Although ancient Israelite prophetic poetry sometimes envisioned a legal trial between God and Israel (the “covenant lawsuit”; cf. Isa 3:13–14; Mic 6:1–8), or envisioned God as arguing a case on behalf of the people (Jer 50:34), legal language traditionally played little role in personal piety. Occasionally, a psalmist might speak of God's entering into judgment with him (Ps 143:2) or of God’s pleading his case (Ps 119:154). In all of these instances, however, the people are represented as the accused, whether accused by God or by some third party. This is not to say that psalmists do not raise complaints against God. To the contrary, they can be quite eloquent both speaking in the voice of the nation (as in Psalm 44) and individually (as in Psalm 22:2–3; 43:2; etc.) in complaining about God’s dereliction of duty. For all of this plain speaking, however, they never employ imagery that would represent the people or the psalmist as a plaintiff in a trial with God. Either that was a repugnant, or more likely, simply an unthinkable idea. Outside of the book of Job there is only one place where such an idea is entertained—Jeremiah 12:1. In that verse Jeremiah unmistakably uses legal terminology—צדיק, ריב, משפטים, רבי, צדיק—and posits himself as plaintiff and God as the accused. But the trope is little more than a rhetorical flourish, albeit a bold one, for Jeremiah begins his words with an indication of the absurdity of such a conceit: “You will win, O Lord, if I make claim against You, yet I shall present charges against You” (NJPS; translations are my own unless otherwise noted). But Jeremiah drops the trope as quickly as he has introduced it. It does not function to shape his thinking in any larger way.

Only in the book of Job is the metaphor for a trial with God developed in such a fashion that it becomes a potential model for organizing a person’s relationship with God as an alternative to the models of psalmic and sapiential piety. Even in Job the notion of a trial with God emerges in Job’s dispute with the friends simply as a joke, a bitter parodic pun on something that Eliphaz
has previously said. Initially, it has no more force than Jeremiah's sarcastic jab. But it soon becomes much more than this, though the legal metaphor never establishes itself as Job's only means of thinking about his situation or exploring his relationship with the deity. Instead, in Job's speeches legal language repeatedly flares and fades. But the frequency with which Job returns to it, and its strong presence in his final extended speech in chapter 31, underscores its significance in the book as a whole. Yet in the end, the book turns away from the legal metaphor, though whether that move should be taken as a firm rejection of the legal metaphor or simply a recognition of its inherent limitations is unclear. In either case much of the intellectual excitement of the book of Job comes from watching the process by which a previously unthinkable idea comes into being, is explored and tested, distanced and brought near, as the possibility of a radically different religious imagination takes shape before the reader. Even if the climax of the book asks one to renounce the efficacy of the legal model for understanding human/divine relations, the world of intellectual possibilities is forever changed by the work that Job has done. In what follows I wish to explore the nature and processes of the imagination at work as they are revealed in how the author of Job depicts Job's invention of a new way of exploring the relation between the human and the divine. 

One cannot understand the emergence of the legal metaphor in Job's speeches without understanding what has happened to Job's relationship to the rhetorical world that had previously shaped his understanding. This rhetorical world is articulated in the dialogues by Job's friends. As a species of practical wisdom, what they say deserves far more respect than it is often accorded. In his first speech in chapter 3 Job had attempted to articulate the magnitude of his anguish and concluded his speech by identifying that which he had dreaded and which had now come upon him as “turmoil” (רגז). The friends attempt to respond to Job's identification of his distress by offering the cultural resources designed to contain the sense of turmoil and restore meaning and agency to Job's world. They offer him a variety of narrative schemas that place his sufferings within larger meaningful plots of survival and hope (5:8–16, 17–26; 8:8–22) and narrative schemas that reassert the ultimate outworking of justice (4:7, 8–11; 8:4–7), even as they also attempt to normalize mortality itself (4:12–21). Most importantly, they urge Job to pray to the God who transforms situations (5:8–16) and who is gracious to those who seek mercy (8:5–6). They offer him a way in which he can become an agent in the transformation of his situation. Restoration of meaningfulness and the re-establishment of a sense of agency are powerful tools of resistance against debilitating emotional turmoil. I am not particularly interested in questioning the theological adequacy of the friends' consolatory words or noting their conceptual inconsistency. What they provide is an inventory of the rhetoric of coping, which had apparently worked