your cattle and your flocks
	שִׁבְעַת יָמִים יִהְיֶה עִם־אִמּוֹ	Seven days he is to be with his mother
	בַּיּוֹם הַשְּׁמִינִי תִתְּנוּ לִי:	On the eighth day you are to give him to <u>me</u>
22:30	וְאֲנָשֵׁי־קֹדֶשׁ תִּהְיוּ לִי	And men of holiness you are to be <u>for me</u>
	וּבָשָׂר בַּשָּׂדֶה טְרֵפָה לֹא תֵאָכְלוּ	And the flesh in the field torn you are not to eat
	לְכַלְבֵּי תִשְׁלַכּוּן אֹתוֹ ס:	To the dogs you are to throw it

A final note should be made on the various levels of division of units within a text. At the beginning of this section it was noted that the large body of Mosaic law is made up of increasing smaller sets of units. Verses 27-30, it was argued, are a unit, based on both structural and thematic criteria. This small unit can also be seen to consist of even smaller subdivisions, which will be discussed further in 6.4.2 (Table 16). As was alluded to above, it is also argued to be part of a larger block of material (Ex. 22.20 – 23.9), which is arranged structurally and thematically. This block likewise fits in with a larger structural arrangement of laws which are introduced in Ex. 21.1 (*These are the mishpatim that you are to set before them*), which constitute a significant part of the body of laws reported to be given on Mount Sinai. Thus unit divisions can be identified at various levels, based on the criteria given here. A more detailed analysis of the use of the different markers at various levels can be the subject of further research.

4.2 Cognitive structuring of a legal text

Text units of Biblical law do not consist solely of a series of legal *directives*, but often include certain types of support material. Frequently within a text unit of case law, there are numerous *settings* specific to a set of one or two directives, introduced by several conditional clause markers (e.g. Ex. 21.2-11). There may also be a single conditional clause introducing the setting for a long series of directives (e.g. Num. 6.1- 8). However, what is usually known as apodictic law has no explicit directive setting (e.g. Lev. 19.1-4, 11-19). In Biblical law, *argumentation*, which frequently consists of one or two motive clauses, often follows individual directives, or a group of directives.

Occasionally also *exhortation* type directives also accompany the laws before and/or after the legal directives. However, as noted by Sonsino (1980: 66-69) it is sometimes difficult to distinguish between what is law, and what is exhortation. Deuteronomic law is especially known for a copious amount of exhortation and argumentation. Finally a few legal text units have a *topic introduction or conclusion*, or an *initial or concluding summary directive*. Additionally, certain groups of laws are bracketed by *speaker identity markers* either in the directive text itself, or in the narrative frame of the text.

Below (in Table 6) is an outline of the cognitive structuring (also called schema) for the first three topic units of Leviticus, which include laws with no specific setting (apodictic), and laws with explicit settings (case law). See also Tables 3 and 4 for more examples.

Table 6. Leviticus 19.1-8: Cognitive Structuring

Verse	Information type	Comment	Translation
19.1-2a	Setting: Speaker/Recipient Identification	For entire text	<i>YHWH spoke to Moses saying: Speak to all the congregation of the children of Israel and say to them:</i>
2b	Exhortation	For entire text	<i>Holy you(pl.) you are to be</i>
2c	Argumentation: Speaker identity	For exhortation	<i>Because holy I am YHWH your God</i>
3ab	Directives	Unit 1	<i>Each one his mother and father you are to respect And my Sabbaths you are to keep</i>
3c	Speaker Identity	Implicitly argumentation	<i>I am YHWH your God</i>
4ab	Directives	Unit 2	<i>Do not ('al) turn towards the gods And gods of carving (low) you are not to make for yourselves</i>
4c	Speaker Identity		<i>I am YHWH your God</i>
5a	Setting	Unit 3	<i>And if (ky) you sacrifice sacrifice of offerings to YHWH</i>
5b	Directive	Unit 3	<i>In an acceptable way you are to sacrifice it</i>
6a	Setting - Directive	Unit 3	<i>In the day of sacrifice – it is to be eaten – and on the morrow</i>
6b	Setting – Directive	Unit 3	<i>And the leftovers on the third day – in the fire, it is to be burned</i>
7a	Setting	Unit 3	<i>And if ('im) it IS (abs.inf.) eaten on the third day</i>
7b	Argumentation (Value judgment)	Unit 3	<i>Rotten it is</i>
7c	Predictive- Consequence*	Unit 3	<i>It will not be accepted</i>
8a	Argumentation (Explanation-Result)	Unit 3	<i>The one eating it, guilt he carries</i>
8b	Argumentation (Explanation-Result)	Unit 3	<i>Because the holiness of YHWH he has profaned</i>
8c	Predictive- Consequence*	Unit 3	<i>And is to be cut off, his soul from his people</i>

*Because of the nature of *yiqtol* verb forms, the clauses in Verses 7c and 8c could also be interpreted as being directive. However, Milgrom (2000: 1622) argues that the vocabulary used indicates that “the crime lies outside the jurisdiction of the human court and is punishable only by God.” These two statements are actually also a part of the argumentation.

4.3 Semantic relations between clauses

Longacre (1996) uses one progression parameter in his text classification system which he calls +/- contingent succession. The parameter '+ contingent succession' groups together all texts which are composed primarily of sentences describing a series of successive actions, such as in a narrative, or in procedural descriptions or instructions. The term, '- contingent succession' simply groups together all other types which do not have + contingent succession.¹⁴

While there are a few procedural instructions found in Biblical law, the vast majority of legal texts do not have + contingent succession. They may be said to have 'topic progression'. However, considering the variety of structures that can be subsumed under this general heading, it will be important to look for finer distinctions.

The study of progression in a text is in effect, the study of semantic relations between clauses, and between groups of clauses within a text. The use of conjunctions, verb forms, various word orders, and arrangement of information will vary with the type of semantic relation. However, it must be stated that correspondence between form and function is somewhat fluid, as Waltke and O'Connor (1990), van der Merwe (2000) and Andersen (1974) attest in their attempt to sort out the various functions for each form.

One way to approach the topic is to examine what forms can be used to express any one semantic relation. In the list below, I will present different types of relations found within the legal text, giving only a few observations concerning the various forms that can be associated with each type of semantic relation. My primary sources include the above-mentioned authors as well as Longacre (1996), and Dorsey (1999).¹⁵ A more in-depth discourse analysis of both forms and semantic relations could lead to valuable insights for exegesis.

4.3.1 Temporal relations

Because of the extensive research on narrative texts, the various temporal relations which are possible within a text are probably the most well-known. Temporal relations are also used to a limited degree in legal texts. A chronologically-ordered set of directives is generally expressed with *weqatal* verb forms (e.g. sacrifice instructions in Lev. 1-7; also Ex. 21.6 in Table 7, below).

¹⁴ See 2.1 for a discussion of Longacre's classification system.

¹⁵ For other sources which categorize semantic relations, see Beekman and Callow (1974: Ch.18), Wendland (1998: 91-92)

Table 7. Exodus 21.5-6: Temporal sequencing

Key: underline (English) and highlighted (Hebrew) – *weqatal* verb forms

21:5	וְאִם-אָמַרְךָ יֹאמֵר הָעֶבֶד	<i>If the servant does say,</i>
	אֶת-אֲדֹנָי אֶת-אִשְׁתִּי וְאֶת-בְּנֵי אֹהֲבָתִי	<i>I love my master, my wife, and my children</i>
	לֹא אֵצֵא חֲפָזִי:	<i>I will not go out in liberty</i>
21:6	וְהִגִּישׁוּ אֲדֹנָיו אֶל-הָאֱלֹהִים	<i>Then the master is to <u>bring him</u> to the god</i>
	אֶל-הַדֶּלֶת אוֹ אֶל-הַמְּזוּזָה	<i>And to <u>bring him</u> to the door or the doorpost</i>
	וְרָצַע אֲדֹנָיו אֶת-אָזְנוֹ בַּמְּרִיעַ	<i>And the master is to <u>pierce</u> his ear with an awl</i>
	וְעָבְדוֹ לְעֹלָם ס:	<i>And he is to serve him forever.</i>

Other temporal relations are: simultaneous, flashback (looking back at a time anterior to the time line), flash-forward (looking forward before continuing with the story on the time line), overlapping, beginning, ending, etc. Num. 5.24 (instructions for the test for suspected unfaithfulness) is an example of a flash-forward (Table 8). The instructions of verses 23-24 have the priest recording the oath and giving the water to the woman to drink. Verse 25 initially appears to be a subsequent action prescribed in the procedure – it continues on in the *weqatal* verb form – until 26c, where it is specified that only *after* the

Table 8. Numbers 5.23-26: Flash-forward and temporal sequencing

Key: underline (English) and highlighted (Hebrew) – *weqatal* verb forms

22c	וְאָמְרָה הָאִשָּׁה אָמֵן אָמֵן:	<i>And the woman is to <u>say</u>: Amen, Amen</i>
23	וְכָתַב אֶת-הָאֱלֹת הַכֹּהֵן בְּסֵפֶר	<i>And the priest is to <u>write</u> this oath in a book</i>
	וּמָחָה אֶל-מֵי הַמְּרִים:	<i>And wipe with the water of bitterness.</i>
24	וְהִשְׁקָה אֶת-הָאִשָּׁה אֶת-מֵי הַמְּרִים הַמְּאָרְרִים	<i>And make the woman <u>drink</u> the waters of bitterness of the curse</i>
	וּבָאוּ בָּהּ הַמַּיִם הַמְּאָרְרִים לְמְרִים:	<i>And the waters will <u>come</u> into her, the curse to bitterness</i>
25	וְלָקַח הַכֹּהֵן מִיַּד הָאִשָּׁה אֶת מִנְחַת הַקְּנָאִת	<i>And the priest is to <u>take</u> from the hand of the woman the grain gift of jealousy</i>
	וְהִנְיִר אֶת-הַמִּנְחָה לִפְנֵי יְהוָה	<i>And lift up the grain gift before YHWH</i>
	וְהִקְרִיב אֶתָּה אֶל-הַמִּזְבֵּחַ:	<i>And bring near her to the altar</i>
26	וְקִמַּץ הַכֹּהֵן מִן-הַמִּנְחָה אֶת-אֲזִכְרֹתָהּ	<i>And the priest is to <u>scoop out</u> of the grain gift its remainder portion</i>
	וְהִקְטִיר הַמִּזְבֵּחַהּ	<i>And make to smoke on the altar.</i>
	וְאַתָּר יִשְׁקָה אֶת-הָאִשָּׁה אֶת-הַמַּיִם:	<i>And <u>afterwards</u>, he is to make the woman <u>drink</u>(yiqtol) the water.</i>

offering of the grain gift is the woman to drink the water. This line is also the only one that does not have a *weqatal* verb form. While the *weqatal* is the form of preference for expressing chronological sequencing, it is also found to express other types of temporal relations, including flash-forward¹⁶.

¹⁶ Both (in Bodine, 1994: 138-154), in a similar description of the functions of the *wayyiqtol* verb form calls this phenomenon, ‘unmarked temporal overlay.’

4.3.2 Non-temporal listing relations

Most legal directives, however, are not listed in temporal relation to each other, but according to other factors, such as some conceptual prioritizing scheme, or spatial or other arrangement.

Hierarchical ordering is perhaps the most pervasive technique for arranging a list of laws or topics, from high to low, elder to younger, most holy to least holy, most serious to least serious, biggest to smallest, divine – human – animal, etc.¹⁷ Often implicit is the author's own perception of what law is most important or most serious. This is likely the conceptual organizing principle for the ten commandments in Ex. 20.1-17, where laws concerning God come first, followed by respect to parents and ending with transgressions involving persons on equal footing with each other. Dorsey (1999: 28) suggests that the instructions for the construction of the tabernacle begins with most holy item to least holy item. The ox laws in Ex. 21.28-36 are ordered: ox goring humans, humans' negligence causing oxen death, and ox goring ox. In Lev. 18, the forbidden sexual relations for a man are ordered according to blood and familial relationship, starting with the closest and moving out to the least relationship: mother and stepmother, sister, grandchildren, half-sister, aunt by marriage, in-laws, cousins, polygamous restrictions, menstruating woman, neighbor's wife, any man, and any beast. In Leviticus 11, the laws about animal food restrictions begin with the land mammals and move on down to the fish, the birds, and then the swarming things – reptiles and lizards. Ex. 22.27-30 (Table 5, above) exhibits the following hierarchical groupings: the injunction against cursing God comes before the law against damning a leader; the first fruits of humans are mentioned before first fruits of animals; this is followed by an instruction that an animal killed by another animal is good enough only for the dogs.

However, there are collections of laws for which no conceptual ordering scheme has yet been discovered; or there may simply be practical composition techniques. In the Nazerite instructions (Num. 6.1-21) the first three primary prohibitions consist of: no consumption of produce of the vine, no cutting of hair, and no touching of corpse. It is this third one where further potential complications would lead to the need for more instructions. Placing the third prohibition as the last one in the list facilitates elaboration.

For reasons that are not always clear, varying types of syntactic structure are used for presenting lists of laws. Some laws are presented in a series of verb initial clauses while others are composed of a series of XV initial clauses. Prohibitions can be found in either group. However, positive commands tend to be

¹⁷ This hierarchical listing is in contrast to the type of progression ordering that Amit (2003) finds prevalent in BH narratives, where successive actions become more and more intense and serious leading to a climactic conclusion, or where attributes are listed "from the general to the particular, from the minor to the major"(p.5). Amit cites as an example, Gen. 22.2: "Take your son, your only son, whom you love, Isaac." For similar small scale intensification relations in Biblical law see 4.3.3.2 and 4.3.3.3 below.

XV ordered¹⁸ when not in a consecutive, temporal relationship. The *waw* conjunction is most likely to be used when some type of thematic or logical relationship is meant, but it does not always connect a list of laws.

4.3.3 Paraphrase

Longacre uses the term ‘paraphrase’ to group together all relations where the second clause repeats, reinforces, generalizes, details, summarizes, adds to, or otherwise elaborates on the information in the first clause.

4.3.3.1 Equivalence

Two clauses in relation to each other can say approximately the same thing either by identical repetition, pronominal substitution, synonymous expressions, replacement with an item belonging to the same set, or with syntactic restructuring. Equivalence relations are rare in legal texts, and in some cases border on exhortation. Here are a few examples:

- 20) *Lev. 19.4* אֶל-תִּפְנוּ אֶל-הָאֱלֹהִים וְאֱלֹהֵי מִסְכָּה לֹא תַעֲשׂוּ לָכֶם
Do not turn towards the gods || And the gods of carving you must not make for yourselves
- 21) *Ex. 20.23* לֹא תַעֲשׂוּן אֶתְּי אֱלֹהֵי כֶסֶף וְאֱלֹהֵי זָהָב לֹא תַעֲשׂוּ לָכֶם:
You must not make me gods of silver || And gods of gold you must not make for yourselves
- 22) *Lev. 19.26bc* לֹא תִנְחָשׁוּ וְלֹא תַעֲוֹנֶנּוּ
You are not to practice-augury || And you are not to divine
- 23) *Lev. 19.14* לֹא-תִקְלַל חֵרֶשׁ וְלִפְנֵי עִוֵּר לֹא תִתֵּן מְכַשָּׁל
You are not to curse the deaf || And before a blind person you are not to give a stumbling block

Some of these examples could be interpreted as listing two similar but different prohibitions; however, the juxtaposition and structure draws out a general underlying principle. For example in *Lev. 19.14* (23) the underlying principle is that one must not exploit another person’s handicaps.

4.3.3.2 Strengthening/ Intensification

A strengthening relation is quite similar to an equivalence relation, except that the second clause makes the statement with greater force, or it is more encompassing.¹⁹

- 24) *Lev. 19.17a,18b* וְאָהַבְתָּ לְרֵעֶךָ כָּמֹךָ לֹא-תִשְׁנֵא אֶת-אָחִיךָ בְּלִבְבְּךָ
Do not hate your brother in your heart... But love your neighbor as yourself
- 25) *Lev. 19.33b,34a* לֹא תוֹנֶנּוּ אֶת־וְ: כְּאֶזְרַח מִכֶּם יִהְיֶה לָכֶם הַגֵּר הַגֵּר אֶתְכֶם
You are not to mistreat him || Like a native-born for you he is to be (the alien)

¹⁸ For further discussion on question of word order see 5.2.4.2 on clause level prominence, and Chapter 6 on thematic development.

¹⁹ See Kugel (1985: 62-84) for structures of intensification in Biblical poetry.

26) *Lev. 19.13* אֶת-רֵעֶךָ וְלֹא תִגְזֹל לֹא-תַעֲשֶׂק
You are not to extort from your neighbor || And you are not to commit-robbery

4.3.3.3 Generic-specific / statement-explanation

There are numerous cases where a general law is given, followed by specific details. This type of relation is common but not limited to casuistic law and is frequently found between groups of clauses. Here are a couple of examples.

27) *Ex. 21.2-4*

Generic: *If you buy a Hebrew servant, six years he is to work and the seventh year he is-to go out free without paying.*

Specific: *If in singleness he enters in singleness he is to go out
If he is a husband of a wife then his wife is to go out with him
If his master gives him a wife... he must go out in singleness²⁰*

28) *Lev. 18*

Generic: *No man of you is to come near of anyone of his own flesh to uncover nakedness...*

Specific: *specified biological or other relationships where sexual liaisons are forbidden.*

Longacre (in Bodine 1995: 42) as well as Andersen (1974: 47-50) finds that the *waw* is generally missing between a general statement and specification. This also appears to hold true for legal directives.

A type of generic-specific relation which seems to also carry a type of intensification function can be observed in the following examples:

29) *Lev. 19.10* *And your vineyard you are not to glean*

And your fallen fruit of your vineyard you are not to gather²¹

30) *Num. 6.3* *From wine and intoxicant he is to consecrate himself*

Fermentation of wine and fermentation of intoxicant he is not to drink²²

4.3.3.4 Specific – generic

A specific-generic relationship generally occurs between a body of laws in a unit and the final global summary (e.g. Lev. 11.46, Lev. 7.37) or generalizing principle. However, in a few cases, a generalizing principle or global summary will be found in the centre of a unit (e.g. Ex. 20.24b, Ex. 22.8) or before a final exception clause (e.g. Lev. 12.8). Such a generic type clause (or clauses) is in relationship to the unit as a whole rather than to an immediately preceding clause. This may explain the general lack of *waw* connecting it with a preceding clause. This global summary or principle often has some kind of prominent marker which stands out in some way from the structure of the regular patterns of the text.²³

²⁰ See Table 3 for the Hebrew text.

²¹ See Table 14 for the Hebrew text.

²² See Table 15 for the Hebrew text.

²³ See 5.2 for more discussion on the topic of prominence, and for examples of highlighted generalizing principles and key points of a text.

4.3.4 Relational

There is a certain type of semantic relation where the second clause refers back to the first comparing similarities or contrasts, or presenting alternatives. For lack of a better term, I group them under the category of ‘relational’.

4.3.4.1 Alternative

The alternative relation most frequently expresses two alternatives possible within a set of possible activities or elements. Within Biblical law the setting can be composed of two adjacent clauses expressing alternative activities:

- 31) Ex. 21.33 וְכִי־יִפְתַּח אִישׁ בּוֹר־אֹן כִּי־יִכְרֶה אִישׁ בֶּרֶךְ וְלֹא יִכְסֶנּוּ וְנָפַל־שָׁמָּה שׂוֹר אִו חֲמֹר:
If a man opens a pit, or if a man digs a pit and does not cover it, and an ox or an ass falls into it,

There are also a few examples of directives being linked by an alternative relation:

- 32) Lev. 25.48b–49 אֶתְּדַמְּתוּ יִגְאֻלְנֹו: 49 אֹן־דָּדֹו אֹן בֶּן־דָּדֹו יִגְאֻלְנֹו 48
אֹן־מִשְׁאָר בְּשָׂרוֹ מִמִּשְׁפַּחְתּוֹ יִגְאֻלְנֹו אֹן־הַשִּׁיגָה יָדוֹ וְנִגְאָל:
48b One of his kinsmen is to redeem (yiqtol) him 49 or his uncle, or his cousin may redeem (yiqtol) him, or a near kinsman belonging to his family may redeem him; or (if) he grows (weqatal) rich he may redeem himself

The alternative relation is represented most clearly by the conjunction ‘*ow*’. The verb forms involved in clauses linked by an ‘*ow*’ conjunction tend to be the same. If it is *yiqtol* in the first clause, it tends to be *yiqtol* in the second clause. However, if the verb immediately follows the ‘*ow*’ conjunction, the verb form is invariably a *qatal* form:²⁴

- 33) Ex. 21.37 כִּי יִגְנֹב־אִישׁ שׂוֹר אֹו־שֶׁה וּטְבַחֹן־אֹן מְכָרוֹ
If a man steals (yiqtol) an ox or sheep, and slaughters (weqatal) or sells (owqatal) it...

Finally there are also many examples where a *waw* links alternative relations, especially in casuistic law. In Ex. 21.12-23, various punishments are listed for various types of personal injury. The final talionic directive is introduced with the clause, *And if there is injury*; it would be most appropriately translated as – *For any other injury not mentioned above, you are to give life for life....* In a further illustrative example in Num. 35.15-19 (34), which alternates between *waw* and ‘*ow*’ in vss.17 and 18, both conjunctions appear to link alternative conditions:

²⁴ See also Ex. 22.19; 23.13 and more in Kompaoré (2002).

34) Num 35: 15-19

לְבָנֵי יִשְׂרָאֵל וְלִגְר וְלַתּוֹשֵׁב בְּתוֹכָם תְּהִינָה שֵׁשׁ-הָעָרִים הָאֵלֶּה 35:15

לְמִקְלָט לְנוֹס שָׁמָּה כָּל-מִכָּה-נֶפֶשׁ בְּשָׂגָה:

וְאִם-בְּכֶלִי בְרִזָּל הִכָּהוּ וַיָּמָת רָצַח הוּא מוֹת יוֹמָת הָרָצָח: 35:16

וְאִם בְּאֶבֶן יָד אֲשֶׁר-יָמוּת בָּהּ הִכָּהוּ וַיָּמָת רָצַח הוּא מוֹת יוֹמָת הָרָצָח: 35:17

אוֹ בְּכֶלִי עֵץ-יָד אֲשֶׁר-יָמוּת בּוֹ הִכָּהוּ וַיָּמָת רָצַח הוּא מוֹת יוֹמָת הָרָצָח: 35:18

גֹּאֵל הַדָּם הוּא יָמִית אֶת-הָרָצָח בְּפָגְעוֹ-בּוֹ הוּא יְמִיתָנוּ: 35:19

These six cities are to serve the Israelites and the resident aliens among them for refuge, so that anyone who kills a person unintentionally may flee there. NJPS

16 *waw* (but) if with an iron object, he struck him and he died... (contrastive)

17 *waw* (or) if with an stone tool he struck and he died ... (alternative)

18 *ow* (or) with an instrument of wood that he may die, he struck him down and he died... (alternative)

19 The blood-avenger himself is to put him to death, upon encounter...

The distribution and function of 'ow and the alternative *waw* remains a subject for further study.

4.3.4.2 Exclusion/ exception/ contrast/ differentness/ disjunction/ adversative/ antithetical

Very closely related to the alternative relation is the semantic relation highlighting a distinctive contrast or differing conditions. This category is quite plentiful in legal literature, and includes a number of different types and terms, which would merit a more detailed analysis.²⁵ Below are only a sampling of this general category.

A disjunctive or contrastive relationship is most frequently expressed with the use of a simple *waw*. For example in Ex. 21.26, a directive coming after the talionic directive presents an *exception* to the preceding generalizing principle – in the case of injury to a slave: *But (waw) if a man hits the eye of his slave...* Num. 35.16 (34) above is another example of an exceptive relation. An adversative type of relation is represented in situations where a legal directive is followed by a presentation of a case where the directive may be violated (e.g. Ex. 21.5, Num. 6.9). In many of these cases the contrastive item is clause initial, whether it is a verb or a nominal. A contrasted verbal element is frequently highlighted by the use of an infinitive absolute verb form juxtaposed to the finite *yiqtol* verb form (e.g. Ex. 21.5 (Table 7), Lev. 19.17b (Table 12).

The particle 'ak is used especially in texts where a series of permissible activities are given, followed by exceptions, or vice versa (e.g. Lev. 11.4,21; Deut. 18.20, Gen. 9.4).

One way to express the need for different laws for different people is to make a negative comparison as in Ex. 21.7 (also Table 4):

35) Ex. 21.7 *And if sells a man his daughter as a maid, she is not to go out as goes out a male servant*

²⁵ For further study, see Andersen (1974), who defines and describes contrastive, exclusive, and antithetical sentences. His category of 'disjunctive' is equivalent to the 'alternative' category mentioned above.

4.3.5 Implication

The term *implicative* relations concerns all those semantic relations that involve causation, result, purpose, consequence, logical conclusion, etc. The types of implicative relations presented here are only illustrative.

4.3.5.1 Conditions – directive

The most frequent implicative relation found in Biblical law is that which is found in case law, the *if this-then do thus* relation. In such clause relations, the potential or anticipated fulfillment of circumstances outlined in the first clause lead to the necessity for prescribed action in the second clause. Most frequently the first clause is marked with conditional markers *ky*, *'im*, and rarely *asher* and *'ow*. In certain cases relative clauses are used to present the setting applicable to a series of directives. (For more discussion and examples see 2.2.1.1.)

4.3.5.2 Directive – purpose/reason/cause

Clauses which explain the reason or the purpose for a particular directive may come before or after the directives. In legal texts they come most frequently after directives. Here are a few examples.²⁶

- **ky conjunction:** Giving a pre-existing state as a reason for the directive:

36) Lev. 19.2 קדשים תהיו כִּי קדוש אני יהוה אלהיכם:

Holy you must be, because (ky) holy I am

37) Lev. 19.21 לֹא יומתו כִּי-לֹא חִפְּשָׁהּ:

They are not to die because (ky) she has not been redeemed.

38) Lev. 19.34 כִּי-גֵרִים הֵייתֶם בְּאֶרֶץ מִצְרַיִם (ky) aliens your were in the land of Egypt.

- **No conjunction:** A pre-existing state:

39) Lev. 19.36 אֲנִי יְהוָה אֱלֹהֵיכֶם אֲשֶׁר-הוֹצֵאתִי אֶתְכֶם מֵאֶרֶץ מִצְרַיִם:

I am YHWH who brought you out of the land of Egypt

- **L- preposition + Infinitive construct:** pre-existing state:

40) Ex. 21.8 לְעַם נְכַרִּי לֹא-יִמְשַׁל לְמַכְרָהּ בְּבִגְדוֹ-בָּהּ:

to outsiders he must not hand over to sell here, having broken faith with her

- **Waw conjunction:** Consequential:

41) Lev. 19.12 וְלֹא-תִשָּׁבְעוּ בְשֵׁמִי לְשָׁקֵר וְחָלַלְתָּ אֶת-שֵׁם אֱלֹהֶיךָ

And you are not to swear falsely, and thus (waw) profane the name of your God

42) Lev. 19.29 וְלֹא-תִזְנֶה הָאָרֶץ וְחָמְלָאָה הָאָרֶץ זָמָה:

And you are not to whore the land, and thus (waw) fill it with insidiousness

- **Participial + statement:** Consequential:

43) Lev. 19.8 עֹונוֹ יִשָּׂא וְאִכְלָיו The one eating it, guilt he carries

²⁶ See 2.2.2.5 for more examples of argumentation.

- **L- preposition + Infinitive construct:** Consequential:

44) Lev. 19.31 וְאַל-הִידְעוּנִים אֶל-תְּבַקְשׁוּ לְטִמְאַה־בְּהֵם

And to familiar-spirits do not seek – to become impure by them

- **No conjunction - embedded in directive:** Purpose:

45) Lev. 19.10 וּפְרֹט בְּרִמּוֹ לֹא תִלְקֹט לְעַנִּי וְלִגֵּר תַּעֲזֹב אֹתָם

And your fallen fruit you are not to gather, To the afflicted and the alien you are to leave them

4.3.6 Procedural tips

The identification of the semantic relations between clauses and topic units is an important first step in discovering the functions of different grammatical structures in relation to the thematic development of the text. In conclusion, here are a few tips to help in the process:

1. Identify all semantic relations between clauses and topic units
2. Note the grammatical structure which accompanies each relation.
3. Group together those which use the same grammatical structure.
4. Examine the parameters of the discourse context for each group and look for correlations.
5. Attempt an hypothesis which could explain the correlation between grammatical structure and type of semantic relation.

Recall that not all semantic relations are listed here, so it may be necessary to add to the repertoire, and refine sub-categorizations.

STRUCTURAL ORGANISATION

5.1 Linear and parallel structural arrangements

5.1.1 Introduction

Structural arrangements have been of particular interest to Biblical scholars of literary and rhetorical analysis.¹ The major focus has been to identify the patterns of lexical or thematic repetition in the structure of a text. There are two basic structural types: *linear* and *parallel*. *Linear structure* is that type of structure which allows for the progression from one point to the next, or from one action to the next, reflecting logical progression towards a final goal. A *parallelism* is a kind of a structured sameness between two or more clauses or units. They can be placed side by side (*aabbccdd*) or within a chiasmic (*abcdcda*) or pivotal (*abcdcba*) structure. They can also alternate with linear structure such that there are two linear units in parallel with each other (*abcdabcd*). Parallelisms are a strong feature of Biblical Hebrew poetry. However, there is a growing awareness that parallel structure is very much a part of BH prose also,² even if it may have characteristics that are deemed less poetic than parallelisms in poetry.³ This section will guide the researcher in looking for parallel and linear structure that is common in Mosaic law.

5.1.2 Features of parallelism in legal texts

Within poetry, one identifies monocola, bicola, and tricola. A monocolon is a single line without a partnering parallel line. A bicolon consists of two lines parallel to each other in some way. A tricolon is a series of three parallel lines. A monocolon is only significant in texts where parallelism is predominant. Bicola may be adjacent to each other or placed within a concentric or chiasmic structure. Wendland (1998) calls the first, *connected parallelism* and the latter, *distant parallelism*. Inclusions are a case of distant parallelism.

¹ See for example, Dorsey (1999), Walsh (2001), Wilson (1997), and Meynet (1998). For a treatment of structure in Biblical law see Sprinkle (1994), Welch (1990), Paran (1989), Milgrom (2000) and others.

² Douglas (1993: 105) points out that the phenomenon of parallelism in prose literature has been found to be much more widespread across languages than previously realized. For example, see Hoey (1991) and Johnstone (1994) for discussions about parallelisms in English and other languages.

³ See Berlin (1985: 5), Watson (1986: 27-51), and Wendland (1994: 3-5) for more discussion on guidelines for distinguishing poetry and prose.

A parallelism occurs when there is some kind of repetition in two clauses or lines. This repetition creates cohesion between the clauses. Repetition can take place at several levels: *semantic, lexical, syntactic, morphological, and phonetic*. The greater the repetition the stronger the parallelism. In prose, parallelism tends to be limited to the lexical and semantic level, or have some kind of grammatical parallelism, while in poetry most, if not all, levels are engaged.⁴ Here are a few examples of parallelisms at different levels found within Biblical law:

- **Semantic:** Words are not repeated but a parallel theme is expressed.
 - 1) *Lev. 19.17a,18b* Do not hate your brother in your heart || But love your neighbor as yourself
- **Semantic + Lexical:** Words are repeated, supporting a thematic parallel
 - 2) *Lev. 19.4* אֱלֹהֵי יָדָיִם אֲלֵי-תִפְנוּ אֶל-הָאֱלֹהִים מִסִּכָּה לֹא תַעֲשׂוּ לָכֶם

Do not turn to gods|| And gods of cast-metal you are not to make for yourselves.
- **Semantic + Lexical + Morphological:** Repetition of verb forms, noun constructions, and the negative particle further enhance semantic and lexical parallelism.
 - 3) *Ex. 20.23* לֹא תַעֲשׂוּ אֵתִי אֱלֹהִים כְּסֹף וְאֵלֹהִים זָהָב לֹא תַעֲשׂוּ לָכֶם:

You are not to make me gods of silver || and gods of gold you are not to make for yourselves
- **Semantic + Syntactic + Morphological:** A parallel syntactic structure is accompanied by morphological repetition and semantic similarity.
 - 4) *Lev. 19.26* לֹא תִנְחָשׂוּ וְלֹא תַעֲוֹנְנוּ:

You are not to practice augury || And you are not to divine
- **Lexical + Syntactic:** Both clauses have the same constituent order, repeating the word *holy*.
 - 5) *Lev. 19.2* קְדוּשִׁים תִּהְיֶה פִי קְדוֹשׁ אֲנִי יְהוָה אֱלֹהֵיכֶם:

Holy you are to be || because holy I am YHWH your God
- **Syntactic + Morphological:** No lexical repetition, but syntactic structure and verb morphology are parallel.
 - 6) *Lev. 19.3* אִישׁ אָמְרוּ וְאָבִיו תִּירָאוּ וְאֵת-שִׁבְתֵּי תִשְׁמְרוּ

Each one his mother and father you are to respect|| And the Sabbath you are to keep.

The type of semantic relations that can be found connecting parallel lines are about as varied as between non-parallel lines.⁵ Probably the most frequent and most easily identifiable are the relations of equivalence (e.g. Lev. 19.4 (2), 26 (4)). Lev. 19.2 (5) is an example of an implicative relation marked by *ky*.

The phenomenon of parallelism can be seen not only at the clause level, but also at all levels of the text. For example, in Ex. 21.2-11, two groups of clauses are structurally parallel to each other (see 5.1.3.1, below). Multiple adverbial clauses within a single predicate can also manifest parallel behavior (e.g. Ex. 20.3-6 in Table 9, below).

⁴ See Berlin (1985) for an excellent and detailed survey of all levels of parallelism in poetry.

⁵ For more detail on semantic relations in poetry see Meynet (1998: Ch.5), and Wendland (1998: 91-92). I have not found anyone so far who has dealt with the semantic relations of parallelisms in prose.

5.1.3 Structural patterns in legal texts

A text can contain one or more parallelisms, or none at all. Some texts can have more than one structural pattern: one which is based on thematic patterns and another which is based on certain grammatical patterns. Below are some general patterns to look for. It should be noted though, that they serve only as a guide. Furthermore, texts should not be forced into any particular pattern; quite often a text will not have a perfect pattern or symmetry.

5.1.3.1 Linear series: *abcdefgh*

A linear series is a series of clauses which move from one clause to the next, without any parallelism. The main directives of the ten commandments in Ex. 20.1-17 can be seen to be in linear order. This is also the case for a number of procedural rules (e.g. sacrifice instructions in Lev. 1-7).

Rarely, though, is a linear series solely linear. Even the text of the ten commandments has subsections where parallel lines can be seen. The subsection prohibiting worship of other gods contains a series of parallel lines that manifest a *aabbccdd* pattern, or *linear couplets*:

Table 9. Exodus 20.3-6: Linear couplets

3	לֹא יִהְיֶה-לְכֶם אֱלֹהִים אֲחֵרִים עַל-פָּנָי:	<i>You are not to have for yourselves other gods before my face</i>	<i>a</i>
4	לֹא תַעֲשֶׂה-לְךָ פֶסֶל וְכָל-תְּמוּנָה	<i>You are not to make for yourselves a sculpture image and any likeness</i>	<i>a</i>
	אֲשֶׁר בַּשָּׁמַיִם מִמֶּעַל	<i>That is in the heavens above</i>	<i>b</i>
	וְאֲשֶׁר בָּאָרֶץ מִתַּחַת	<i>And that is in the earth below</i>	<i>b</i>
	וְאֲשֶׁר בַּמַּיִם מִתַּחַת לָאָרֶץ:	<i>And that is in the waters under the earth</i>	<i>b</i>
5	לֹא-תִשְׁתַּחֲוֶה לָהֶם	<i>You are not to bow down to them</i>	<i>c</i>
	וְלֹא תַעֲבֹדֵם	<i>And you are not to serve them</i>	<i>c</i>
	כִּי אֲנֹכִי יְהוָה אֱלֹהֶיךָ	<i>Because I am YHWH your God,</i>	<i>d</i>
	אֵל קַנָּא	<i>a jealous God</i>	<i>d</i>
	פֹּקֵד עוֹן אָבוֹת עַל-בְּנֵים עַל-שְׁלִשִׁים וְעַל-רִבְעִים לְשָׁנָא:	<i>visiting the iniquities of the fathers to the sons to the third generation and of those who hate me</i>	<i>e</i>
6	וְעָשָׂה חֶסֶד לְאֲלֹפִים לְאֹהֲבָי וּלְשֹׂמְרֵי מִצְוֹתַי ס:	<i>and doing loyalty to the thousandth to those loving me and to those keeping my commandments</i>	<i>e</i>

A *parallel series* pattern of *abcdabcd* is another way in which parallel structure interacts with linear structure. Ex. 21.2-11, and the text units in Leviticus 1-7 manifest grammatical parallels between each other. Ex. 21.2-11 (see Tables 3 and 4) is composed of two topical units, the first one concerning Hebrew male slave servitude and release, and the second, concerning female slave servitude and release. Each unit begins with a *ky* conditional clause, followed by three *'im* conditional clauses. Even though the thematic content is not parallel, the syntactic parallelism of the two units helps to alert the reader to a semantic relation between the two.

A third and very frequent variation of the linear theme is to have a linear organization of the text, with or without paired lines, which are concluded with a final line which is parallel to the first line, a *linear inclusio abcdefga*. Lev. 19.17-18 is an example of this⁶:

7) Lev. 19.17-18

<i>1 You are not to hate your brother in your heart</i>	<i>a</i>
<i>2 Do rebuke your fellow citizen</i>	<i>b</i>
<i>3 And you are not to carry because of him sin</i>	<i>b+</i> ⁷
<i>4 You are not to act in vengeance</i>	<i>c</i>
<i>5 And you are not to not retain-anger with the children of your fellow citizens</i>	<i>c+</i>
<i>6 But you are to love you neighbor as yourself</i>	<i>a</i>

Finally, *overlapping parallels* is a phenomenon concerning primarily repetition of lexical items, in which the repetition of one lexical item permits addition of new information. This new information may then also be repeated in the following line in order to introduce further new information. I will be discussing this more in detail in the section on thematic development. Num. 6.1-4 (see Table 15), is a good example of a linear progression based on overlapping parallel patterns.

5.1.3.2 Reverse symmetry: *abcd(d)cba*

There are two kinds of reverse symmetry. The pivot pattern (also called the concentric pattern) manifests an *abcdcba* structure, where the centre line, called the pivot,⁸ stands alone. In the chiasmic pattern all lines are paired – *abcdcba*.

Reverse symmetry can be found at the sentence level, at the subunit level, and at the level of a text unit. Dorsey (1999) has even found it at the level of large chunks of Biblical law. However, it appears that the larger the unit, the less precise the structural aspect of the symmetry, and the more it is based primarily on theme.

At the sentence level, a chiasmic sentence has been identified by various authors, but especially described by Andersen (1974: Ch.9). It consists of two parallel lines where the syntax of the second line is in reverse order from the first line, or where words are in reverse order. There are also chiasmic sentences in Biblical law including Lev. 19.4 (in 4.3.3.1 (20)), 14 (23) and Ex. 20.23 (21).

Reverse symmetry can also be contained within small isolated subunits within the text, such as Lev. 11.24-28, and Num. 5.19-20,21-22.⁹

⁶ See Table 12 for the Hebrew text.

⁷ Lines 2 and 3 consist of a pair of connected clauses, which though they belong together, exhibit little parallelism – they contain only the same agent and patient.

⁸ Klaus (1999) identifies pivot structure in numerous prose texts especially in the historical books, including prescriptive directive-response dialogues embedded in narrative, narrative segments, reprimands, request and wisdom directives, as well as in legal and poetry texts, and genealogical lists.

Reverse symmetry of larger units has also been identified.¹⁰ Klaus (1999: 218-226) provides an example of pivotal structure in Lev. 24.13-23.¹¹ It is actually a composite of a narrative, a citation of a law, followed by a narrative conclusion. The pivotal line consists of “a breach for breach, an eye for eye, a tooth for tooth (v.20)”. A unit level chiasm can be found in Ex. 23.1-9.¹²

5.1.3.3 Overlay of structural arrangements

Frequently though, one can find *both* a linear order structure as well as a chiastic structure in a text. The linear structure reflects the progression of a text moving from the beginning to the end. The chiastic or pivotal construction on the other hand, arranges thematic elements or lexical items in a reverse symmetrical, or chiastic pattern, such that the thematic high point occurs at the centre or at the edges of the text. Sometimes the logical or temporal progression structure is more dominant; in other cases the chiastic structure may be more dominant. However, there are numerous descriptions of chiastic and pivotal structure in the literature which seem almost forced,¹³ where the chiasm does not follow a clear thematic structure. These texts have generally not been studied for what they are – incomplete chiasms interacting with linear progression. In fact, the intersection of linear progression structures with thematic structure is an entirely new area waiting to be explored.

Ex. 21.2-11 is an example of a text which can be analyzed for both linear and chiastic structure. Earlier it was mentioned this text follows a parallel series pattern. Sprinkle (1994) on the other hand identifies an *abccba* pattern based on theme:

Freedom (vs.2) – complications (3-4) – slavery (5-6) – slavery (7) – complications (8-10) – freedom (11)

However, a closer look would show that this chiasm does not have matching thematic parallel lines for the ‘complications.’ In the first unit the complications are issues about freeing a slave with or without his wife, while the second set of complications are issues concerning a female slave while in slavery. So one would also be able to display the thematic structure as *aaaab – bbbba*, where ‘a’ represents the freedom theme, and ‘b’ the slavery theme.¹⁴

Another example that could be analyzed as partially chiastic is Lev. 19.17-18. It was suggested above (see (7)) that this portion be analysed as a series of linear couplets enclosed by an *inclusio*. This proposal is based on the observation of the themes of each line and of the *waw* connectives between the ‘b’ lines

⁹ These examples were identified by Klaus.

¹⁰ See especially Milgrom (1989) and (2000: 1319-1323). In the latter, Milgrom provides an extensive list of larger and smaller instances of reverse symmetry in Leviticus 17-25.

¹¹ Welch (1990) also refers to this passage, mentioning a long list of previous scholars who have also commented on it, beginning with Thomas Boys in 1825!

¹² This was pointed out by Welch (1990).

¹³ This is my perception of most of the chiasms that Welch identifies in the Covenant Code.

¹⁴ A chiastic structure can also be found in the male slave unit based on thematic details: servitude-free (2) | single before (3a) | married before (3b) | married after (4a-c) | single after (4d) | free-servitude (5-6).

and the 'c' lines. The chiasmic arrangement as seen below in (8) is based on the verbs of the lines: Lines 1,6 – not hate || love; 2,5 – rebuke || not retain anger; 3,4 – not carry/raise || not act in vengeance. The lines 1,6 and 2,5 are based on positive-negative opposition. Lines 3,4 are both negatives, which have less of a thematic link; line 3 ends the first group of lines, and line 4 begins the next group.

8) <i>Lev. 19.17-18</i>	<i>Linear</i>	<i>Chiasm</i>	<i>Cognitive</i>	<i>Structure</i>
1 You must <u>not hate</u> your brother in your heart	<i>a</i>	<i>a</i>	<i>Prohibition</i>	<i>a</i>
2 Do <u>rebuke</u> your fellow citizen	<i>b</i>	<i>b</i>	<i>Remedy</i>	<i>b</i>
3 And you are not to <u>carry</u> because of him sin	<i>b+</i>	<i>x</i>	<i>Rationale</i>	<i>c</i>
4 You are not to <u>act in vengeance</u>	<i>c</i>	<i>x</i>	<i>Prohibition</i>	<i>a</i>
5 And you are <u>not to retain-anger</u> with the children of your fellow citizens	<i>c+</i>	<i>b</i>	<i>Prohibition</i>	<i>a</i>
6 But you are to <u>love</u> you neighbor as yourself	<i>a</i>	<i>a</i>	<i>Remedy</i>	<i>b</i>
7 I am YHWH your God			<i>Rationale</i>	<i>c</i>

A third structural arrangement analysis is based on a perception of cognitive structuring of the text. Milgrom (2000: 1646) citing Schwartz (1987: 145) sees a parallel series based on the themes of prohibition, remedy, and rationale. It is the only scheme that includes the final line of this portion.

It is important, therefore, not to limit oneself to the identification of a single structural arrangement. There may be more than one based on differing criteria, such as thematic, lexical, syntactic, or other elements.

5.1.4 Functions of parallelism

In discourse analysis, it is not enough to discover parallelisms and to determine the semantic relations between them; it is also necessary to determine their function within the text.¹⁵

First of all, parallelism is best known for its *poetic function*. It is the art of making something beautiful in the Hebrew way of constructing language. It is meant to elicit heightened emotion and contemplation. As a poetic function, it is meant to be more memorable and easier to recite.

One may ask, however, whether parallelisms manifest a poetic function in legal texts, and if so what for? Is there any reason to make Biblical law more artistic? This even seems to counter the popular notion that legal material is one of the more prosaic types of literature and does not contain poetic elements.¹⁶ According to Welch (1990: 21), who presented chiasmic patterns in the covenant code, no other legal code of the Ancient Near East appears to have organized their laws chiasmically.

¹⁵ I am borrowing from guidelines given by Dorsey (1999: 31), and Welch (1990: 9-10)

¹⁶ Muraoka (1985: 41) states: "There is certainly not place for poetic colouring in laws". See also Wendland (1994: 5)

The extra high number of parallel lines in Leviticus 19 could serve a *rhetorical function*, so the reader would be drawn to the parallel lines, remember them, and hopefully apply them. It is well known that Leviticus 19 is a special focal point for readers of Biblical law, and seen to be the center of Mosaic law.¹⁷

Frequently parallel couplets or a small chiasmic structure within prose serve to highlight or mark the *climactic* point, or some other important point in the legal text. One well-known example is the talionic directive in Ex. 21.23-25 and Lev. 24. An example of a chiasmic structure used for highlighting is Num. 5.19-20, and 21-22. More will be said in the section on prominence below.

Meynet (1998: 207) states that the function of symmetry is to mark the “*unity of the two members*, it indicates that they form a whole, and determines its limits”. He continues, “To say that the function of symmetry is to mark the unity of two members, is to say that a relationship of meaning is established between two parts which are at once similar and different.” This function of unity is not only seen in parallel couplets, but also in distant parallelisms such as chiasmic structures and inclusios. The material found between two parallel lines is seen to belong together. When intervening material is found between two parallel lines, interpretative procedures are pushed towards finding unifying features, such as underlying themes and semantic relatedness, within the frame of the inclusio. The chiasmic structure and the pivotal structure make an even stronger statement of cohesiveness and unity.

Berlin (1985: 6) states that two adjacent lines which are in parallel structure in poetry serve to heighten perception that the lines are connected, as if the reader is being called to search out the semantic relationship between the two, regardless of whether or not they have grammatical connectives or a thematic relationship. A very simple example of this is Lev. 19.3:

9) Lev. 19.3 תִּשְׁמְרוּ וְאֶת-שַׁבְּתֹתַי תִּירְאוּ וְאֶבְיֹן אִישׁ אִמּוֹ
 You-must-keep and-my-Sabbath you-must-respect and-his-father his-mother each-one
Each one of you must respect his father and mother and keep the Sabbath

This structure has the following parallel features: same word order, semantic and morphological parallelism of the verbs - *you must respect* || *you must keep*. Although there is no clear semantic parallel or similarity between parents and the Sabbath, the fact that they are put in parallel structure forces the reader (or listener) to contemplate their connectedness.

Further to the notion of unity, such a parallel structure can be used to *highlight certain semantic relations* in order to “provide an opportunity to do such things as compare, contrast, reiterate, emphasize, explain, and illustrate” (Dorsey 1999: 29). Klaus (1999) clearly illustrates the call-response, or command-response, function of the pivot pattern in narrative (including Lev. 24).

¹⁷ See Milgrom (2000) for more discussion.

As was mentioned above, overlapping parallels of words serve to provide *thematic development*. Inter-sententially, repeated clauses can also be used to introduce a new development of a theme. In the procedural instructions for Nazerites, the line *All the days of the consecration* begins the final directive of the first unit (Num. 6.3). The beginning of the second and third units begin with almost the same words:

10) Num. 6.4-6

End of Unit 1: Num. 6.4 *All the days of the consecration, of all which is made from vine of wine, from seeds to skin, he is not to eat*

Beginning of Unit 2: 6.5 *All of the days of the vow of consecration, a razor is not to pass over his head...*

Beginning of Unit 3: 6.6 *All the days of the consecration to YHWH, on a soul of the dead he is not to approach...*

It can be seen then, that parallel structures can serve the poetic and rhetorical functions as well as highlight, unify, and develop the theme both at the text unit level and between parallel clauses within a text. These observations lead to the conclusion that identification and analysis of parallelism is an essential component for the discourse analysis of a Biblical Hebrew legal text. Further research will hopefully clarify and refine observations on the functions of parallelism within Mosaic law.

5.2 Patterns of regularity and prominence

5.2.1 Introduction

This section serves to guide the analyst in discovering both regularity and prominence within Biblical Law. In general, relatively little work has been done on the subject of prominence within Biblical Hebrew texts. Some exceptions are Muraoka's work on emphasis (1985), Bliese's article on prominence in poetry (1994), Wendland (1995: 274-283) on prominence in prophetic texts, Shimasaki's work on focus structure (2002), and Dorsey's description of prominent positions in a text (1999: 39-41).

5.2.2 Patterns of regularity

In order to identify prominence, one must first look for regular unmarked patterns in a text. Just as one cannot recognise counterfeit money without a thorough knowledge of the real thing, so one must also note the regular, or unmarked patterns in a text against the irregular, or marked patterns.

Text types and genres have their own patterns of regularity. For instance, as Longacre (1996: 18-19) and others have pointed out, the regular pattern of BH narrative is a series of *wayyiqtol* sentences, whereas in instructional procedurals, one tends to see a string of *weqatal* verb forms. However the question remains open as to what is the regular verbal and word order pattern of regulatory texts, of which the Biblical Law genre form a part. Longacre (1994: 92) proposed that the *weqatal* verb form was the basic regular form of case law; however Muraoka (in van Wolde 2002: 243) has correctly pointed out that statistically the *weqatal* directives form at best a strong minority of the directives in legal literature.

Rather, the *yiqtol* verb form in non-initial position of the sentence appears to take a lead over all other verb forms in legal texts.¹⁸ In addition, the *low + yiqtol* form is the predominant structure for expressing prohibition in BH law.

Furthermore, each text has its own pattern of regularity. It can be seen to have primarily a linear, parallel, and/or chiasmic structure. Any one of the following grammatical structures can predominate:

- Laws with conditional clause markers, *ky*, and *'im* (e.g. Ex. 21.2-11; 21.18-22.16)
- Laws beginning with participial noun phrases (e.g. Ex. 21.12-17; 22.17-19)
- Laws beginning with *asher* clauses (e.g. Lev. 20)
- Prohibition texts, where most directives begin with *low yiqtol* (e.g. Lev. 19, Ex. 20.1-17)
- Law texts with predominant fronting (e.g. Lev. 18, Lev. 19.9-10, Ex. 22.27-30)
- Laws with argumentation and exhortation (Deuteronomy, Lev. 17)
- Law texts with a series of sequential instructions (Lev. 1-7, Num. 5.11-31, Num. 6.1-21)

5.2.3 Features of prominence markers in legal texts

A prominent linguistic structure is a grammatical or lexical structure which stands out in some way within its linguistic context. It may consist of a special marker, a break in a pattern, or the use of an unusual syntactic structure or lexical item. In some cases a linguistic structure which is prominent in one text type may not be prominent in another text type. Some of the functions of prominence are to mark new, unexpected, or highly important information. It may carry a sense of intensity, alarm, or excitement, pointing to a climactic point in the text. Prominent structures also tend to mark boundaries and thematic development.

5.2.3.1 Marked linguistic structures

The sense of the unusual, or a break in pattern is perhaps the most frequent marker of prominence in Biblical Hebrew. The first place to start is to look for a *break in the structural arrangement* of a text. Bliese (1994: 85) notes that within Hebrew poetry, a monocolon embedded in a series of bicola is often a sign of prominence. Walsh (2001: 192), who identifies parallel structures in numerous narratives, makes the same observation. The single center line of a pivotal construction is almost inevitably the high point of the text unit.

Conversely, if a primarily linear text is punctuated by small series of parallel lines, one may be alerted to a possibility of prominence. Num. 5.11-31 contains a long list of sequential linear-ordered directives. Within this structure, which is characterized by a series of *weqatal* clauses, are two prescribed speeches to be uttered by the priest. These speeches contain a high level of parallelism - Num. 5.19b-20, and 21b-22.

¹⁸ Muraoka states that out of the 54 legal directives, found in the case law of Ex. 21.2 –23.19, there were 26 clauses with the *yiqtol* form, 14 with inf. abs. + *yiqtol*, and only 11 instances of *weqatal*. Eighteen instances of the *yiqtol* had a pre-verbal element other than a negative particle.

The second speech, a prescribed formula for a curse, contains two lines (lines 2 and 4 below) where the words are in almost exact reverse parallel with each other:

Table 10. Numbers 5.21b-22: Prominence through parallelism

1	a	יִתֵּן יְהוָה אוֹתָךְ לְאֵלֶּה וְלִשְׂבַעַה בְּתוֹךְ עַמֶּךָ	May-give YHWH to you to-the-curse to-the-swearing among your people
2	bcde	בָּתֵּת יְהוָה אֶת-יָרֵכוֹ נֹפֶלֶת וְאֶת-בִּטְנֶךָ צָבָה:	To-give YHWH a thigh falling and belly swelling
3	a	וּבָאוּ הַמַּיִם הַמְאָרְרִים הָאֵלֶּה בְּמַעְיָד 5:22	And come the-waters bitter these into-your-innards
4	edcb	לְצַבּוֹת בֶּטֶן וְלִנְפֹל יָרֵךְ	To-swell your-belly, and-to-make-fall your-thigh

This elevated level of parallelism highlights the curse that is to be applied to an unfaithful wife. Such a concentration of parallelisms within prosaic linear structure can give the effect of slowing down the reader in order to focus on that particular portion, highlighting a key point.¹⁹ Sometimes concluding lines of a text unit can manifest a higher level of parallelism than the other lines of the unit, especially if they include the summing up of a generalizing principle (e.g. Lev. 11.24-27).

Extra long sentences and clauses can also be used to signal prominence. The multiple use of relative clauses frequently signal prominence (e.g. Ex. 20.4 (12). Very long predicates often accompany key generalizing or summarizing principles of the text, or simply highlight the importance and all inclusiveness of a specific law. Here are a few examples:

- 11) Ex. 21.23 *If there is other damage, then you must give life for life, eye for eye, tooth for tooth, hand for hand, foot for foot, burn for burn, wound for wound, bruise for bruise*
- 12) Ex. 20.4 *You are not to make for yourself a sculptured image or likeness of which is in the heaven above, or which is on the earth below, or which is in the seas under the earth.*
- 13) Ex. 20.17 *You are not to covet the wife of your neighbor, or his worker, or his maidservant, or his ox, or his donkey or anything that belongs to your neighbor.*

First person reference can often be a signal of prominence. It was mentioned earlier that the insertion of a speaker giving his own identity can signal thematic boundaries.²⁰ First person reference ('I' statements) within a series of 3rd person or 2nd person oriented laws can also signal a key point for the unit, as seen in Ex. 20.22-26. Amidst directives about whom and how to worship and not worship, a

¹⁹ Milgrom (1989: 351-352) places this portion along with the vss. 19-20 as the centre of a thematic chiasmic text constructed by groups of parallel series: A123 B123 X B'123 A'123. The fact that he considers vs. 21 an interpolation does not affect my analysis of the canonical form of the text. In fact Milgrom himself, considers it a skilful and quite artistic interpolation!

²⁰ See 4.1.2.3 for more on speaker identification marking boundaries.

wonderful promise is inserted, which brings the matter of worship onto a higher plane – God can be worshipped anywhere that his name is remembered:²¹

14) Ex. 20.24b בְּכֹל-הַמְּקוֹם אֲשֶׁר אֶזְכֵּיר אֶת-שְׁמִי אָבוֹא אֵלָיךְ וּבִרְכֹתֶיךָ:

In any place which I make remember my name, I will come to you, and I will bless you.

Any vocabulary which is *unique within its context* draws attention to itself. For instance, the negative particle *low* is the marker used for expressing prohibitions within legal literature. The particle ‘*al*’ is used to express negative imperatives of the more immediate sort, as well as in the exhortations of wisdom and prophetic literature. However, in a few places, ‘*al*’ does show up in the legal context (e.g. Ex. 23.1b, Lev. 19.4, 29), raising questions concerning its function. Is this an inserted exhortation, or a highlighted law, or both?²²

Repetition as a background feature can be used in order to highlight an *unique expression*. In Ex. 28.29-30 (Table 11), every word in this small portion of a text is repeated at least twice in parallel series *except* the key words of the portion, *Urim and Tummim*, found standing out alone in approximately the middle the unit.

Table 11. Exodus 28.29-30: Repetition for highlighting an unique expression

וְנָשָׂא אֶהָרֶן	And Aaron is to raise up	a
אֶת-שְׁמוֹת בְּנֵי-יִשְׂרָאֵל	the names of the children of Israel	b
בְּחֹשֶׁן הַמִּשְׁפָּט	in the breastplate of judgment	c
עַל-לִבּוֹ	on his heart	d
כְּבָאוֹ אֶל-הַקֹּדֶשׁ	when coming to the holy place	e
לְזָכְרוֹ לִפְנֵי-יְהוָה תָּמִיד	to remember before YHWH regularly	fg
וְנָתַתָּ	And you are to <u>attach to</u>	X
אֶל-חֹשֶׁן הַמִּשְׁפָּט	the breastplate of judgment	c
אֶת-הָאוּרִים וְאֶת-הַתְּמִיִּם	the <u>Urim and the Tummim</u>	X
וְהָיָה עַל-לֵב אֶהָרֶן	And so that it will be on the heart of Aaron	d
כְּבָאוֹ	when coming	e
לִפְנֵי יְהוָה	before YHWH	f
וְנָשָׂא אֶהָרֶן אֶת-מִשְׁפָּט בְּנֵי-יִשְׂרָאֵל	And Aaron is to raise up the judgment of the children of Israel	acb
עַל-לִבּוֹ	on his heart	d
לִפְנֵי יְהוָה תָּמִיד־ס:	before YHWH regularly	fg

²¹ See Tigay (2004: 195-211) for argumentation for the unity of Ex 20.22-26, and the significance of vs. 24b. Also Sprinkle (1994: 39) argues that vs. 24b expresses “a fundamental, central principle” for the unit, that the “goal of worship, for which the rules of worship are enabling conditions, is to meet with God and to find his blessing.”

²² For another example of vocabulary unique within its context, see 3.4 (3).

This kind of background repetition is akin to the use of repetition for introducing climactic elements in narrative texts, except that here, the repetition surrounds the key point rather than preceding it.²³

We cannot end this discussion without mentioning *word order*. In narrative and any other text where events are recounted in chronological order, the basic word order is VSO (Verb-Subject-Object). Thus any other word order, especially when constituents come before the verb as in SVO, OVS, OSV, SOV, is considered marked and a sign of prominence. However, even a cursory examination of legal texts shows a high number of clauses with ‘fronted’ elements. As a result, the notion of markedness for these structures is greatly reduced. Further analysis of the function of the various constituent orders in legal texts is required before one can conclude that any one XV word order has special prominence.²⁴

With that said, there are two word order arrangements that are clearly rare and merit attention for an analysis of prominence function. These are 1) clauses with more than one constituent before the verb, and 2) subject final clauses (VOS). Van der Merwe et al (1999: Ch.7) also point out instances of marked post verbal word order. According to van der Merwe (342), “The unmarked word order [of constituents after the verb] when all constituents are lexicalized are Subject + Object + indirect object + prepositional object + other complement/adjunct + complement/adjunct (place) + adjunct (time).” The unmarked position of a pronominalized constituent or a deictic adverb is immediately after the verb, while long constituents tend to be placed at the end of the clause. Lode (1984) and (1989) examined marked post verbal word order, and discovered that deviation from unmarked word order does serve certain pragmatic functions, for instance when a pronominal element occurs later in the clause after nominal elements. He attributed some of these marked word orders to the functions of transition marking, focus of theme, and emphasis. This kind of study also needs to be done for legal texts.

As a general rule of thumb one discovers marked elements in a text by first noting the regular patterns of that text, before identifying the irregular patterns or unique elements for that text. One must recall that what is regular for one text may be an irregularity and possibly a mark of prominence for another text.

²³ Wendland (1995: 276-277) provides examples of background reiteration highlighting an unique element in Joel.

²⁴ Any reference to XV word order in this thesis does not include clauses where the negative particle obligatorily comes before the verb, nor any clauses with infinitive absolute + verb.

5.2.3.2 Other Prominence markers

In addition to looking for irregular patterns in a text, there are special linguistic signals which can mark prominence.

The *infinitive absolute* followed by the *yiqtol* form of the verb is found to serve an emphatic function throughout Biblical Hebrew literature, including Biblical Law.²⁵ In Ex. 21.5, the use of the infinitive absolute helps to reinforce a contrast:

15) Ex. 21.5 *But if the servant inf.abs. says,*

I love my master, my wife, and my children. I will not go out free.

On the other hand, in Ex. 21.12-17, every single sentence has the infinitive absolute, thus reducing its relevance as a prominence marker for that text unit, since it has become the pattern of this unit. However, it would have to be investigated whether this unit may have a function of prominence within the larger body of laws of which it is a part.

A note should be made of the use of the infinitive absolute as finite verb in the imperative mode.²⁶ Except for the *weqatal* forms used in sequential and logical semantic relations, there are rarely any legal directives with a verb in the initial position of a sentence. If a legal directive verb is not preceded by a *waw* or a negative particle or any other element, it will likely be an infinitive absolute, which is also quite rare. Imperative verb forms are never used for issuing legal directives. Rather the infinitive absolute appears to be the corresponding imperative verb form for legal directives. The infinitive absolute (the *qatol* form) can be found in two of the ten commandments:

16) Ex. 20.8 זָכוֹר אֶת-יְוֹם הַשַּׁבָּת לְקַדְּשׁוֹ: *Remember the day of Sabbath to keep it holy*

17) Ex. 20.12 כָּבוֹד אֶת-אָבִיךָ וְאֶת-אִמְךָ *Honor your father and mother*²⁷

Repetition has already been mentioned as a background to highlighting an unique element in the text, as well as functioning within parallel structures. A seven-fold (or more) *repetition of single lexical item* can also highlight a key thematic word for the text. For example, in the slave release law of Ex. 21.2-11, the verb *yatsa* ('go out'), signifying 'release', is used exactly seven times as a finite verb and one time as an infinitive construct. In Leviticus 17, the text which warns against eating any blood, the word *dam* (*blood*) is repeated 13 times. The sixth and seventh repetition coincides with a chiasmic bracketing of the key argumentation line of the text:

²⁵ Yaron (1995: 460) suggests that one function would be "to avoid excessive brevity, as in the case of an apodosis consisting of a single word."

²⁶ See also Muraoka (1985: 85), Warren (1998), and Shulman (1996) for a comparison of the distribution of Imperative and 'al *tiqtol* expressions versus *qatol* and *low yiqtol* expressions.

²⁷ This particular verb form can be interpreted as either an imperative or an infinitive absolute. However, judging that imperative forms are completely absent from legal directives, it seems more plausible to consider it an infinitive absolute.

18) Lev. 17 11

כִּי נִפְשׁ הַבֶּשֶׂר בַּדָּם הוּא
וְאֲנִי נֹתַתִּיו לָכֶם עַל-הַמִּזְבֵּחַ לְכַפֵּר עַל-נַפְשׁוֹתֵיכֶם
כִּי-הַדָּם הוּא בְּנִפְשׁ יִכָּפֵר:

For the ~~soul of the flesh~~ – in the **blood** it is
And I have given it ~~you on the altar~~ to atone for your souls
For the **blood** it is - in the soul it atones

Repetition of nominal referents where a pronoun could have been used without creating a problem of ambiguity is another way to signal prominence in a text. While this is a technique well attested in Biblical Hebrew narrative,²⁸ it can also be found in legal texts. One example is Ex. 21.6, where the second reference of ‘*master*’ could have been easily substituted for a pronoun. Instead the use of a nominal form lends prominence to the climactic actions of the master:²⁹

19) Ex. 21.6 Then his master is to bring him to the God
And bring him to the door or the doorpost
And his master is to pierce his ear with an awl
And he is to serve him forever.

Van der Merwe (1999) also identifies what he calls *focus particles*.³⁰ These include several which are found only sporadically in legal material: ‘*ak* (except, just), *raq* (only), *gam* (also), as well as demonstrative adverb *ken* (thus).

5.2.4 Identifying positions of prominence in legal texts

In addition to markers of prominence which may be found at various places in the text, there are also positions in a text and in a clause which are considered to be more prominent.

5.2.4.1 Unit level prominence

There may be several kinds and degrees of prominence within a text, but within legal texts there is generally a point which is considered the key point, a generalizing principle, or a concluding summary. In texts which list a series of laws, this special kind of prominence may be found on what is considered the most important of the laws. It is a kind of equivalent to the notion of climax in a narrative.

Unit level prominence within legal text is generally found either at the center or at the edges of the text.

²⁸ For example, in the Jonah story, the nominal referent ‘Jonah’ is repeated numerous times at the point where Jonah is swallowed by the whale. De Regt (1999) describes participant reference in Biblical Hebrew narrative.

²⁹ For more discussion on participant reference, see 6.1 below.

³⁰ Also identified by Muraoka (1985) as emphatic particles.

In dominantly linear progression texts the key or summary point tends to be found in the final or near final positions (e.g. Lev. 11.46; Ex. 21.23 (talionic law)). It has been said that chiasmic *abba* units tend to have their key points at the edges. This hypothesis seems to bear out for Lev. 19.17-18 (see 5.1.3.2 (7) above).

Klaus (1999) and those working on poetry, find that pivotal constructions (*abcba*) have their key line in the centre non-paired line. It was also noted above that even some linearly ordered texts insert a key line in the center of the text unit sometimes bracketed by parallel material (see Ex. 20.24b (14), Ex. 28.29-30 (Table 11 and Lev. 17.11(18), above). In Ex. 21.2-11, which consists of two parallel linear series, the final case of the first linear series (vss. 5-6, below) contains several prominent features: 1) Infinitive absolute in 2) an extra long conditional clause (protasis), followed by 3) a longer than usual (for this text) list of four directives (apodosis). Furthermore, 4) the main recipient of the directive, 'the master' is referred to twice by a full noun; the second reference was not necessary for ambiguity clarification. This high concentration of prominence markers takes place exactly in the center of the Ex. 21.2-11 text, at the end of one unit and before the beginning of a second but shorter unit.

20) Ex. 21.5-6 *And-if inf.abs. says the servant,*

I love my master, my wife, and my children, I will not go free,

Then his master is to bring him to the God

And bring him to the door or the door post

And his master is to pierce, his ear with an awl

And he is to serve him forever.

More research will be needed in order to discern whether there is a specific correlation between position of the high point of a text, its function within the text (key theme, summary, generalizing principle, key line of argumentation), and the structural arrangement within in which it is found.

5.2.4.2 Clause level Prominence

It was mentioned above that there is a high frequency of pre-verbal fronting in clauses of legal texts,³¹ contrasting with the predominant VSO ordering of narrative texts,³² a fact that has been observed by Buth (1990).³³ The conclusion that pre-verbal fronting is the marked structure has tended, nonetheless, to be carried forward and applied to other discourse types. I would contend that the notion that pre-verbal fronting is a marked, discontinuous feature in directive discourse, should be re-examined.

Rosenbaum (1997) maintains the notion that pre-verbal fronting constitutes for the most part, a ‘special position’, while clauses with VSO order exhibit the basic unmarked word order. He then proposes a variety of analyses for this special position including topic, setting, theme, and focus. He also notes specific uses of fronting which he calls “foregrounding or defamiliarization”, which in essence is a deliberate way of creating prominence especially in texts with parallelism (p.178).

Shimasaki (2002) goes further and proposes that the first position is a position of prominence for not just fronted non-verbal constituents, but for any nominal or verbal element that happens to be located in first position of the clause. For him, the function of this position of prominence is ‘focus’. He defines focus as the marking of an item that is “informationally prominent. Not only new information but also old information may be focused for functional purposes.”(p.240) Thus a series of verb initial clauses, as is found in narrative, consists of ‘predicate focus’ while nominal initial clauses are instances of ‘argument focus’.³⁴ Both verbless and verbal clauses are seen to support to this focus-first analysis.

I would also suggest that the first position is the default position for prominent information in a BH clause. These observations for word order behavior in BH correspond to those of other VSO languages, which generally also tend to have variable word order. In each of these languages, it has been found that the first position of the clause tended to be a position of prominence: that is, it was most likely to carry

³¹ Shimasaki (2002: 28 and footnote 31) surveys the terms and functions assigned by various authors for this pre-verbal fronting, including non-sequential, discontinuous, focus, topicalization, topic-shifting, etc. Dooley and Levinsohn (2000) replace the word ‘topicalization’ with the term ‘point of departure’.

³² See for example, Bailey and Levinsohn (1992), (2001), Longacre (1992), and Heimerdinger (1999) for discussion of word order in narrative texts.

³³ Buth (1990: 9-16) compares word order in narrative and non-narrative texts and concludes: “Non-narrative material follows a less-restrictive syntax with regard to word order and allows more than one special pragmatic marking before the verb. Non-narrative is oriented with more regard to saliency and does not use the same Foreground-Background distinction of narrative.” See also Rosenbaum (1997) who wrestles with word order in Isaiah, and Shimasaki (2002) who looks at both narrative and non-narrative word order.

³⁴ See p. 240-244 for a summary of Shimasaki’s conclusions.

new info, contrastive info, unexpected info, or highly important info.³⁵ Mithun (1987) used the term ‘newsworthy’.

It will follow logically then, that the other positions in the sentence are less prominent. However, Shimasaki does not discuss the implications of his claim for the rest of the constituents in a clause. For instance, if the first position is always the focus position, then what about the second position of the clause? In a VSO configuration, the subject, which is normally considered to be the topic, is in second position. However, if, in the corpus of Biblical law, one examines the contents of the second position of all clauses regardless of the order of its constituents, there is a tendency to find thematic information regardless of whether it is a verb or a noun, or a pronoun. For example, in Ex. 21.2-11, the verb *yatsa*’ is found in second position of the clause in three out of seven instances.³⁶ In Lev. 18, the thematic verb *gallah* (*expose*) is repeatedly found in non-initial position.

My hypothesis is that the first position tends to be the primary focus position, while thematic, old information tends to be in second position, and final position would tend to be for elements of secondary prominence³⁷. However, since there are numerous cases that do not seem to follow to that pattern, this hypothesis needs to be tested with the analysis of many texts, and with the examination of semantic relations in correlation with information status, participant reference and thematic development. These concerns will be the topic of the next chapter.

³⁵ See Payne (1992) *Pragmatics of Word Order Flexibility*, for a very interesting survey of such languages. See also Myhill and Zhiun Xing (1993) for discussion of patient fronting in BH and Chinese, and Payne (1990) for the analysis of *Word order in Yagua, a Verb-Initial language*.

³⁶ Of the seven instances of *yatsa*’, 3 are in second position, 2 others are preceded the negative particle, and 2 are in the *weqatal* form. In these last two, there was a subject switch reference from the previous line. Those with verbs in the second position have the same subject as the previous line. Therefore the thematic placement of a verb in second position may be contingent on the maintenance of the same subject.

³⁷ Further discussion in Chapter 6 reveals that final position can also be used for thematic material. More analysis is needed to clarify the function of final position.

THEMATIC DEVELOPMENT

We have seen that analysing a text involves identifying the theme and the boundaries of the text, discovering any structural characteristics, examining relations between clauses and groups of clauses, as well as explaining any prominence features. However, each of these aspects cannot be analysed in isolation. The examination of thematic development helps us come to an understanding of how all these aspects interrelate to create a complete text. In addition, examining all aspects in relation to each other can bring further insight as to the function of any one linguistic structure.

A written text is generally not a static entity that can be read from all directions. While some of us may want to read only certain key phrases in a book, normally we must start at the beginning and read towards the end. The writer also produces his thoughts so that they move forward according to his own sense of logic. It is this sense of movement from a beginning towards a final goal that is the focus of this section.

Thematic development is the process by which a text maintains thematic continuity, while also signaling a shift in theme, participant reference, communicative purpose, setting, or other aspects, in order to achieve its final goal. A primary purpose for studying the thematic development of Biblical Hebrew texts is to better understand the function of the patterns of lexical repetition and syntactic structure.

6.1 Tracking participant reference

When analysing participant reference in a legal text, it is necessary to distinguish the semantic roles of the participants as well as their grammatical position in the sentence. The grammatical roles are the most well known: *subject*, *direct object*, and *indirect object*. Some semantic roles¹ concern who is the *agent* (actor), *patient* (who or what undergoes the action), and the *recipient* of the action. The agent of an active clause is normally the subject of the sentence. In legal texts, the actor or *speaker* of the speech event in which the directives are given is YHWH and/or Moses. The subject of the directive statements frequently fill a double role: as the recipient (i.e. the intended recipient) of the law, and as the agent of the action which is prescribed. In a passive-type and in some intransitive constructions, the patient is in the subject position. In Ex. 21.17 – *The one insulting his mother and father must die!* – the participial clause is the

¹ See Givón (1984: 126) for more on semantic roles.

subject of the verb *die*. This subject, however, is not the agent of the dying action, rather it is the undergoer, or patient. The agent, in this case, is un-named.

There are various ways to examine participant reference in a text.

In research on Mosaic law, a number of authors have examined the alternation between the *use of second person singular and plural, and the use of the more impersonal third person forms* as reference to the recipient of the law. For instance, in Ex. 21.2-11, the first line starts out with 2nd person singular, and then continues with 3rd person singular. This pattern can also be found in other laws (e.g. Lev. 1.2-3). Deuteronomy has a much higher incidence of second person forms than does Exodus (Compare Ex. 21.2-11 and Deut. 15.12-18). The use of second person reference for recipients in directives is most frequently a mark of requests and exhortations. Therefore the use of second person reference in Biblical law gives it the appearance of a more personal exhortation, an observation that has been the topic of discussion for several authors.² Watts (1999: 62-65), in particular, sees the use of second person reference as a technique of rhetorical underlining, as a way of drawing the reader/listener in with the underlying message: this concerns YOU!

Any alternation between 2nd and 3rd person forms, as well as between singular and plural 2nd person forms, should also be noted and analyzed for any possible discourse function. It is also important to note any *speaker self reference*, and its function within the text. As mentioned earlier (5.2.3.1), first person reference can be a sign of prominence, serving to provide boundary markers as well as other functions.

The matter of *third person reference* is slightly more complex. In some legal directives there is more than one participant referred to in the third person. Reference techniques for each participant can be chosen from the following hierarchy of reference markers:³

- full noun phrase or relative clause
- nouns (including proper nouns)
- pronouns
- pronominal affixes
- null reference i.e. implied

When a set of laws refers to the same participants throughout, the Hebrew language has a referencing technique for each one. It has often been popularly assumed that the use of pronouns versus full noun references was governed by the parameter of ambiguity.⁴ This notion would assume that once a

² For example, Schertz and Yoder (2001: 57-58), Sonsino (1980: 21, 195-98), Watts (1999: 62-65), and especially Sprinkle (1994: 168 and elsewhere).

³ This list is adapted from Longacre (2003: 139-40).

⁴ Some authors have introduced the notion of activation states, distance from previous mention (e.g. Shimasaki, etc.), etc. I personally have not yet seen the need to look at these factors when analysing BH participant reference.

participant is introduced with a full noun identification, it is thereafter referred through the use of the pronoun, except, and only in cases where multiple participants could cause ambiguity. Further reflection will yield the realization that the use of full nominal reference can show up in places where there is no problem with ambiguity. A discourse analysis can help to unravel the reasons for the variety of reference marking for the participants in a text unit. Furthermore, each language has its own peculiar rules of reference because of the following reasons:

- each language has its own set of ambiguity zones.⁵
- each language has its own way of keeping the distinction clear
- each language may also have other functions for the use of nominal reference.

While Hebrew and English have very similar ambiguity zones, it is clear that they have different ways of using pronouns vs. nominal forms. I first became aware of this in my first introduction to Hebrew discourse in 1997. While reading through the story of Jonah, I noticed a high level use of pronouns where I would expect nominal forms in English. Then suddenly at the beginning of chapter 2, which recounts Jonah being swallowed by a whale, the reverse took place: there were suddenly a series of three references with the full proper noun: *Jonah... Jonah... Jonah!*

There are several factors that need to be taken into account when analysing participant reference:⁶

1. **Participant rank:** In a number of languages, the central participant has a much higher incidence of pronominal references than do secondary participants, or minor participants. This seems also to be the case for Hebrew.
2. **Functions of prominence:** There is the tendency to use full noun references, and full pronoun references for functions of prominence, such as at episode breaks, climactic points, or positions of highlighting.
3. **Participant introduction and continuity:** It is important to study the management of reference when a participant is introduced, continually referred to, or re-enters the scene after an absence.
4. **Switch reference:** Take note what happens when the subject changes, or when a direct object of one clause becomes the subject of the following clause. How does the language handle switching from one reference to another?

For more discussion on participant reference see Shimasaki (2002) in relation to focus, de Regt (1999) for narrative in particular, and Miller (1996) for participant reference in conversations.

⁵ For example, in Sicite, a Senufo language of the Gur, Niger-Congo language family of Burkina Faso, West Africa, there are 5 nominal genders each with its own set of pronouns. While the variety of pronouns helps to keep the reference clear in Sicite, a literal translation of a story with several (animal) participants into English is quickly rendered incomprehensible, because English has a completely different set of ambiguity zones. Where English needs nominal referents in order to keep reference clear, Sicite does not, and therefore uses pronouns. On the other hand, there is no pronominal distinction between male and female participants in Sicite. Therefore, a story about a man and woman in English, distinguishing the referents with 'he' and 'she' pronouns, will likewise produce ambiguity problems if literally translated into Sicite.

⁶ For a detailed methodology for analysing participant reference, see Dooley and Levinsohn (2000: Chs.16-18). See also Longacre (2003: Ch.6) for an application of participant reference analysis to the Joseph story in Genesis.

Two illustrative examples will suffice here in order to demonstrate insights that can emerge from participant reference analysis of Biblical law.

1) Ex. 21.2-6 Participant Reference⁷

Key: Hyphen – affixed pronouns ;	Bolded pronoun – full un-affixed pronoun.
Box – master; Underline – servant;	Dotted underline – wife.
1 If <u>you</u> -buy a <u>Hebrew servant</u>	Six years <u>he-is-to-serve</u>
2	<u>And-in-the-seventh-year he-is-to-go-out</u>
3 If <u>in-his-singleness</u> <u>he-enters</u>	<u>In-his-singleness he-is-to-go-out</u>
4 If <u>husband of a wife</u> he	<u>She-is-to-go-out his-wife with him</u>
5 If <u>his-master</u> gives <u>to-him</u> a <u>wife</u>	
6 And <u>she-gives-birth to-him</u> sons or daughters	<u>the wife and her-children are-to-be</u> for <u>her-master</u>
7	<u>And-he</u> is-to-go-out in-his-singleness
8 And-if say says <u>the servant</u>	
9 I-love <u>my-master</u> , <u>my-wife</u> , and my children	
10 Not I-will-go-out	<u>Then-he-is-to-bring-him, the master</u> to the god
11	<u>And-he-is-to-bring him</u> to the door or doorpost
12	<u>And-he-is-to-pierce, the master his ear with-an-awl</u>
13	<u>And-he-is-to-serve-him</u> forever.

The participant rank in this text is: *servant*, *master*, *wife*, *children*. This means that the *servant* is the central participant in this unit, and that *children* serve only a periphery role (commonly called a prop). The *master* is secondary in terms of referencing, though he does become more central in the final lines of the unit.

The first general observation that can be made is that *servant* has a nominal reference in only two positions - in the introduction and at the beginning of the final and contrastive unit. This latter reference coincides with a significant thematic development and a contrastive relation with the previous clauses. It is also accompanied by other signs of prominence, such as infinitive absolute and an extra long protasis. Otherwise it would not be needed to clarify any ambiguity since the subject of the previous clause was also a referent of *servant*. There are two full pronoun references, and all others are pronominal affixes (13, not counting possessive pronouns). Even in cases where there is subject switch reference, the *servant* reference is pronominal (lines 7, and 13), where in English one would likely insert the nominal form.

Master, on the other hand, has one second person pronominal affix, four nominal references and only two third person pronominal affix references. One of the nominal references (in line 12) is redundant. Perhaps it is a sign of *prominence* to highlight the climactic ear piercing act as a sign of permanent servitude.

⁷ See Table 2 for the Hebrew text.

Wife has three nominal references and two pronominal affix references (not counting possessive pronouns)⁸, while *sons and daughters* has no pronominal reference, but is also referred to as *children* and *sons*.

These observations confirm the statement that *the most thematic referent will have the highest frequency of pronominal references*. The least thematic referent is the least likely to have any pronominal references. *If there is a possible question of ambiguity, it is the less thematic referent which will be chosen for full nominal reference*. On the other hand both the central participant and the secondary participant can take a nominal referent, in cases of non-ambiguity, in order to mark prominence. More texts would have to be analyzed before one can make definitive conclusions concerning the functions of these signs of prominence.

Our final example is Lev. 19.17-18:

Table 12. Leviticus 19.17-18: Participant Reference

8.1	19:17	לֹא-תִשְׂנֵא אֶת-אָחִיךָ בְּלִבְבְּךָ	<i>You (sg.) are not to hate your <u>brother</u> in your heart</i>
8.2		הוֹכַח תּוֹכִיחַ אֶת-עַמִּיתְךָ	<i>Do rebuke your <u>fellow citizen</u></i>
8.3		וְלֹא-תִשָּׂא עָלָיו חֲטָאֵי	<i>And you are not to raise up <u>on him</u> sin</i>
8.4		לֹא-תִקֶּם	<i>You are not to act in vengeance</i>
8.5	19:18	וְלֹא-תִטַּר אֶת-בְּנֵי עַמְּךָ	<i>And you are not to retain-anger with the <u>children of your fellow citizens</u></i>
8.6		וְאַהֲבַת לְרֵעֶךָ כְּמִוֶּךָ	<i>But you are to love your <u>neighbor</u> as yourself</i>
8.7		אֲנִי יְהוָה	<i>I am YHWH</i>

The recipient reference *you* remains constant throughout. However, the patient reference varies slightly in each line: *brother, fellow citizen, on him, null, children of your fellow citizens, and neighbor*. Considering that the parallelism in this unit points to a unifying theme, it appears that these slightly different referents are meant to give the sense of all inclusiveness within the Israelite community. Whether it be a close relation (*brother*) or a more distant relation (*fellow citizen*), or a neighbor, or children of clan members, these directives apply in all cases. Such variant reference is a poetic technique complementing the parallelisms of the unit.

⁸ The observant reader will also note that in lines 1-6, the only verb initial (*weqatal*) lines are the ones where *wife* is a subject switch reference from the previous clause.

6.2 The role of repetition in thematic development

The study of lexical cohesion in a language is considered to be such an important feature of a text that it has become a primary parameter in the development of computational text summarization programs; in language learning and composition writing, the understanding of how it is used in a text is seen as a key factor for good writing. The study of lexical cohesion in Biblical Hebrew in relation to thematic development is still, for the most part, unexplored territory. Because of the variety of topic continuity and topic development schemes found in Biblical law, it is the ideal place to begin this kind of research.

We have already seen in the previous sections that repetition can have various functions within the text. Here I will present how repetition functions in relation to thematic development.

6.2.1 Repetition and topic continuity

Repetition is first and foremost used for topic continuity. When referents and key thematic words are repeated throughout the text, it helps the reader keep in view the thematic goal of the text. Each language has its own way of maintaining topic continuity through lexical cohesion. Beekman and Callow (1974: 79-80) point out that one reason for repetition is to spread out the communication load. If too much new information is compacted together, the communication will be more difficult to follow. She illustrates with the long multi-clause sentence in 1 Peter 1.18 where the clauses explain different aspects of redemption without repeating the word ‘redeem’ in later clauses. This, she says, is too compact in some languages which would require a repetition of the word ‘redeem’ in each clause, as in the case of Kekchi, which inserted the word ‘redeem’ as follows:

... are redeemed...you are not redeemed with that which... But you are redeemed by means of the precious blood...⁹

Beekman and Callow also explain how repetition can be used in listing: “Listing occurs when a number of things (or propositions) stand in the same relationship to a given event: some languages only need to state the event and relationship once, and then list all the things, while other languages have to repeat the event with each thing.” She explains further:

“But in many languages it is not possible to present this quantity of information all attaching to the one item; the reader loses the thread, and by the time he gets to the end he has no idea to what preceding “known” he should attach the later information. There may not even exist in the language any way of signalling the relationship of a clause to some other item quite far removed from it in the discourse. The solution, then, is to keep on referring back to the “known” item at intervals, either by repeating it exactly, or by using synonyms, or by using cross-referent terms such as pronouns, demonstratives, or pro-verbs.”

⁹ A fairly literal translation from the NIB is: **1 Peter 1.18-19** For you know that it was not with perishable things such as silver or gold that you were redeemed from the empty way of life handed down to you from your forefathers but with the precious blood of Christ, a lamb without blemish or defect.

Thus some languages need more repetition than others in order to maintain the theme. Biblical Hebrew appears to be of the type to require copious repetition, especially in non-narrative material. Prescriptive directives, including legal directives, provide numerous examples of the need to maintain theme through identical repetition and synonymous expressions. Ex. 21.2-4 is a good example of this type of thematic repetition of the verb *yatsa'* (go out):

2) Ex. 21.2-4 Thematic lexical repetition

1 If you-buy a Hebrew servant	Six years he-is-to-serve
2	And-in-the-seventh-year he-is-to-go-out
3 If in-his-singleness he-enters	In-his-singleness he-is-to-go-out
4 If husband of a wife he	She-is-to-go-out his-wife with him
5 If his-master gives to-him a wife	
6 And-she-gives-birth to-him sons or daughters	the wife and her-children are-to-be for her-master
7	And-he is-to-go-out in his singleness

Leviticus 18 contains another very good example of showing where listing is achieved through the repetition of the thematic verb – *uncover, expose (gallah)*. The list concerns all forbidden sexual relationships. The topic begins with the topic introduction: *Each man towards any of his own flesh, he is not to approach to uncover nakedness*. Following this introduction are a list of 17 prohibitions each punctuated with the verb *uncover* and the noun *nakedness*.

In both of these texts, as well as numerous others, it should be noted that most (but not necessarily all) of these *thematic verbs are placed in non-initial position of a clause*.

It should be noted also that lexical repetition can take place between nominal and verbal forms:

- 3) Ex. 21.2 יַעֲבֹד יַעֲבֹד שֵׁשׁ שָׁנִים יַעֲבֹד כִּי תִקְנֶה יַעֲבֹד עַבְדִּי
 If you buy a Hebrew slave ('*ebhed*), six years he is to serve (*ya''abhd*)
- 4) Lev. 19.15a,d לֹא-תַעֲשֶׂה עֲוֹן בְּמִשְׁפַּטּוֹ בְּצִדִּיק תִּשְׁפֹּט עִמִּיתְךָ: עֲוֹן תִּשְׁפֹּט
 You are not to do evil in judgment (*mishpat*),... in righteousness you are to judge (*tishpot*)

6.2.2 Repetition and topic conclusion

Repetition is also used to close a topic. Closing a topic is actually the thematic function of inclusios, mentioned earlier. Inclusios can take place at all levels of the text. Another look at Ex. 21.2-11 will reveal several inclusios, which bracket topics and subtopics:

5) Ex. 21.2-6 Topic bracketing by lexical repetition

1 [If you-buy a Hebrew servant]	Six years he-is-to-serve
2	And-in-the-seventh-year he-is-to-go-out
3 [If in-his-singleness he-enters	In-his-singleness he-is-to-go-out
4 [If husband of a wife he -----> She-is-to-go-out his-wife with him]	
5 [If his-master gives-to him a wife	
6 And she-gives-birth to-him sons or daughters	the wife and her-children is-to-be for her- master]
7	And he is-to-go-out in his singleness]
8 And-if say says the servant]	
9 I-love my-master, my wife, and my children	
10 Not I-will-go-out	Then-he-is-to-bring-him, the master to the god
11	And-he-is-to-bring him to the door or doorpost
12	And-he-is-to-pierce, the master his ear with-an-awl
13	And-he-is-to serve -him forever.]

Servant in line one along with *serve* in line 13 bracket the entire unit. The phrase *in his singleness* brackets the stipulations concerning marital status before and after bondage in slavery, and conditions for the liberation of a wife. *His master – her master* (lines 5 and 6) bracket the stipulation concerning the giving of a wife by the master. Line 4 also has an inclusio: [*husband – with him*]. This latter as well as the *master* inclusio are grouped together within the *in the singleness* inclusio. The final case consisting of lines 7-13 are also bracketed by *servant* in line 7 and *serve* in line 13. In each case such repetition indicates the beginning and ending of a topic unit, fitting together as follows: [*servant* [*in his singleness* [*husband – in him*] [*his master – her master*] *in his singleness*] *servant* - *serve him forever*]. Note also that the lower level inclusios in this text also involve syntactic and/or lexical inversion.

6.2.3 Repetition, new information, and topic shift

Repetition actually plays a double role in a text. While it maintains thematic continuity, it also is the springboard for the introduction of new information, as well as the introduction of a topic shift in the text. A topic shift concerns a change in any one or more of the following parameters: time, place, participant, action, and communicative purpose. Here are a few examples of shift types:

1. **Participant shift:** The participants change but the theme remains the same. (e.g. Ex. 21.2-11; vss. 2-6 is about the male slave; in verse 7 the focus of attention shifts to the female slave.)
2. **Participant orientation:** A participant switches from one semantic role to another. (e.g. Ex. 21.4 'wife' as patient becomes agent: *If his-master gives to him a wife And she-gives-birth to-him sons or daughters.*)
3. **Temporal /aspect shift:** participants and theme remain the same, but there is a switch between sequential, backward looking (flashback), forward looking (flash-forward), simultaneous, etc. actions. (e.g. Num. 5.11-31)
4. **Verbal progression:** participants and time frame remain the same (or are irrelevant), but actions change. (e.g. sequential instructions, list of apodictic laws).
5. **Discourse type shift:** Theme remains the same, but there is change in discourse type (e.g. narrative > legal directive; directive > argumentation, etc.) There can also be shifts in different types of information and semantic relations (e.g. generic > specific, contrast, etc.)

When there is a shift along the lines of multiple parameters, then the shift is more pronounced, and more likely to be signaled by specific linguistic indicators. Within the limits of this study, it is impossible to examine all the different types of shifts available; therefore I will point out only a few as a means to stimulate reflection of these and others.

Repetition is one of the prime indicators of topic shift, which is often, but not always in combination with word order variation, and sometimes with the use of specific types of connectives. It is significant to note where repeated material is found in a clause, and how its position in a clause correlates with the type of shift taking place.

There seem to be *two basic ways in which repeated material supports or introduces new information* (i.e. previously unmentioned information) *in a clause*: either by repeating first, and then introducing new information, or by introducing new information, which is then followed by repeated material. Frequently repeated material is found in the middle of the clause.

I venture to posit the hypothesis that *the unmarked manner of shifting is to place new material in first position of the clause, and older thematic and repeated material in second position*. This is sometimes followed by more new material in final position. This coincides with the suggestion made earlier that the first position in a clause is generally the position of prominence, making new information the most prominent. Then if new material is made thematic in the following clauses, it is repeated and relegated to non-initial position of the clause.

This trend appears to apply to both nouns and verbs. In Ex. 21.2-6 (5), 13 of the 18 clauses, both conditional clauses and main clauses, begin with new material. Repeated information tends to come in non-initial position. This trend can be seen in a large number of texts including those with a high level of nominal initial clauses (e.g. Lev. 18, Lev. 19.9-10,), as well as in texts with a large number of verb initial clauses (e.g. procedurals with a series of *weqatal* verbs such as Lev. 1-7, and prohibitions Lev. 19.11-18).

A series of verb initial clauses generally have no common verbal topic. Rather, thematic focus of attention is on the agent and/or on the potential recipients of the actions (e.g. Ex. 20.1-17, Lev. 19.11-18). These laws would answer the question – how are we to behave towards others? – the new information being the various actions (expressed with verbs) prescribed, and the thematic focus of attention being on the patients of the potential actions.

On the other hand, a series of clauses with fronted objects (in particular), tends to point to a common verbal theme as in the case of Leviticus 18, answering the question – who are men not to have sex with? This trend bears out when examining the conditional clauses of the covenant code. The *ky* clauses which introduce new topics or major shifts in topic, tend to exhibit no fronting, while the *'im* clauses which present a variation of a theme, tend to have fronted elements containing new material or less thematic old material, pushing the thematic material into non-initial position. This shows up clearly in Ex. 21.2-6.

6) Ex. 21.2a, 3ac, 4a

21:2	עֶבֶד עֲבָדְךָ תִּקְנֶה כִּי	Hebrew servant you-buy if
21:3	יָבֹא בְּגִפוֹ אִם	he-enters in-his-singleness if
	הוּא בְּעַל אִשָּׁה אִם	he-is husband of-woman if
21:4	אִשָּׁה יִתֵּן לָוִי אִם	a-wife to-him gives his-master if

There are, however, a number of cases where repetition is found in the initial part of the sentence.¹⁰ Almost all texts that I have seen so far, use the repetition-first strategy only sporadically throughout the text. It appears then that *repetition in initial position tends to be the more marked manner of arranging information in a clause*, signaling a more significant shift and higher prominence than repetition-last clauses. It appears also that the more the repetition, the greater the shift in thematic development. For example in Num. 6.1-21 (rules for Nazirites), variations of the phrase *all the days of the consecration*

¹⁰ This kind of distribution is related partially to Dooley and Levinsohn's (2000: 47) notion of Point of Departure in that it is considered to be "an initial element, often fronted or left-dislocated" and "is backward-looking, in the sense of locating the anchoring place within the existing mental representation, but is forward-looking in that it is the subsequent part of the sentence which is anchored in that place". They also mention that "temporal and spatial points of departure in narrative commonly indicate the onset of thematic groupings."

both conclude the first topic and begins each of the following two prohibition topics: no eating any product of the vine, no hair cutting, and no contamination with a corpse (see (10) of 5.1.4). In Num. 5.11-31, one also sees repeated clauses introducing significant thematic development. For example, in verse 21, a repeated quotative frame separates the protasis of the priest's speech, from the apodosis, which includes the pronouncement of the curse:

7) Num. 5.19 אִם-לֹא שָׁכַב אִישׁ אִתָּךְ אָמַר אֶל-הָאִשָּׁה וְהִשְׁבִּיעַ אֶתְּךָ הַכֹּהֵן

And the priest is to make her swear, and say to the woman: If a man has not lain with you...

8) Num. 5.21 וְהִשְׁבִּיעַ הַכֹּהֵן אֶת-הָאִשָּׁה בְּשִׁבְעַת הָאָלֶּה וְיִתֵּן יְהוָה אֹתָךְ לְאָלֶּה יִאמַר הַכֹּהֵן לְאִשָּׁה

And the priest is to make the woman swear this oath and the priest is to say to the woman: May God give you a curse...

Repetition of verbs in initial position of a clause frequently takes place within the context of a repetition of an entire clause, as we have seen above. Clause initial repetition of direct objects is less frequent, but it does exist (e.g. Num. 6.3c in 6.4.2 (Table 15 line 5)). Repeated subjects in initial position, on the other hand, seem to signal a significant shift, often related to certain types of contrastive semantic relations (see 6.4.3 below).

It should also be noted that when major shifts are signaled by other means, such as with conditional *ky* clauses, any repetition of material tends to take place in the final position of the sentence or in medial position, as in the example below (repeated material is underlined):

9) Ex. 21.7 *And-if sells a-man his-daughter as-a-maid, she is not to-go-out as-goes-out the male-servants*

Ex. 21.7 introduces a significant shift of the theme of slave release. The conditions for a female slave will be different from that of a male slave. The directive clause is concluded with a comparative clause which repeats and refers back to the slave release conditions for a male slave. At the same time it signals the continuity of the theme of slave release.

The question remains, however: How can one predict, or explain the position of repeated items in relation to the rest of the information in the clause? This will be examined further below, developing a technique for tracking and analyzing the distribution of different types of information in the clause, by taking into consideration the factors of syntactic category, semantic roles of the constituents, and semantic relations between the clauses.

6.3 Tracking information status and word order

In order to distinguish between these different functions of repetition, one must first track the information status of the elements in a text and take note of their position in the clause. Information status, also called pragmatic status by Thomas Payne (1997: 261) has “to do with the choices speakers make about how to efficiently adapt their utterances to the context, including the addressee’s presumed ‘mental state.’ ... pragmatic statuses relate the content to the context. Labels that have been used to describe various pragmatic statuses include: given, new, presupposed, focus, topic, identifiable (or definite), and referential.”

Tracking information status consists of identifying any repeated or ‘given’ information, as well as new information. In discourse analysis, ‘given’ information is any information that is presumed to be known by the listener, or reader. There are cases where ‘given’ information is not repeated material, especially in oral dialogue. For the purpose of this analysis, I am focusing primarily on ‘given’ information which has been mentioned earlier in the text.

The purpose of tracking information status is not only to identify repetition and new information, but also to understand how distribution of the information in a clause is related to the overall goals of the discourse unit. These are the steps to be taken:

1. Clearly mark the repeated material in a text. Recall that repeated material includes synonyms, pronouns, and other nominal substitutions in addition to exact repetition.
2. Identify the position of the clause in which one finds new material and where one finds given material.
3. Examine any correlation between position in the clause of the repeated material and the type of new information it introduces.
4. Examine the syntactic categories of each one – subject, predicate (verb), direct object, indirect object, circumstantial clause – and their order in the clause in correlation to the information status. What happens when repeated information is in the subject position? What happens if new information is in the subject position? Ask these same questions for each syntactic category found in the clause.
5. Determine what kind of topic shift is in operation.
6. Examine the semantic relations between clauses and groups of clauses, and try to determine whether there is a correlation between types of semantic relations and word order and repetition.

6.4 Patterns of thematic development

Because of their variant structures, and their complexity, it is difficult to discern clear rules for the thematic development of a text. However there are a few general patterns that have been alluded to throughout this work. I will present them here with the caution that they do not cover all cases; and there may even be some apparent contradictions to the broad categories mentioned here. Although plenty of research on word order has been undertaken in Biblical Hebrew, rarely has work been done which attempts to take into account all of the factors mentioned here, and especially not in the area of Biblical law. Therefore these comments are tentative and contingent on further, more thorough research.

6.4.1 Verbal progression

Verbal progression is what takes place when a text consists of clauses with a series of different actions. These actions may be linked together temporally, or they may have some other kind of semantic relation mentioned above. Verbal progression is especially indicated by verb initial clauses.

Verbal progression clauses may have the same agent and patient (or benefactor), or referents may undergo a shift of semantic roles. There may also be a continuity in time, place, and circumstance, or one of these parameters may shift. These kinds of shifts may be signalled by some kind of repetition, word order, conjunction, or adverbial phrase indicating time or place.

Num. 5.1-31 is an example of a temporally ordered verbal progression text, detailing a legal procedure prescribed in the case of suspected unfaithfulness on the part of a wife by her husband. It is a text which consists of primarily a series of *weqatal* forms describing the series of sequential actions required for the procedure. Most but not all of the *weqatal* clauses are in chronological order. Other examples are Num. 6.13-21, and Ex. 21.6.

Examples of verbal progression texts which are not temporally ordered are Lev. 19.11-18 and Ex. 20.1-17. In these texts, the agent (*you*) tends to remain the same. The patient may vary depending on the text. The focus is on a series of *different* commanded or prohibited actions. In these cases also, the verbs are in initial position.

6.4.2 Verbal topicality and predicate NP progression

When a verb becomes thematic (or topical), usually in combination with a thematic agent, it tends to be placed in second position (sometimes in final position) of a clause. Verbal topicality frequently coincides with the fronting of new information contained in the remainder part of the predicate (object, indirect object, locative, temporal adverbials), resulting in *predicate noun phrase (NP) progression*. The directives for the construction of the ark (Gen. 6.14-16) and the tabernacle (e.g. Ex. 26.7, 18-19, 30.1, 3b-

4, 7-8a, etc.)¹¹ use this type of structure to present further details about any single directive. Note how in the example below (10) the thematic (repeated) information is pushed to the end of the second clause, and new information is inserted in initial position.¹² The first line is a general command to build the ark, and the second line gives a detail in the building of the ark.

10) Gen. 6: 14

עֲשֵׂה לְךָ תֵבַת עֲצֵי-גֹפֶר *Make for yourself an ark from gopher wood*
 קַנִּים תַּעֲשֶׂה אֶת-הַתֵּבָה *Compartments you are to make the ark*

In some languages, a verb may be needed only once in order to introduce a list of items or details concerning the directive, but in Hebrew, the verb along with thematic agent (usually as a pronominal affix) and/or patient are frequently repeated.

Predicate NP progression can operate at a two clause level, creating what Andersen (1974: Ch. 9) calls a ‘chiastic sentence’. Many of these consist of simply providing a further detail of an instruction given in the previous line, as in (10) above. Other such paired lines with inverted syntax in the second line exhibit more of a coupling of two actions that are meant to go together. This has been noticed in narrative texts (e.g. Gen. 1.5 *God called the light Day and the darkness he called night*). One example can be found in lines 3 and 4 of the unfaithfulness test text:

Table 13. Numbers 5.16: Verbal and predicate NP progression

1	וְהִקְרִיב אֶתֶּה הַכֹּהֵן	<i>And-he-bring-near her, the priest</i>
2	וְהִעֲמֶדָהּ לִפְנֵי יְהוָה:	<i>And-he-make-stand-her before YHWH</i>
3	וְלָקַח הַכֹּהֵן מִיַּם קְדָשִׁים בְּכֵלֵי-חַרְשׁ	<i>And-he-[take the priest] water holy from-clay-vessel</i>
4	וּמִן-הָעֶפְרוֹן אֲשֶׁר יְהִיָּה בְּקִרְקַע הַמִּשְׁכָּן יִקַּח הַכֹּהֵן	<i>And-from-soil that is on-the-floor of-the-Dwelling he-is-to-[take, the priest.]</i>
5	וְנָתַן אֶל-הַמַּיִם:	<i>And-put into the-water.</i>

Verbal progression takes place in lines 1-3, represented by a series of verb-initial *weqatal* clauses. Note also that there is a patient switch from lines 2 to 3 (woman > water) Line 4 is in one sense a verbal progression, in the sense that ‘taking water’ and ‘taking soil’ are two different actions. However, the author has used the same verb and pushed the second reference to the verb ‘take’ along with its subject to the end of the clause. In doing so, he has backgrounded the second reference as being thematic and puts the new material in initial position. Line 5 then returns to verbal progression, and relegates the now

¹¹ Longacre (1995: 40) also notices this phenomenon where “paratactic sentences – without medial *waw* – usually chiastic in structure: $V_1N_1 + N_2V_2$ where V_2 either repeats or is a synonym of V_1 .”

¹² Longacre (1979: 102-103) mentions the thematicity of *ark* throughout the section (which occurs consistently in final position of the clause) but not of the verb *do* (‘*asa*’) and of the other fabrication verbs. This is unfortunate, since the theme is not the *ark* alone but rather *the making of the ark*.

thematic ‘water’ to final position. This predicate NP progression often works hand in hand with the process of *topic conclusion* mentioned above.

There are many examples of predicate NP progression connecting two clauses embedded within verb progression texts. They have been considered to be off-line or secondary material (Longacre), or a topic switching mechanism (Bailey and Levinsohn 1992). While this may be true in some cases,¹³ in others, it is the matter of pushing material that exhibits thematic continuity to the latter part of the clause, including the verb, and inserting new information which provides further comment for an event that was introduced in the first line.

There are also numerous examples of predicate NP progression taking place over a longer series of clauses. Some particularly notable examples are Leviticus 18, and Leviticus 11, as well as portions of Ex. 21.2-6 (see Table 3, and (2) above). Lev. 19.9-10 (Table 14) is an example of predicate NP progression and verbal topicality, where the verbs are not all identical, but they share the same semantic field. After an introductory *be-* preposition clause, which introduces the setting (line 1), there are a series of two parallel couplets, where the second of each provides further detail to the information of the first. Line 6 begins with the reason for legislating such sloppy harvesting, while maintaining the same thematic position for the verb:

Table 14. Leviticus 19.9-10: Predicate NP progression

1	19:9 וּבְקִצְרְכֶם אֶת־קְצִיר אֲרֻצְכֶם	And in harvesting the harvest of your land	a Setting
2	לֹא תִכְלֶה פְּאַת שְׂדֶךְ לְקַצֵּר	you are not to <u>finish</u> the edge of <u>your field in harvesting</u>	b
3	וְלִקְט קְצִירָה לֹא תִלְקֹט:	And the gleanings of your harvest you are not to gather	b+
4	19:10 לֹא תַעֲוִלֵּל וְכִרְמָה	And your vineyard <u>you are not to glean</u>	c
5	וּפְרִי פְּרֻמָּה לֹא תִלְקֹט	And your fallen fruit of <u>your vineyard</u> <u>you are not to gather</u>	c+
6	לְעַנִּי וְלִגֵּר תַּעֲזֹב אֹתָם	To the afflicted and the alien <u>you are to leave them</u>	d Reason
7	אֲנִי יְהוָה אֱלֹהֵיכֶם:	I am YHWH your God	

This parallel syntactic structure gives the effect of holding thematic continuity in one position – the final position, and the new information in another constant position – initial position. Note also that all repeated items are found in the latter part of the clause; even the noun phrases in lines 3 and 5 arrange the old information in final position of the clause.

Num. 6.1-6 is an example of an alternation between predicate NP progression and verbal progression, except that in this case, the verb constantly remains in final position, and the predicate NP remains in initial position, even when it consists of a repeated lexical item (*grapes* in line 5):

¹³ This matter merits a much more detailed discussion, which is not possible here.

Table 15. Numbers 6.1-6: Predicate NP progression

	וַיְדַבֵּר יְהוָה אֶל־מֹשֶׁה לֵאמֹר: 6:1	And YHWH spoke to Moses saying
	דַּבֵּר אֶל־בְּנֵי יִשְׂרָאֵל וְאָמַרְתָּ אֲלֵהֶם 6:2	Speak to the sons of Israel and say to them,
1a	אִישׁ אִו־אִשָּׁה כָּן יִפְלֹא לְנִדָּר נָזִיר	1a A man or a woman if sets apart
1b	לְהַזִּיר לַיהוָה:	1b to vow a vow to <u>consecrate</u> to YHWH
2	מִיַּיִן וְשִׁכָּר 6:3 יִזִּיר	2 From wine and intoxicant he is to <u>consecrate</u> himself
3	חֲמֹץ יַיִן וְחֲמֹץ שִׁכָּר לֹא יִשְׁתֶּה	3 Vinager of wine and vinegar of intoxicant he is not to <u>drink</u>
4	וְכָל־מִשְׁרַת עֵנָבִים לֹא יִשְׁתֶּה	4 And <u>all</u> juice of grapes he is not to <u>drink</u>
5	וְעֹבֵבִים לְחֵים וְיִבְשִׁים לֹא יֵאָכֵל	5 And <u>grapes</u> moist or dried he is not to <u>eat</u>
6a	כָּל יְמֵי נִזְרוֹן 6:4	6a All the days of the consecration
6b	מִכָּל אֲשֶׁר יַעֲשֶׂה מִגֶּפֶן הַיַּיִן מִחֲרָצִים וְעַד־זָג לֹא יֵאָכֵל	6b of <u>all</u> which is made from vine of wine, from seeds to the skin, he is not to <u>eat</u>

There are two questions that may be raised in connection with this passage. The first has to do with the our hypothesis made earlier concerning the default position of repeated information. Line 4 introduces *juice of grapes*, and line 5 focuses on the food of grapes – *grapes moist or dried*. In these lines, both these elements occur in the first constituent of the clause. It was mentioned above that the marked position for repeated elements was the initial position of the clause, possibly signaling a kind of prominence or more pronounced thematic shift. If this hypothesis is true, then it would be logical to determine if and what kind of prominence is taking place in line 5 where the lexical item *grapes* is repeated from line 4, yet is found in initial position.

An examination of thematic development of these lines shows a progressive build-up of the increasingly stringent nature of the prohibitions. Line 2 begins with the most obvious – abstention from strong drink. Line 3 makes the statement stronger with the addition of *vinegar of*. Line 4 takes the theme of *drinking* substance and adds a further restriction – not even *grape juice*! Line 5 shifts from the *drinking* to the *eating* verb, but retains the topic of *grapes*, adding the most stringent prohibition of not even *eating* a basic ingredient of their diet. Line 6 then wraps up with a climactic all inclusive prohibition consisting of a long clause beginning with a repetition – *all the days of the consecration* – and concluding with two word pairs which effectively include anything that has to do with grapes, and with a final repeated verb.

It can be suggested then that the clause initial repetition in line 5 takes place here in order to highlight a shift from *drinking* to *eating*. The motivation for this prominence marking would be to mark this

increasing stringency just before a climactic all-inclusive statement. A possible translation could be: *Not even grapes, whether moist or dried, are to be eaten!*

The second question concerns the verbal progression – *drink > eat* – taking place in clause final position, which one might have expected to be in clause initial position. Might it be a way, by way of syntax, to assign a thematic thread to these verbs, all referring to prohibition of the consumption of certain elements? One should also note that verbs in the succeeding prohibitions for Nazerites are also in non-initial position, as shown below:

11) Num. 6.5a,6

כָּל-יְמֵי נְדָר נְזִירוֹ תֵעָר לֹא-יַעֲבֹר עַל-רֹאשׁוֹ
All the days of the vow of consecration a razor, he is not to pass over his head

כָּל-יְמֵי הַזִּירָה לֹא יִבֹּא לִיהוָה עַל-גַּפְשׁ מֵת לֹא יִבֹּא
All the days of the consecration to YHWH on a soul of dead he is not to approach

An even more serious question arises when a series of clauses with predicate NP + Verb constituent order consists of a list of laws where the thematic continuity is less clear. Ex. 22.27-30 (Table 16 below) is a group of ten directives which all have initial predicate NP's.¹⁴ While it was mentioned earlier that a theme of doing things for God seems to loosely hold this group together, there are also some clear cases of clause medial and clause final verbal progression (e.g. lines 3-4, 8-9) where the thematic connection is somewhat obscure. Yet, it appears that the focus here is on predicate NP progression and less on verbal progression, with the consistently parallel syntax enticing the reader to look for verbal thematic continuity.

Table 16. Exodus 22.27-30: Predicate NP progression

1	22:27	לֹא תִקְלַל אֱלֹהִים	God, you are not to curse
2		וְנָשִׂיא בְעַמֶּךָ לֹא תֵאָרֵךְ:	And an exalted leader among your people, you are not to damn
3	22:28	מִלְאֲתֶךָ וְדִמְעָה לֹא תֵאָתֵר	Your abundance and overflowing you are not to hold back
4		בְּכוֹר בְּנֶיךָ תִתֵּן-לִי:	[The firstborn] of your sons you are to give me
5	22:29	כֹּן-תַעֲשֶׂה לְשֹׂרְךָ לְצֹאֲנֶךָ	Thus you are to do for your cattle and your flocks
6		שִׁבְעַת יָמִים יִהְיֶה עִם-אִמּוֹ	Seven days he-is-to-be with his mother
7		בְּיוֹם הַשְּׁמִינִי תִתְּנוּ-לִי:	On the eighth day you are to give him to me
8	22:30	וְאֲנָשֵׁי-קֹדֶשׁ תִּהְיוּ לִי	And men of holiness you are to be for me
9		וּבָשָׂר בַּשָּׂדֶה טֵרְפָה לֹא תֵאָכְלוּ	And the flesh of the fields torn you are not to eat
10		לְכַלְבֵּי תִשְׁלֹכוּן אֹתוֹ ס:	To the dogs you are to throw it

¹⁴ See Table 5 and discussion in 4.1.3, concerning its status as a unit within a larger unit.

The thematic continuity of lines 3-8 is manifested through the use of synonymous verbal elements – *not hold back (line 3), give to me(4), thus you are to do(5), is-to-be with(6), give...to me(7), are to be for me(8)*. All of them except for the thematic elements of line 5 occur in clause final position. Line 5, *Thus you are to do for your cattle and your flocks*, begins with *ken (thus)* which refers back anaphorically to action of the previous line – *The firstborn of your sons you are to give me*. The new information, *for your cattle and your flocks*, is in the final position of the clause. This topic shift is highlighted by the fronting of the repeated elements in initial position of the clause.

A note should be made here of *time expressions*. Time expressions provide information for the temporal setting. They can be introduced as a major setting indicator,¹⁵ and introduce an entire text unit, as in Lev. 19.9 (Table 14). Alternatively time expressions can contribute to thematic development by indicating temporal shifts within the text unit itself.¹⁶ For instance in Ex. 22.27-30 (Table 16), lines 6 and 7 contain fronted time expressions, and form part of the predicate NP progression of that unit. More research needs to be done concerning the positioning of time expressions; however it appears that while they can be found in postverbal position, they tend to favor sentence initial position. A comparison of seven versions of the Sabbath day commandment – *6 days you are to work, and on the seventh day you are to rest* – shows that the time expression is consistently in sentence initial position when it occurs in a directive.¹⁷ Alternatively, the slave release law in Ex. 21.2, and in Deut. 15.12 show a variation of word order (12), as do two accounts of the narrative recall of the Sabbath of the creation story (13):

12) Ex. 21.2

If you-buy a Hebrew servant

Six years he-is-to-serve

And in the seventh year, he-is-to-go-out...

13) Ex. 20.11

For six days YHWH made

the skies and the earth...

and he rested on the seventh day

Deut. 15.12

If he-sells-himself to you your Hebrew brother...

he-is-to-serve-you six years

and in the seventh year you-are-to-send him ...

Ex. 31.17

For six days YHWH made ...

and on the seventh day, he...

¹⁵ See 2.2.1.1 for a discussion of ways to present the setting.

¹⁶ Levinsohn (see 2001b) tends to call fronting of time expressions ‘point of departures’, signalling a major topic shift or significant thematic development, though he does note in Levinsohn (1987) that some time expressions in a text may be focal. The time expressions in Table 11 (lines 6 and 7), as well as the fronting of time expressions in the Sabbath day commands, function less as a point of departure and more as a case of simple predicate NP progression (or ‘focus’ as Levinsohn would say), pushing the verb + subject sequence into a more thematic position.

¹⁷ Laserre (1994: 55) lines up 7 versions of the Sabbath law found in the Torah.

6.4.3 Subject position and thematic development

The subject appears to behave somewhat differently than the predicate. First of all, it is extremely rare to find subject progression in the same way that verbal and predicate NP progression can work. I found only one type of sentence structure where there are a series of clauses which have a *new subject referent in each succeeding clause*: when the subject noun phrase consists of a relative participial construction. These occur frequently (but not solely) in clauses that call for the death penalty (e.g. Ex. 21.15-17, 22.17-19): In the example below, the verb *die* remains thematic. All new information is found in initial position of the clause.

Table 17. Exodus 21.15-17: Subject progression

15	מָוֹת יוֹמָתִי:	וּמַכֵּה אָבִיו וְאִמּוֹ	The <i>one hitting</i> his father and mother must (inf.abs.) die
16	מָוֹת יוֹמָתִי ס:	וְגֵנֵב אִישׁ וּמָכְרוֹ וְנִמְצָא בְיָדוֹ	The <i>one stealing</i> a man and sells him and ... must (inf.abs.) die
17	מָוֹת יוֹמָתִי ס:	וּמְקַלֵּל אָבִיו וְאִמּוֹ	The <i>one insulting</i> his mother and his father must (inf.abs.) die

There are also rare examples of *subject progression of recently introduced referents* being promoted from patient or recipient status to agent (subject) status. In a genealogical text, Gen. 4.18ff, the begotten son becomes the begetter in each succeeding clause. The first clause is verb initial, while the word order in the succeeding clauses is Subject-Verb-Object: *born to-Enoch Irad, and Irad begot Mehujael, and Mehujael begot Methusael, and Methusael begot Lamech*. In this case, the repeated verb gains thematic medial status from the second clause on, while the subject referent is a repetition from the object of the previous clause. The only brand new information in these clauses is found in final position in the form of a direct object.

Other than these rare examples, when subjects are introduced for the first time, they tend not be in initial position but rather in post-verbal position. They tend to retain that position in clauses where verbal progression is predominant. In clauses with predicate NP progression, they tend to come right after the verb. Another aspect about the subject is that when it becomes thematic, its pronominal form is affixed to the verb, either prefixed or suffixed depending on the verb form. Thus there is the tendency to overlook even the existence of subjects. In the case of second person directives, the only alternation is between singular and plural forms, and affixed and full pronominal forms. Only infrequently is the independent second person pronoun found in the initial position of the clause.

In Biblical legal literature, subjects in initial position of the clause are infrequent. However they do exist, especially in 3rd person casuistic law where there may be several participants involved. A case in

point is Ex. 21.2-4 (14), where *master* (line 5), *wife and her children* (line 6b), and *he* (line 7) are all fronted subjects:

14) Ex. 21.2-4 Subject in initial position

1	<i>If you-buy a Hebrew servant</i>	<i>Six years he-is-to-serve</i>
2		<i>And-in-the-seventh-year he-is-to-go-out</i>
3	<i>If in-his-singleness he-enters</i>	<i>In-his-singleness he-is-to-go-out</i>
4	<i>If husband of a wife he</i>	<i>She-is-to-go-out his-wife with-him</i>
5	<i>If his-master gives to-him a wife</i>	
6	<i>And she-gives-birth to-him sons or daughters</i>	<i>the-wife and her-children</i> <i>are-to-be</i> <i>for her-master]</i>
7		<i>And-he</i> <i>is-to-go-out in his singleness</i>

Master is a new name for the old referent *you* in line 1. *Wife and children* and *he* are both repeated referents, and highly topical. It is possible that these three subject referents are highlighted in clause initial position for purpose of contrast. However, such an hypothesis would have to be tested with more evidence, along with a more detailed analysis of the various techniques used to express different types of contrast.

6.4.4 Conclusions

These observations are probably sufficient to demonstrate the amount of work that still needs to be done in analyzing the functions of the positions in a clause in relation to the syntactic categories of lexical items involved, and in relation to the semantic relations between clauses.

In previous work on word order in BH, analysis was based on constituent position in relation to the verb: anything that was pre-verbal was in marked position and was analyzed as being either focus or topic, and anything after the verb was called post-verbal. The approach that I have introduced here suggests an analysis of functions of sentence positions – initial, medial, and final – and that both verbal and nominal constituents should be considered for their role in thematicity, or topicality. Findings according to this analysis of lexical cohesion seem to suggest that second position, and frequently final position, tend to be the favored unmarked position for thematic or given information, while first position is the favored position for the introduction of new information.

Therefore my proposal that verbal elements when thematic do also tend to be placed in second position, can provide an explanation for the high number of verbs in second position of clauses in legal material. Rather than suggesting that XV word order is the marked word order for legal texts, I propose

that we pursue and test the hypothesis that given (repeated) information in initial position is the marked order.¹⁸

This pattern even seems to bear out in the syntactic organization of the language. At the clause level, it appears that the unmarked word order for clauses at the beginning of a text unit, where entirely new information is presented, tends to be VSO, with the subject being the default thematic element of the clause. On the other hand, when there is a pronominal object and nominal subject, the unmarked word order is V PRO Subject, putting the pronominal element effectively into second position.¹⁹ Within noun construct phrases X of Y, the second element tends to be the given element on which the first element provides an attribute. Observe also the following clauses, where in lines 2 and 3, there are a series of two new + given (in box) patterns, both of which follow the normal syntactic organization of the language:

Table 18. Numbers 1.50d-51ab: New + given order

1		וְסָבִיב לְמִשְׁכַּן יְחַנּוּ:	And around the dwelling they-are-to-camp
2	1:51	וּבְנִסְעַי הַמִּשְׁכָּן יוֹרְדוּ אֶתְּ הַלְוִיִּם	And in moving the dwelling, are-to-descend it the Levites
3		וּבַחֲנֹת הַמִּשְׁכָּן יָקִימוּ אֶתְּ הַלְוִיִּם	And in camping the dwelling, are-to-raise-up it the Levites.

¹⁸ van Wolde (2002: 41-43) comes the closest to my proposal here. She examines the distribution of given and new information in relation to constituent order in the clause. She provides the following information for narrative:

- sequential verb fronted clause: new+given is cataphoric + anaphoric
- verb not fronted: two types – new+given is cataphoric – (usu.) non S V)
- given+new is anaphoric (esp. established topic in subject position SV)

She states: “The background clauses with a given or already known element in front position (i.e. word-order “given-new”) fulfills an important function as well, because it grounds the new information into the already-stored old information. Cognitively, it furnishes the address or label for the storage locus in the episodic memory.”

However, she does not identify the role of verbal thematicity in the new-given clause configuration, which is not surprising, given the infrequency of these types of clauses in narrative material.

¹⁹ Van der Merwe (1999: 342).

LOOKING FOR ANSWERS BEYOND THE TEXT UNIT

Throughout this methodological presentation, I have repeatedly accessed information that is not immediately available within the text itself. It is useful to be aware of what those resources are in order to maximize the usefulness of this extra-textual knowledge.

7.1 Considering extra-linguistic knowledge

In order to best understand the functions of different linguistic structures, one also has to understand the meanings of words and of collocations of expressions found within the text. If we do not have a full grasp of meaning within the text, our analytic investigation of structure will have very little value if any, and none at all for exegetical interpretation.

The understanding of every word or combination of words is based on knowledge of the world in which the communication was issued. The reader will access his own and other's current knowledge of the meanings of the words. Very often this is helped by the knowledge of the situational context - anthropological, sociological, political, historical, and geographical information related to the text and the cultural setting of the text. In addition, the reader will access his own worldview in order to make sense of the text. As analysts, we must develop an awareness of how our own worldview informs the text and likewise affects our analysis. This makes the task of linguistic analysis ultimately much more vast than simply analysing sentences or even texts, but it is essential if our goal is to understand the text.

While a full extra-linguistic exploration is beyond the bounds of this thesis, I wish to illustrate how my extra-linguistic perception of human behaviour informs my understanding of the unity of the topic unit of Lev. 19.17-18.

Table 19. Leviticus 19.17-18

1	a	19:17 לֹא-תִשָּׂא אֶת-אָחִיךָ בְּלִבְבְּךָ	<i>You (sg.) are not to hate your brother in your heart</i>
2	b	הוֹכַחַת תּוֹלִיחַ אֶת-עַמִּיתֶךָ	<i>You are to surely rebuke your fellow citizen</i>
3	b	וְלֹא-תִשָּׂא עָלָיו חֲטָאֵ:	<i>And you are not to raise up on him sin</i>
4	c	לֹא-תִקֶּם	<i>You are not to act in vengeance</i>
5	c	19:18 וְלֹא-תִטּוֹר אֶת-בְּנֵי עַמֶּךָ	<i>And you are not to retain-anger with the children of your fellow citizens</i>
6	a	וְאַהֲבַתָּ לְרֵעֶךָ כְּמֹד	<i>But you are to love your neighbour as yourself</i>
7		אֲנִי יְהוָה:	<i>I am YHWH</i>

The only conjunctions of this text are *waw* conjunctions, yet it is clear from the meanings of the expressions that the semantic relations between these lines are more complex than simply listing. Further complications are the question of the semantic relation between lines 1 and 2, as well the unclear meaning of line 3.

Let us first look at line 2. Line 2 begins with an infinitive absolute + *yiqtol* verb. The immediate question is – why this prominence marker here? Recall that in Ex. 21.5, the use of the infinitive absolute contributed to prominence, highlighting *contrast*.¹ Might this be the case here? If so why would there be a contrast?

A process of reflection leads me to contemplate the possible reasons for hating one's own brother (i.e. close relative). Aside from the possibility of envy, the one reason for hating that could motivate the command to 'rebuke' and not 'hate', could be linked to an offense that the brother may have committed. Such an offense, especially if directed towards another person, is quite likely to arouse anger, bitterness, and hate, all of which are addressed in this unit. Out of my own world knowledge, I am aware of many people who struggle with bitterness in their hearts because of offenses that family members have committed against them, not to speak of offenses committed by society members against each other. This kind of bitterness, if not dealt with, can lead to some of the most heinous crimes of society, as well as multiple family fracturing and enmity. Therefore according to my own understanding of human behavior, line 2 can be the expression of a command to rebuke as an alternative to hating. This interpretation is reinforced by my understanding and by the evidence that the infinitive absolute verb form can be used for emphasis and contrast.

Let us continue now with line 3. Line 3 is connected to line 2 by means of a *waw*. It introduces a new referent, *sin*. The question may arise – what sin is this directive referring to: the sin of the person to be rebuked, or the sin of holding hate in one's heart? The story of Absalom who hated Ammon for raping his sister, and said not a word,² appears to support the latter interpretation. If lines 1 and 2 can be interpreted as – *do not hate someone for what he has done, rather rebuke him*, then the rebuking can be seen as the correct alternative to the sinful hating, and line 3 would be seen as *reason* given, so that one does not hold the sin of hate because of someone else's actions. This is one of two possible analyses given for this

¹ Milgrom (2000: 1648) citing GKC § 113p, points out that one function of the infinitive absolute is to "lay emphasis on an antithesis."

² 2 Sam. 13.22. Milgrom (2000: 1646) points this out as an example of negative consequences of holding hate in one's heart without reproving the offender.

portion,³ but it does show that a closer analysis of the discourse function of the infinitive absolute as a possible indicator of contrast, along with one's knowledge and comprehension of human behavior, could yield such an analysis.⁴

Line 4 does not begin with a *waw*, and it seems to be picking up from line 1 – *do not hate* – and continuing with further *specification and alternative* ways to describe this hate (in lines 4 and 5) – *to not act in hate, or retain angry thoughts*.

Line 6, expressing a positive command, is expressed with a *weqatal*, and shows a positive-negative equivalence relation with both the previous two lines and with the first line of the text. This contrast and the overall high level of parallel structure in the text prompts one to interpret a positive-negative relation between lines 1 and 2, as well as a close thematic integrity of lines 2 and 3 with the rest of the text.⁵

7.2 Comparative research

Just as a good semanticist will examine all the contexts and uses of the word under examination, likewise a good discourse analyst must examine the discourse context of all other like structures in a corpus much larger than the text unit under investigation. In fact, throughout this thesis, I have been referring to data outside of the context of any one text and making comparative notes along with tentative generalizations.

The discourse analysis of any one linguistic structure may begin with the consultation of any books on Biblical Hebrew syntax, as well as various Hebrew dictionaries. A second area of investigation is the analysis of the text by other authors. However, one should never assume that all the answers have been found in someone else's research. In addition, if analysis is done before, or independently of, accessing other research, one may come up with different discoveries not yet recorded in publications. This was my experience when discovering the structural arrangement of Ex. 21.2-11.

Beyond these sources, one must also examine the linguistic structure in a lot of texts. The following steps can serve as a guide to this kind of research:

³ The alternative interpretation has been – *Rebuke so that you are not responsible for the other persons' sin*. While this is a plausible interpretation, which is supported by other scripture, such an interpretation does not fit semantically with this unit. It would give the impression that lines 1 and 2 are simply a list of commands that have only a very vague if any thematic connection. See Milgrom (2000: 1646-1656) for a discussion of the bases for the two interpretations.

⁴ See also Kugel (1987) for a similar interpretation based on studies of the Proverbs.

⁵ Meynet (1998: 207-210) argues that parallel structures force one to look for the specific relationships of meaning between the parts. See also Berlin (1985: 5) and comments on the functions of parallelism (5.1.4).

1. Choose a linguistic structure to investigate. It may be a verb form, word order, a conjunction, repetition, a semantic relation, syntactic category, participant reference, etc., or any combination of structures, such as we saw above in the discussion on thematic development.
2. Form a tentative hypothesis, and make a list of questions concerning the function of this structure.
3. Select a few other legal texts that have, as much as is possible, the same parameters (e.g. same word order, structural arrangement, case law or not, amount of argumentation, etc.) as the text under study. Determine how the linguistic structure operates in those texts and revise your hypothesis as necessary.
4. Do the same by comparing your text with other legal texts which have a higher number of different parameters (e.g. casuistic with apodictic, a lot of argumentation vs. no argumentation, verb initial texts versus non-verb initial texts, etc.)
5. Look for other texts that contain the same laws or themes as your chosen text, and compare structures.
6. Compare with texts which have the same general communicative function but which have several differing parameters (e.g. Prescriptions vs. exhortations vs. requests).⁶
7. Finally, compare with texts which have different communicative functions (e.g. directive with narrative).

Statistical analysis is an important part of linguistic research. However, it is essential that statistics be informed by contextual parameters. And this is no easy job for discourse analysis research. It may be relatively simple to do a run of statistics of any particular structure with the help of a computer program. But it is a little more difficult to have the computer tally frequencies relative to specific contexts.⁷ Furthermore, the defining discourse context of a linguistic structure may not be initially known by the investigator. One must examine all of the contexts and parameters in order to determine what are the common denominators associated with the linguistic structure. For this reason, it is best to begin with a small number of texts (about 10) of one classification, propose your hypothesis, and then test your hypothesis with the analysis of more texts. In the process, one may discover another parameter which must be factored into the analysis, which would then require a new statistical count.

When investigating the function of any particular linguistic structure, one may find that it has different functions or meanings depending on the context, sometimes even within the same text! A very simple example of this is the conjunction *ky*. Within a legal text, when it precedes the main clauses it is generally

⁶ Bhatia (1993: 23-24) emphasizes the importance of defining and identifying the text genre that one intends to work with: "In order to select the right kind and size of corpus one needs to:

- *define the genre/sub-genre that one is working with well enough so that it may be distinguishable from other genres either similar or closely related in some ways. The definition may be based on the communicative purposes, the situational context(s) in which it is generally used, and some distinctive textual characteristics of the genre-text or some combination of these;*
- *make sure that one's criteria for deciding whether a text belongs to a specific genre/variety are clearly stated;*

- *decide on one's criteria for an adequate selection of the corpus for one's specific purpose(s) – a long single typical text for detailed analysis, a few randomly chosen texts for exploratory investigation, a large statistical sample to investigate a few specified features through easily identified indicators"*

⁷ Bhatia (1998: 25) also points out the limited value of the use of statistics for analysis: "The findings remain severely constrained by their emphasis on surface features and do not provide adequate information about the way communicative purpose is accomplished in a particular genre."

interpreted to introduce a conditional clause. When it follows a main clause, it often, but not always, introduces a reason clause. Likewise, structures may have different functions in different texts. For example, as we noted earlier, what is highly prominent in one context may not be so in another context, and thus will have a different function.

One fundamental aim of linguistic research is to discover rules or patterns, and to determine the underlying motivations for the use of any one linguistic structure. Our hypothesis may hold true in MOST cases but there may be some cases that seem to contradict the hypothesis. However, if there are only a small fraction of exceptions, it is possible that no clear explanation can be found for the exceptions. Generally, though, the higher the number of ‘exceptions’, the more suspect the suggested functions or patterns for a linguistic structure. If this is the case, it will be of value to attempt analysis along a different set of parameters. For example, various authors have examined word order and have posited various claims by correlating word order with different parameters:

1. correlation with the parameter of temporal / non-temporal sequencing
2. correlation of on-line versus off-line in narrative and procedural (Longacre, 2003)
3. correlation of ‘obligation’ expressions with non V initial word order (Myhill, 1995)
4. examining the parameter of subject (or agent) fronting
5. examining patient fronting (Myhill and Xing, 1993)
6. word order and given – old info (van Wolde, 2002)
7. VSO as basic; pre-verbal is a special position
8. A pre-verbal position marks both topicalized and focused elements (Rosenbaum, 1997)
9. Initial position is a focus position (Shimasaki, 2002)
10. Correlation of word order with verb transitivity (Fariss, 2003)

While all of these observations and claims seem to point to some truths, they are found wanting when applied to legal directive texts. Even Muraoka (1985: 40) after carefully presenting his explanations for word order variation, adds that he found at least 60 (!) exceptions in Biblical law. Clearly the function of constituent order as it pertains to Biblical law awaits more precise explanations! My own attempt at correlating repetition with thematicity and tracking information status in correlation with syntactic order and semantic relations is yet another attempt for a suitable explanation that can explain word order in both narrative and directive texts.

CONCLUSION

This thesis has looked at the discourse analysis of Biblical law from numerous angles in an attempt to propose a comprehensive approach. As mentioned in the introduction, it does not claim to propose a definitive analysis of Biblical law; rather it endeavors to point out the areas that need to be covered, and to give a brief introduction to each area.

Some of the proposed focal points of research are not new to Biblical scholarship, such as the study of parallelism and symmetric structures as well as the matter of identifying units and boundaries. What is new here is that I propose that they be analysed as part of a discourse analysis approach which considers numerous other parameters, both linguistic (e.g. word order, verb forms, semantic relations, etc.) and pragmatic (e.g. information status, prominence), and also takes into consideration both the textual and extra-linguistic context.

Several other areas, while an acknowledged part of discourse analysis, await further investigation in Biblical Hebrew texts: semantic relations, prominence, lexical cohesion, and thematic development.

The topic of semantic relations has been referred to here and there throughout the literature, but it has not been the focus of research, to my knowledge since Andersen's (1974) book on *The Sentence in Biblical Hebrew*. This thesis challenges the researcher to take a look at the various types of semantic relations between clauses and how their forms correlate with all of the other parameters presented here. The parameter of temporal succession is demoted from its position as primary parameter for narrative discourse, and is simply considered along with other parameters frequently found in Biblical law. Constituent order must not be analysed solely in conjunction with the parameter of information status, but must also take into account the type of semantic relations expressed between the clauses concerned, as well as possible other functions in the text. The challenge to analyse semantic relations in Biblical law can be extended to other genres and discourse types of the non-narrative type.

The matter of prominence in Biblical Hebrew has been investigated by a few authors, but its role in the text needs to be further described and defined for each text type, and more fully recognized and discussed by Biblical scholarship. This thesis presents a sketch of what this looks like in Biblical law. While research on narrative texts has accepted the notion of climax indicated by a cluster of certain linguistic features, the suggestion of a similar type of high point in legal texts has led to an investigation of its position in the text and of the features that it exhibits. The matter of a possible default prominent

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position in the clause was also addressed, providing a possible reason for variable word order in Biblical Hebrew.

Once the researcher arrives at the point of examining lexical cohesion and thematic development, all other aspects need to be taken into consideration. Such a comprehensive approach can lead to exciting discoveries and explanations for the varied structure found in legal texts. My presentation of a proposed method of investigation for legal texts is only a beginning, since this area of research has received almost no attention to date.

This thesis has also presented innovative approaches to old problems.

The first is the matter of parameters for text analysis and classification. It was seen that Biblical law is part of a larger communicative purpose classification labeled 'directive'. It is part of a subclassification called 'regulatory', which itself is part of a group of 'authority' directives. These authority directives are seen to be distinguished from, and yet overlap, in some aspects, with 'wisdom directives'. While some scholars have looked at separate genres such as wisdom literature, prophetic literature, and Biblical law, and still others have examined specific parameters associated with directive types of texts and have proposed a partial classification, no-one to my knowledge has attempted a comprehensive classification of all types of directive discourse. This thesis has proposed a tentative classification, which serves as a starting point for research and analysis of Biblical Law.

While I have favored a primary classification scheme according to the parameter of communicative purpose, I also state that analysis is enhanced by recognizing all the parameters that make up a text, and by subjecting texts to various classification schemes in order to facilitate comparative study and analysis. In addition, the look at the various parameters gives us a preliminary view of the possible links and correlations that can be found between them, preparing us to be aware of the complexity of the text, so as to avoid making premature conclusions concerning the functions of any one linguistic structure.

The second problem addressed here is the matter of word order. While not denying the claims and discoveries made by other scholars, there has been a sense that current explanations come up short when trying to explain the functions of word order found in legal texts. I have proposed to look at the problem from a new angle, examining the parameter of repetition in correlation with the position of repeated elements in a clause. I find that there is a higher incidence of repeated elements at the end of the clause, making clause initial position the favored position for new information, regardless of whether the constituent is a subject, verb, or object. It also appears that repeated elements found in clause initial position signalled some kind of prominence, particularly in the area of thematic development. The nature and function of this kind of prominence remains to be fully investigated and defined, taking into

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consideration all the other parameters that may come into play, such as semantic relations and structural arrangements of a text.

Finally I wished to address two elements in research analysis that are sometimes done intuitively, without full realization of their role in shaping analysis: how extra-linguistic knowledge (and world-view) and information gleaned from other Biblical texts can be used to influence and aid our analysis. A more explicit understanding of their roles can provide for a richer and better informed analysis of the functions of the various linguistic structures, including structural arrangements, grammar, syntax, and lexical elements that make up a text.

One area that was not sufficiently addressed was the role and nature of argumentation in a legal text that its authors claim to be of divine origin. Such an analysis must move beyond simple recognition of motive clauses – which have been identified by various authors – and lead to the investigation of how the arrangement of legal directives, the type of wording used, as well as motive clauses are used in developing argumentation which supports the legal directives. This will involve all of the same procedures outlined above, as well as an examination of rhetorical function of argumentation, including how linguistic structures are used rhetorically to impress upon the recipient the importance and value of heeding the directives.

I will conclude with a statement made by van der Merwe (2003: 24) in his survey of recent trends in Biblical Hebrew linguistics:

“If, furthermore, insight can be gained into the way in which Biblical Hebrew speakers structure information in specific communication situations to create and maintain spaces, for example by means of different types of focus and topic marking constructions, specific lexical items (e.g. connectives, discourse markers, focus particles), the use of deictic expressions, the use of vocatives, the use of repetitions, lexical patterns, and different patterns of re-lexicalization, I am of the opinion that one may claim that the first well-justifiable steps towards a more comprehensive model for the description and interpretation of Biblical Hebrew have been taken.”

It is my hope that this methodology for the discourse analysis of Biblical law can be a contribution toward this greater goal for a comprehensive description and analysis of the Biblical Hebrew language.

APPENDIX: SURVEY OF DIVINE REGULATIONS IN THE TORAH

In **Genesis**, there are three regulations given by God, one each given to Adam, Noah, and Abraham respectively:

- Genesis 2.16-17 - Permission to eat from all plants except one.
- Genesis 9.1-7 – Permission to eat meat except blood.
- Genesis 17.9-14 – Command to circumcise.

In each case, the law is embedded within a narrative. The laws given to Noah and Abraham were covenantal, in that they are accompanied by promises from God. These two laws were interpreted by succeeding generations of Israelites as applicable and binding, and continue to be practiced by Jews to this day. The first was applicable only in the setting of the Garden of Eden, as far as we can ascertain.

In **Exodus** begins the bulk of Biblical laws, which are also covenantal. The first law was promulgated for the evening of the first Passover. It was first given as an order and instruction for an immediate situation (Exodus 12.1-13), but was immediately extended and elaborated to apply to succeeding generations (**12.14-20** Feast of Unleavened Bread; **12.43-49** Restrictions on Participation; **13.1-16** Law of the Firstborn). These laws are embedded in the narrative of the exodus from Egypt, and contain a generous amount of support material, in order to explain the reasons for these laws.

Upon arrival at Mount Sinai, the narrative relates an elaborate preparation for the reception of the words of YHWH. These begin with the solemn pronouncement of what is known in English as the ‘Ten Commandments’ (**Exodus 20.1-17**). A narrative interlude separates the ten commandments from the rest of the laws in Exodus, usually referred to as the ‘Covenant Code’ (**20.22-23.33**). This covenant code is for the most part an elaboration of the ten commandments, concerning the treatment of slaves, cases of personal and animal injury, theft, proper worship to the one God, the offering of the firstborn, justice and honesty, moral laws, and Sabbaths and feasts. The entire section concludes with promises of blessing, protection, and victory if these laws are followed. At this point no curses have been pronounced. Some of the same laws are repeated separating later narrative units: after the instructions for the building of the tabernacle, the Sabbath law (**Exodus 31.12-17**); after the second reception of the tablets, the ‘Ritual Decalogue’ (**Exodus 34.10-27**). The Ritual Decalogue (so named by scholars) accompanied by warnings to drive out inhabitants of Canaan, is a collection of laws concerning the observance of Feasts, and offerings (firstborn and first fruits) to YHWH. This passage is a repetition of Exodus 23.10-33, with slight variations.

The book of **Leviticus** is almost entirely a book of law (all except Leviticus 8-10). It is a continuation of the laws given at Mount Sinai, this time in the Tent of Meeting. Although some of the laws in Exodus are repeated, particularly an elaboration of the ten commandments (Leviticus 19), the focus is on ritual and moral purity, and on holiness in all areas of life. Because of the high frequency of the word ‘holy’ throughout Leviticus 17 – 26, scholars have often labeled this section the ‘holiness code’.

Laws in Leviticus consist of sacrificial obligations (**Leviticus 1-7**), ritual purity laws (**Leviticus 11-15**), procedural law for the day of atonement (**Leviticus 16**), laws concerning appropriate sacrifice, blood, and meat (**Leviticus 17**), moral purity and social justice laws (**Leviticus 18-20**) (18-19 are structured as apodictic; 20 in casuistic structure details punishment for transgression of some of the laws in 18 and 19), special regulations for priests (**Leviticus 21- 22**), laws concerning the appointed times – Sabbath, and festivals (**Leviticus 23- 24.9**), a specific case of conflict and blasphemy which provides occasion for more case laws concerning blasphemy, injury and murder (**Leviticus 24.10-23**), and finally laws concerning sabbatical year, jubilee, and the release of debts and slaves (**Leviticus 25**). The section ends with a list of

blessings and a long list of curses (Leviticus 26) for those who do not follow the laws. The last chapter (**Leviticus 27**) concerns laws dealing with the redemption of vowed people, animals, and property.

Biblical law sections are scattered throughout **Numbers**, often embedded in narrative, and accompanying orders for a specific occasion. It is a time when the Israelites seek to put God's law into practice (or challenge them!), and when certain questions arise, to which YHWH through Moses answers. The laws are often accompanied by a fair amount of elaboration and instructions. Along with law, there are other types of directives: complaining demands, polite requests, Moses' cries for mercy, and exhortations.

Numbers 1-4 detail regulatory prescriptions for a limited defined period of time, that of the sojourn in the wilderness. According to YHWH's instructions each tribe was counted and assigned a campsite location in relation to the tabernacle; the Levites were assigned their duties of the packing up and transportation of the tabernacle, as well as of maintenance and service.

Biblical Law, as such begins in **Numbers 5-6**, which include regulations concerning restitution of wrongs, checking for marital infidelity, Nazerite laws, and finally the command for priests to bless the people. Both the Nazerite law (Numbers 6.1-21) and the law for checking for infidelity (Numbers 5.11-31) include procedural regulations.

Numbers 7 – 9.14 are a series of orders for the setting up of the tabernacle, the dedication of Levites, and the first Passover after the construction of the tabernacle. The order for the Passover (**Numbers 9.1-14**) is accompanied by the creation of regulations to cover certain cases about who may and must celebrate the Passover. Numbers 10 begins with an order to fabricate two trumpets, followed by regulations for the use of trumpets (**Numbers 10.1-10**).

Numbers 10.29-32 is a request by Moses to his father-in-law to accompany them to the land of Canaan. Chapters 11-14 is narrative with the major theme of complaint and rebellion. In each case of rebellion Moses is compelled to complain or to cry out to YHWH for mercy (Numbers 11.2, 11-15, 12.11-13, 14.13-19). The report of the spies of Canaan and the subsequent pessimism and rebellion, occasions exhortation on the part of Caleb and Joshua to take courage and go up to Canaan (Numbers 13.30, 14.5-9).

Numbers 15 is a series of regulations some of which add the condition, 'when you enter the land...'. They concern further details on sacrifice and rules concerning inadvertent sin versus deliberate sin. Numbers 15.32-36 is another specific case that arose and which was dealt with.

Numbers 16-17 concerns yet another rebellion, this time against Moses and Aaron for which YHWH and Moses give orders for punishment and atonement as well as for a symbol to prove to the people YHWH's divine will.

Numbers 18 focuses on duties and rights of the priests and Levites, followed by regulations for purification from sin and uncleanness (**Numbers 19**).

Chapters 20-27 is another narrative section with a variety of embedded discourse types, including the complaints, orders, and requests (e.g. Numbers 27.1-11)

Numbers 28-30 are further regulations concerning offerings, specially appointed days, and vows made by individuals.

Numbers 31-34 is another narrative section which also includes orders and a request. **Chapter 35.9-33** are regulations concerning who is eligible for refuge in the cities of refuge; **36** concerns a ruling in the case that daughters inherit land.

Deuteronomy is the book of Moses' last words to the Israelites. Chapters 1-11 is an earnest exhortation to love 'YHWH your God', to follow all His laws, and to teach them to the succeeding generations. He begins by giving a review of events beginning at Mount Sinai up until his speech in the

plains of Moab (Chs.1-3), and then continues with his earnest exhortation (Ch.4-11), using a variety of techniques: recall of God's great miracles for them and his astounding attributes, reminder of Israel's shameful rebellions, review of the ten commandments (**Deut. 5.6-21**), threats and promises, etc.

Chapters 12-26.15 constitute the final body of Mosaic law, focusing on matters of settlement in the new land: the sanctuary for proper worship and sacrifice, elimination of pagan gods, punishment for idolatry, animals that one may or may not eat, tithing, release of debtors and kindness to the poor, first-born, Passover, and other festival laws, procedures for court cases, determination of guilt and punishment, matters concerning kingship, priests, Levites, and prophets, cities of refuge, wartime instructions, inheritance in polygamous marriages, rebellion, respect of life and property, purity laws, and laws regulating relations between neighbors and family members.

These laws conclude with further exhortation (Deut. 26.16-19). Chapter 27 begins with instructions for the recording of the law in the new land, and then continues with blessings and a very long series of curses in the event that the law is disobeyed (Deut. 27-30.10), concluding again with a final exhortation (Deut.30.11-20). Chapter 31 deals with final issues of passing on the leadership to Joshua, recording of all the instructions, and the command to read them publicly on specific occasions. Chapters 32 and 33 record Moses' song to the Israelites, speak of the anticipation of Israel's rebellion, as well as Moses' final blessings to each tribe, followed by the death of Moses recorded in Chapter 34.

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